



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

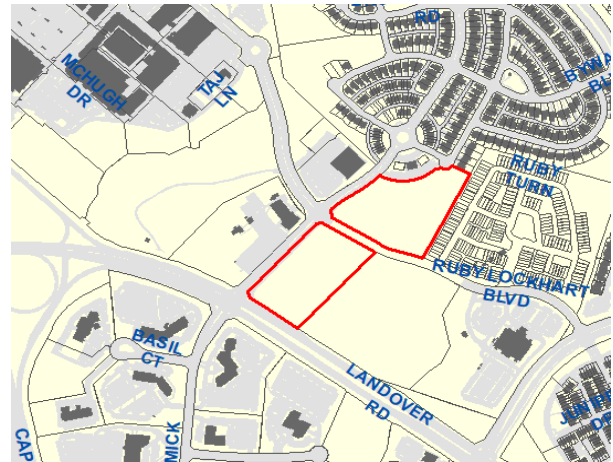
Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

## Detailed Site Plan Departure from Design Standards Woodmore Commons

**DSP-04067-10**  
**DDS-672**

REQUEST	STAFF RECOMMENDATION
<p><b>DSP:</b> Development of 71,411 square feet of commercial, retail, and office uses.</p> <p><b>DDS:</b> Departure from Design Standards for a reduced parking space size of 9 feet by 18 feet.</p>	APPROVAL with conditions

<b>Location:</b> In the northeast quadrant of the intersection of MD 202 (Lanover Road) and St Joseph's Drive, on both sides of Ruby Lockhart Avenue.	
Gross Acreage:	10.64
Zone:	M-X-T
Dwelling Units:	N/A
Gross Floor Area:	71,411 sq. ft.
Planning Area:	73
Council District:	05
Election District:	13
Municipality:	N/A
200-Scale Base Map:	203NE08
<b>Applicant/Address:</b> Balk Hill Ventures, LLC 1919 West Street Davidsonville, MD 21035	
<b>Staff Reviewer:</b> Henry Zhang, AICP, LEED AP <b>Phone Number:</b> 301-952-4151 <b>Email:</b> Henry.Zhang@ppd.mncppc.org	



Planning Board Date:	03/18/2021
Planning Board Action Limit:	03/18/2021
Staff Report Date:	03//3/2021
Date Accepted:	12/30/2020
Informational Mailing:	04/09/2020
Acceptance Mailing:	12/11/2020
Sign Posting Deadline:	02/16/2021

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at [http://www.mncppcapps.org/planning/Person\\_of\\_Record/](http://www.mncppcapps.org/planning/Person_of_Record/). Please call 301-952-3530 for additional information.

## Table of Contents

EVALUATION CRITERIA.....	3
FINDINGS .....	4
1. Request.....	4
2. Development Data Summary .....	4
3. Location.....	5
4. Surrounding Uses.....	5
5. Previous Approvals .....	5
6. Design Features .....	6
COMPLIANCE WITH EVALUATION CRITERIA.....	9
7. Zoning Map Amendment (Basic Plan) A-9956-C.....	9
8. Prince George’s County Zoning Ordinance .....	10
9. Conceptual Site Plan CSP-03001 and its amendment.....	18
10. Preliminary Plan of Subdivision 4-18024.....	18
11. Detailed Site Plan DSP-04067 and its amendments .....	21
12. 2010 Prince George’s County Landscape Manual .....	21
13. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance	23
14. Prince George’s County Tree Canopy Coverage Ordinance .....	23
15. Referral Comments.....	23
RECOMMENDATION .....	26



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-04067-10  
Departure from Design Standards DDS-672  
Alternative Compliance AC-21005  
Type 2 Tree Conservation Plan TCP2-082-05-06  
Woodmore Commons

The Urban Design Section has completed its review of the subject application and appropriate referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

**EVALUATION CRITERIA**

This detailed site plan was reviewed and evaluated for compliance with the following criteria:

- a. The requirements of Zoning Map Amendment (Basic Plan) A-9956-C;
- b. The requirements of the Mixed Use-Transportation Oriented (M-X-T) Zone, and the site plan design guidelines of the Prince George's County Zoning Ordinance;
- c. The requirements of Conceptual Site Plan CSP-03001 and its amendment;
- d. The requirements of Preliminary Plan of Subdivision 4-18024;
- e. The requirements of Detailed Site Plan DSP-04067 and its amendments;
- f. The requirements of the 2010 *Prince George's County Landscape Manual*;
- g. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- h. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- i. Referral comments.

**FINDINGS**

Based upon the analysis of the subject application, the Urban Design Section recommends the following findings:

- 1. Request:** The detailed site plan (DSP) is for development of approximately 72,000 square feet of commercial, retail, and office uses in two distinct sections.

The companion Departure from Design Standards, DDS-672, requests a reduction of the standard surface parking space size to 9 feet by 18 feet.

- 2. Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	M-X-T	M-X-T
Use	Vacant	Commercial/Retail/Office
Total Acreage	10.64	10.64
Parcels	2	8
Total Gross Floor Area (sq. ft.)	-	71,411

**Overall Floor Area Ratio (FAR) in the M-X-T Zone**

Base Density Allowed:	0.40 FAR
Residential Bonus Incentive:	1.00 FAR
Total FAR Permitted:	1.40 FAR
Total FAR Proposed:	0.44 FAR*

**Note:** \*Pursuant to Section 27-548(e) of the Zoning Ordinance, the proposed FAR shall be calculated based on the entire property, as approved with the conceptual site plan (CSP). CSP-03001-01 includes 125.4 acres and the proposed FAR in this DSP needs to include the proposed development and all other previously approved development within the CSP area. The DSP does not include a table listing the allowed and proposed FAR. Therefore, the general notes, as conditioned herein, should be updated to show the allowed and proposed FAR, relative to the entire CSP area.

**PARKING AND LOADING TABULATION**

Parking Ratio by Uses	Western Section							Eastern Section
	Parcel 3	Parcel 4	Parcel 5	Parcel 6	Parcel 7	Parcel 8	Parcel 9	Parcel 10
<b>Total Parking Spaces**</b>								
<b>352</b>	<b>25</b>	<b>16</b>	<b>58</b>	<b>33</b>	<b>141</b>	<b>21</b>	<b>25</b>	<b>33</b>
of which								
Handicap-Accessible	2	2		4	4	2	2	2
Van Accessible				2	4	1	2	2
<b>Total Loading Spaces**</b>					<b>1</b>		<b>1</b>	<b>1</b>

**Note:** \*\*Per Sections 27-574 and 27-583 of the Zoning Ordinance, there is no specific required number of parking or loading spaces in the M-X-T Zone. The applicant has included an analysis, to be approved by the Planning Board. See Finding 8 for a discussion of the parking analysis.

- Location:** The subject property is located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St Joseph’s Drive, on both sides of Ruby Lockhart Boulevard, in Planning Area 73, Council District 5. The DSP includes two original parcels, which are located on Tax Map 60 in Grid E3 and are known as part of Parcel 1, recorded in Liber 33973 folio 99, in 2012; and Parcel 2, Balk Hill Village Subdivision, recorded in Plat Book PM 217-92 on March 2, 2007.

Parcel 1 is subdivided into Parcels 10 and 11, and Parcel 2 is subdivided into Parcels 3 through 9 with the approval of Preliminary Plan of Subdivision (PPS) 4-18024. This DSP includes one parcel (Parcel 10), east of Ruby Lockhart Boulevard, referred to herein as the Eastern Section; and all parcels (Parcels 3 through 9) west of Ruby Lockhart Boulevard, referred to herein as the Western Section.

- Surrounding Uses:** The site is on the east side of MD 202, on the southeast side of St Joseph’s Drive, and bounded by uses in the Mixed Use-Transportation Oriented (M-X-T) Zone to the south and east. Specifically, the Western Section is bounded on the east, north, and west sides by the public rights-of-way of Ruby Lockhart Boulevard, St Joseph’s Drive, and MD 202, respectively; and to the south by the commercial development of Woodmore Overlook. The Eastern Section is bounded to the north and west by the public rights-of-way of St Joseph’s Drive and Ruby Lockhart Boulevard respectively; to the east by the residentially developed property in Balk Hill Village and to the south by the approved multifamily dwelling units on proposed Parcel 11.

- Previous Approvals:** In 2002, the subject property was rezoned from the Planned Industrial/Employment Park (I-3) Zone to the M-X-T Zone by the Prince George’s County District Council through Zoning Map Amendment (Basic Plan) A-9956-C. On March 22, 2018, the District Council subsequently adopted an ordinance to amend Conditions 5 and 10 of A-9956-C.

The Prince George’s County Planning Board approved Conceptual Site Plan CSP-03001 on September 11, 2003, which included approval of 393 residential units, 20,000 square feet of

commercial/retail space, and 329,480 square feet of commercial/office space. After the District Council's approval of the revised conditions attached to A-9956-C, an amendment (CSP-03001-01) was approved by the Planning Board on June 25, 2019 to revise the mix of uses on Parcels 1 and 2, to reduce the commercial square footage to 65,000–100,000 square feet, and add 284 multifamily dwelling units.

The Planning Board initially approved PPS 4-03094 on February 19, 2004. Subsequently, the Planning Board approved PPS 4-18024 on September 26, 2019, for Parcels 1 and 2 which are a portion of the larger property approved with PPS 4-03094. The approval of 4-18024 supersedes the prior approval of 4-03094 for existing Parcels 1 and 2. Parcels 1 and 2 comprise 9.34 and 8.6 acres, respectively. This DSP includes Parcel 2 of Balk Hill Village, recorded in Plat Book PM 217, page 92 in March 2007, and the northern 2.04 acres of a parcel known as "Part of Parcel 1," recorded in Liber 33973 folio 99 in 2012, among the Prince George's County Land Records.

DSP-04067 was originally approved by the Planning Board on September 29, 2005. A number of amendments have been made to the DSP for the existing residential uses within the Balk Hill development north of the subject site. None of the prior eight amendments relate to Parcels 1 and 2.

On June 20, 2012, D.R. Horton, Inc. conveyed Parcels 1 and 2 to the Revenue Authority of Prince George's County. On October 20, 2014, the Revenue Authority issued a request for qualifications, soliciting interested purchasers of both parcels. The applicant, Petrie Richardson, was the only potential purchaser to submit a response and executed a contract of sale.

In 2020, the applicant filed a revision to DSP-04067 for a part of Parcel 1. The Planning Board approved DSP-04067-09 (PGCPB Resolution No. 2020-76) for development of five multifamily residential buildings, including 268 dwelling units, a 5,000-square-foot clubhouse, and surface parking, on May 7, 2020. The District Council affirmed the Planning Board's approval on November 10, 2020, with four conditions.

In addition, it is noted that the site is the subject of the requirements of Stormwater Management (SWM) Concept Plan 56766-2018-00, approved on March 12, 2020, and will expire on March 12, 2023.

6. **Design Features:** The DSP includes Parcel 2 and a small part of Parcel 1 of the original Balk Hill Village, and proposes a development of six buildings located in two sections on both sides of Ruby Lockhart Boulevard. The Western Section includes the entire original Parcel 2, to be subdivided into seven small parcels (approved in PPS 4-18024), and has five buildings of commercial, retail, and office uses. The Western Section has frontage on MD 202, St Joseph's Drive, and Ruby Lockhart Boulevard. Access, however, will be restricted to a full turning movement access point on Ruby Lockhart Boulevard. Upon entering the site from Ruby Lockhart Boulevard, three pad sites including a Chick-fil-A of approximately 4,945 square feet, an Arby's of approximately 2,400 square feet, and a Chase Bank of approximately 2,865 square feet, all with drive-through facilities, are located along the site's St Joseph's Drive frontage. Surface parking serving those pad sites is located in the middle of the site and also serves one large building consisting of office and in-line retail stores, with no identified tenants, and a fourth pad site of approximately 4,000 square feet located along the southeastern boundary of the Western Section. A gateway sign signaling the arrival at

this mixed-used development is located at the intersection of MD 202 and St Joseph's Drive. Two pedestrian connections have been provided from this site to the sidewalks along both St Joseph's Drive and Ruby Lockhart Boulevard. A crosswalk on Ruby Lockhart Boulevard further connects the Western Section to the Eastern Section.

The Eastern Section includes the remaining portion of original Parcel 1, consisting of one single parcel known as Parcel 10, approved in PPS 4-18024. The other adjacent parcel to the southeast of the Eastern Section is the residential development previously approved in DSP-04067-09. The Eastern Section will be accessed by a private driveway off Ruby Lockhart Boulevard, with full turning movements that also provide access to the adjoining multifamily development. In addition, a single right-in/right-out driveway will provide access into the Eastern Section from St Joseph's Drive. The Eastern Section will have a 7-Eleven food and beverage store of approximately 4,000 square feet and a gas station. The gas station is proposed to consist of six multiproduct dispensers located beneath a canopy. The pumps will be located to the west of the convenience store building. Two-way on-site circulation will be provided around the pump islands. Surface parking spaces will be located along the perimeter of the site and on both sides of the convenience store. A pedestrian connection also has been provided from the multifamily site to the Eastern Section.

#### **Architecture—Western Section**

The Chick-fil-A building is of the fast-food chain's updated prototype featuring a full-brick building, with metal capping and two-lane drive-through facility under metal canopies. The building footprint is a rectangular shape, with the long side along St Joseph's Drive. Two tones of brown colored brick have been used, with the dark brown color at the base and light brown color at the top. A dark brown soldier course band has been used on all four elevations to divide the light brown from the dark brown brick. Building-mounted signage of typical Chick-fil-A text and logo have been provided on all four elevations. A dark bronze storefront system and metal elements are used as accents on the elevations.

The Arby's restaurant building is also a rectangular shape, with the long side and drive-through facility facing St Joseph's Drive. This building is designed in a distinct two-story appearance, with a red Exterior Insulation Finish System (EIFS) accent band in the middle of the elevations. The four elevations feature a brick watertable and various vertical brick sections juxtaposed with EIFS sections. An aluminum storefront system is used at the main entrance and drive-through window. Full building-mounted signage of typical Arby's text and logo is proposed on the southwest and southeast elevations.

The Chase Bank building sits near the main access to the site from Ruby Lockhart Boulevard, with a square building footprint. The building is also the most updated prototype franchise building, with a vertical composition consisting of various finish materials including shadow rock, cementitious panel, and dark aluminum storefront system. The main elevation features a prominent entrance tower, with a metal canopy that is projected out from the rest of the wall plane. The other three elevations are also in the similar composition of vertical sections, with various finish materials. Full building-mounted signage of typical Chase text and logo is proposed on the eastern, southern, and northern elevations.

The in-line retail building is connected to the office building, forming the façade that dominates the entire Western Section. The in-line retail building features aluminum storefront system facing the three pad sites, with shadow rock finished towers that have

masonry unit bases dividing each tenant bay and marking the main entrance to each store. A continuous metal canopy has been used on the entire front elevation. EIFS wall is used between the towers and above the storefront system on the top of the front elevation. Primary identification signs of future tenants have been shown on the EIFS wall above the metal canopy. The other three elevations are designed in the same composition of vertical tower elements, dividing EIFS wall sections with a masonry unit base.

The office building is finished with an all-stucco wall system of natural white and tan. The main façade of the office features an entrance tower with a minor tower on the west end. The finish material is totally different from the attached in-line retail building to the east. Staff suggests that common materials, such as shadow rock, be used on the office elevations where the tan stucco is used, including the entire watertable and two tower elements. The application of the common finish material will create visual consistency among the main buildings in the Western Section. A condition has been included in the Recommendation section of this report to require the applicant to revise the elevations of the office building to incorporate shadow rock, prior to certification of this DSP.

No architecture was provided for the building on Parcel 9 and will need to be the subject of a future DSP amendment.

#### **Architecture—Eastern Section**

The Eastern Section is to be developed with a 7-Eleven food and beverage store and a six-pump gas station. The store building façade has a symmetrical composition, with vertical sections of ledge stone and red brick. The main elevation also features two-tier vertical ledge stone towers, with red buff brick walls that surround the central storefront system. A metal canopy covers the main entrance to the building. The other three elevations also have ledge stone towers booking both ends of each elevation, that has a similar symmetrical composition. Metal canopy is also used wherever there is window or door. The associated gas station canopy also uses the same brick and ledge stone on the columns. Full building-mounted signage of typical 7-Eleven text and logo is proposed on the eastern and western elevations. The same logo of green, red, and orange color bands and 7-Eleven text are also provided on the gas station canopy.

#### **Lighting**

The applicant is proposing light-emitting diode (LED) lighting throughout both the Eastern and Western Sections, including the parking areas, drive-through facilities, and along all sidewalks and walking paths. The photometric plan submitted with the DSP shows appropriate lighting levels in the parking areas, drive-through facilities, along all sidewalks and walking paths, and at the building entrances. The details and specifications for the lighting show a downward-facing, full, cut-off lighting fixtures with varied heights at 14, 16, and 30 feet. The proposed lighting in both sections is comprehensive and effective. The DSP also includes wall-mounted security lighting, which is acceptable.

#### **Signage**

The DSP includes building-mounted signage, as discussed above, with each proposed building on the pad sites in both sections. For the in-line retail building in the Western Section, additional locations and possible sign face areas for each future tenant's primary identification sign have also been shown on the building elevations. The total sign face area is summarized in the table below.

	Western Section							Eastern Section
	Parcel 3	Parcel 4	Parcel 5	Parcel 6	Parcel 7	Parcel 8	Parcel 9	Parcel 10
Proposed Building-Mounted Sign Area (sq. ft.)	105.57	23.5	0	420	714	188.5	TBD	230

One double-faced gateway sign of 25 feet in height is proposed at the intersection of MD 202 and St Joseph’s Drive, near the Chick-fil-A site. The sign is constructed of a shadow rock finished base, with two columns and concrete slab band on the top. Signage contents of tenant names will be hung in the middle of the structure. The two columns are finished on the lower part with the same shadow rock, and the upper part with stucco and two tiers of concrete slab bands. The material palette of this gateway sign reflects what has been used on the in-line retail building. The gateway sign does not include landscaping at its base, and it is conditioned herein to be added to provide seasonal interest.

In the Eastern Section, a monument sign is also proposed at the intersection of St Joseph’s Drive and Ruby Lockhart Boulevard. The 15-foot-high brick, double-faced sign shows the 7-Eleven logo and text, with a gas price board in the lower part. The sign has a stacked stone base and brick columns, with sign information in the middle. Another 7-Eleven directional sign, five feet high, is also included on the site.

**Loading and Trash Facilities**

There are two loading spaces and two trash dumpsters proposed in the Western Section. One loading space is located behind the in-line commercial building and the other one is located in the southeast corner of the site, serving the fourth pad site fronting on Ruby Lockhart Boulevard. Given its close vicinity to Ruby Lockhart Boulevard, this loading space should be adequately screened from the views of the public roadway. A condition has been included in the Recommendation section of this report requiring the applicant to provide the details of the screening on the landscape plans. One dumpster has been provided near the Chick-fil-A restaurant and another near the Arby’s restaurant. Appropriate enclosures have been provided for both dumpsters. Details have also been provided showing that the same materials used on the buildings will be used on the enclosures.

One loading space is proposed in the Eastern Section, to the east of the food and beverage store building, along with the proposed dumpster that is away from both the frontages of Ruby Lockhart Boulevard and St Joseph’s Drive. However, the loading space and dumpster are across a surface parking lot from the approved residential site (multifamily dwellings), as approved in DSP-04067-09. These facilities should be adequately screened from the residential site, as required. A condition has been included herein requiring the applicant to provide the details of the screening, and staff recommends that the screen be constructed with materials similar to those used on the building, such as a masonry and composite wood.

**COMPLIANCE WITH EVALUATION CRITERIA**

- 7. **Zoning Map Amendment (Basic Plan) A-9956-C:** A-9956-C rezoned the 123.20-acre property from the I-3 Zone to the M-X-T Zone and was originally approved by the District Council on July 23, 2002, with 14 conditions for Balk Hill Village. Subsequently, the District Council approved a request to amend Conditions 5 and 10 on February 26, 2018,

specifically for Parcels 1 and 2. The majority of the conditions have been addressed through previous approvals and existing development on the overall Balk Hill property. The following conditions are pertinent to the current application and warrant discussion:

5. **The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.**

This condition was amended by the District Council to limit the development of this project to other permitted uses on Parcels 1 and 2, within the overall 1,013 AM peak-hour trips and 1,058 PM peak-hour trips. Conformance with this condition was found with PPS 4-18024, which noted that the proposed development will not exceed the established trip cap. The review of this DSP by the Transportation Planning Section (Masog to Zhang, February 17, 2021) arrived at the same conclusion.

10. **Prior to the acceptance of a Detailed Site Plan for development of the twenty (20) acres (Parcels 1 and 2), the Applicant shall provide written confirmation that it has held a community meeting with stakeholders which shall include an invitation to at least representatives from St. Joseph's parish and Balk Hill Homeowners association.**

This condition, as set forth above, was amended pursuant to the District Council's Order, which became effective on March 27, 2018. The applicant met with the interested citizens to discuss the revisions to conditions and the revised CSP and PPS, and further indicated that they have met with the appropriate parties, prior to acceptance of DSP-04067-09. This condition has been satisfied.

8. **Prince George's County Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the Zoning Ordinance.

- a. The subject application is in conformance with the requirements of Section 27-547, Uses permitted, of the Zoning Ordinance that governs permitted uses in the M-X-T Zone. The multiple commercial, retail, and office buildings proposed with the subject DSP are permitted in the M-X-T Zone.
- b. Section 27-548, M-X-T Zone, of the Zoning Ordinance establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions is discussed, as follows:

**(a) Maximum floor area ratio (FAR):**

**(1) Without the use of the optional method of development—  
0.40 FAR**

**(2) With the use of the optional method of development—8.0 FAR**



This development will use the optional method of development in Section 27-545(b) of the Zoning Ordinance, as follows:

**(b) Bonus incentives.**

**(4) Residential use.**

**(A) Additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.**

At the time of the CSP-03001-01 review and approval, the applicant planned to use the optional method of development for the project by proposing a residential component of more than 20 units as part of the overall development, along with commercial/retail and office uses. Inclusion of the qualified residential use increases the permitted floor area ratio (FAR) by 1.0 above the base FAR of 0.40. Therefore, 1.4 FAR is permitted for the overall development. The proposed FAR in the Western Section is approximately 0.2 and approximately 0.1 in the Eastern Section. However, the cumulative FAR for the entire area of the CSP development needs to be provided on the plan to ensure conformance. A condition has been included in the Recommendation section requiring the applicant to provide FAR information prior to certification.

**(b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

The DSP proposes commercial, retail, and office uses in multiple buildings on multiple parcels, in conformance with this requirement.

**(c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

The site plan indicates the location, coverage, and height of all improvements, in accordance with this regulation.

**(d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Additional buffering and screening are required to satisfy the purposes of the M-X-T Zone, and is discussed in detail in Finding 12 below.

- (e) **In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the Conceptual Site Plan.**

The FAR for the proposed development, within the area of the CSP, is approximately 0.44. However, as conditioned herein, the applicant needs to provide a chart on the DSP to provide FAR information.

- (f) **Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

There are no private structures within the air space above, the ground below, or in public rights-of-way as part of this project. Therefore, this requirement is inapplicable to the subject DSP.

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

This requirement was reviewed at the time of PPS 4-18024, which was approved by the Planning Board on September 26, 2019. Each parcel has frontage on and access to a public right-of-way, or other access right-of-way, as authorized pursuant to Subtitle 24 of the Prince George's County Code.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

This DSP does not include any residential uses.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or**

**the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).**

This requirement does not apply to this DSP because the site was rezoned to the M-X-T Zone through A-9956-C.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the Zoning Ordinance, which requires additional findings for the Planning Board to approve a DSP in the M-X-T Zone, as follows:

**(1) The proposed development is in conformance with the purposes and other provisions of this Division;**

Conformance with the purposes of the M-X-T Zone was found with the CSP approval and is adopted herein by reference (PGCPB Resolution No. 19-71). The proposed DSP is one step closer to implementation of the vision of the CSP, and further supports that finding because it promotes the orderly development of land with commercial, retail, and office components of a mixed-use development in close proximity to the major intersection of MD 202 and St Joseph's Drive. It is also noted that the development of the site (consisting of commercial, retail, and office uses) is complementary to the residential uses that are already approved and partially constructed, and allows for increased hours of activity in the area.

**(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

The subject site was placed in the M-X-T Zone through A-9956-C, as approved by the District Council on July 23, 2002. Therefore, this requirement does not apply.

**(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

The proposed commercial, retail, and office uses are the final components of the 20-acre, two-parcel site that includes previously approved multifamily dwellings. This creates a transition between the single-family attached and detached units in Balk Hill Village to the north, the existing commercial/retail uses to the south and west, and the future commercial uses to the east of the subject property. The layout of the buildings is oriented toward

surrounding roadways of MD 202, Ruby Lockhart Boulevard, and St Joseph's Drive and the interior of the Western Section. The proposed development is expected to inject additional synergy into the existing neighborhood and provides economic vitality in the immediate area through the addition of new commercial, retail, and office uses that are complementary to the existing residential uses in the immediate surrounding.

**(4) The proposed development is compatible with existing and proposed development in the vicinity;**

The proposed development is compatible with nearby existing and proposed development, and will be compatible with the existing and approved commercial uses along MD 202, St Joseph's Drive, and Ruby Lockhart Boulevard, and will be complementary to the multifamily residential use on Parcel 11 that provides a good transition to the surrounding single-family residential uses.

**(5) The mix of uses, arrangement and design of buildings and other improvements, and provision of public amenities reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

The subject DSP is designed to blend with the existing and approved commercial and residential uses in the overall Balk Hill and Woodmore Commons development and the surrounding vicinity. The application also employs similar color and material themes among six buildings and a gateway sign to achieve a uniform and high-quality development, while keeping the unique features of each franchised building.

**(6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

This application of multiple buildings will be phased, in accordance with fine grading permits for the two sections. The proposed commercial, retail, and office buildings will create a unique place as a new destination, while also being integrated with the existing places in the Largo area through interconnected pedestrian and vehicular networks.

**(7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

A comprehensive internal sidewalk network and additional connections to the existing sidewalk system on adjacent MD 202, Ruby Lockhart Boulevard, and St Joseph's Drive are proposed for the development. Once the project is complete, the pedestrian system is not only convenient within the development, but also integrated into the sidewalk and bicycle facility network of the Largo area.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

The application proposes pedestrian pathways throughout the site, connecting to the main entrance of each building and outdoor landscaped areas that are designed with attention to human scale and high-quality urban design.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

This requirement is not applicable to the subject DSP.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant.**

The applicable PPS was approved by the Planning Board on September 26, 2019. The transportation adequacy findings in that PPS are still valid and governing, as discussed in detail in Finding 10 below.

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

The overall site plan contains less than 250 acres; therefore, this application is not subject to this requirement.

- d. **Departure from Design Standards DDS-672:** The applicant requests departure from Section 27-558(a) of the Zoning Ordinance, which requires nonparallel

standard parking spaces to be 9.5 feet by 19 feet, but allows up to one-third of the required spaces to be compact, measuring 8 feet by 16.5 feet. The applicant is proposing 9-foot by 18-foot standard parking spaces on Parcels 3 through 9.

Section 27-239.01(b)(7)(A) of the Zoning Ordinance contains the following required findings, in order for the Planning Board to grant the departure:

**(i) The purposes of this subtitle will be equally well or better served by the applicant's proposal;**

The reduced parking space size will allow more space on the site for landscaping and open space and provide a more compact development, while still allowing for proper on-site circulation. Nine-foot widths have been used in many of the parking facilities serving recent developments in the County and have functioned without incident in a variety of locations. In addition, the newly adopted Zoning Ordinance provides for 9-foot by 18-foot spaces in various instances.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request;**

The departure of 6 inches in width and 12 inches in length is relatively insignificant on a space-by-space basis. In fact, the proposed parking space width of 9 feet is reflective of other standards in the region, such as Montgomery, Frederick, and Charles counties, which are between 8.5 and 9 feet wide. In addition, the proposed departure meets the size requirements of the standards in the recently adopted Zoning Ordinance, Prince George's County Council Bill CB-13-2018, as previously discussed. A 9-foot width is based on the design standards for a vehicle that is 6 feet, 7 inches wide, such as a large sport utility vehicle, and will be adequate for most motor vehicles. Furthermore, this departure has been sought, with staff consent, as a means of achieving an adequate number of parking spaces on the site.

**(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

The recent approval of CSP-03001-01 and PPS 4-18024 contemplated the development and construction of 284 multifamily units and up to 88,000 square feet of commercial/retail and office uses on the property. This is a relatively compact, narrow site bounded by master plan roadways. These features lend a unique character to the site. Due to the site's constraints, the buildable area is limited and necessitates a smaller parking space size, to more efficiently use the property. In addition, it is noted that the reduced parking space size of 9 feet by 18 feet is more comparable to most other neighboring Maryland jurisdictions.

**(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or the surrounding neighborhood.**

The departure will allow the applicant to maximize the efficient use of the site to provide parking, as well as additional greenspace and landscaping, which is visually and functionally attractive. Therefore, the departure in parking space size will allow the proposed development to provide a more visually appealing and improved environmental quality. In addition, it is noted that the reduction in parking space size will improve the functionality of the site by enabling the provision of much needed parking for future users of this site. The reduced parking space size will still accommodate vehicles, while allowing adequate parking spaces in the same amount of area.

Based on the analysis above, the Urban Design staff recommends that the Planning Board approve the departure request to reduce the dimensions of the proposed standard parking spaces from 9.5 feet by 19 feet, to 9 feet by 18 feet.

- e. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274 of the Zoning Ordinance, as cross-referenced in Section 27-283 of the Zoning Ordinance. For example, the subject development provides pedestrian access to the site from the surrounding public rights-of-way on three sides and the architecture proposed for the commercial/retail and office buildings employ a variety of architectural features and designs, such as accented entrances, window and door treatments, projections and tower elements, colors, and building materials. At the same time, the designer also uses common materials and colors throughout the entire shopping center to achieve a level of consistency of a uniform design scheme.
- f. In accordance with Section 27-574 of the Zoning Ordinance, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval. The Transportation Planning Section has reviewed the parking analysis provided by the applicant, in accordance with the methodology for determining parking requirements in the M-X-T Zone. The following are the major points highlighted in the parking analysis:
  - (1) The methodology in Section 27-574 requires that parking be computed for each use, in accordance with Section 27-568.
    - (a) In consideration of the methodology, the applicant indicates that the parking analysis is limited to proposed Parcels 3 through 9.
    - (b) Proposed Parcels 10 and 11 are across Ruby Lockhart Boulevard and are therefore not deemed likely to share parking with each other or with uses on proposed Parcels 3 through 9.
    - (c) Likewise, the existing remainder of Balk Hill Village, while part of the same M-X-T development, is not included in the analysis because it is not deemed likely to share parking with proposed Parcels 3 through 11. The remainder of Balk Hill Village is not walkable to Parcels 3 through 11 for the purpose of being able to share parking.

- (2) Using the parking schedule, it is shown that the uses within proposed Parcels 3 through 9 would require 243 parking spaces. This is the base requirement per Section 27-574.
- (3) Using the shared parking analysis, the applicant indicates that the site requires 234 parking spaces.
- (4) The plan provides 328 parking spaces to serve the mix of uses within proposed Parcels 3 through 9. This exceeds the parking requirement under the shared parking analysis, as well as the base requirement per Section 27-574, and is determined to be acceptable.
- (5) The food and beverage store/gas station on proposed Parcel 10 is treated as a single site and is not deemed likely to share parking with other parcels. The base requirement is 27 parking spaces, and 33 spaces are provided. This is acceptable.
- (6) Parking for the residential development on proposed Parcel 11 was determined and approved under DSP-04067-09.

Based on information offered in the parking analysis, staff finds that the parking analysis and its conclusions are acceptable.

9. **Conceptual Site Plan CSP-03001 and its amendment:** CSP-03001 was approved by the Planning Board on September 11, 2003, subject to 11 conditions for the entire Balk Hill Village, with Parcels 1 and 2 depicted as two employment development parcels. After the two parcels were sold to the applicant, a revision to CSP-03001 was filed to change the use and establish a development limit for the two parcels.

CSP-03001-01 was approved by the District Council on October 15, 2019, for development of 65,000–100,000 square feet of office, commercial/retail spaces, and 284 multifamily dwellings, subject to one condition, which is not relevant to the review of this DSP. This DSP is for development of 71,411 square feet of commercial/retail and office spaces, that is consistent with CSP-03001-01.

10. **Preliminary Plan of Subdivision 4-18024:** PPS 4-18024 was approved by the Planning Board on September 26, 2019, subject to 15 conditions. The conditions of that approval relevant to the review of this DSP are included, as follows:

2. **Prior to acceptance of the detailed site plan, the applicant shall provide a cross section for the service road segment of the access easement.**

This cross section was provided as required, on DSP Sheet 5, and shows a design consistent with what is provided on the DSP. The service road in question serves the rears of proposed Parcels 6 and 7 and is acceptable.

3. **Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that indicates the location, limits, and details of all pedestrian and bicycle facilities and illustrates how their interconnectivity and connectivity to adjacent properties encourages walkability and reduced automobile use.**



This exhibit is provided on DSP Sheets 14 and 15. Appropriate design details are shown on DSP Sheet 22.

4. **In conformance with the 2009 Approved Countywide Master Plan of Transportation and the 1990 Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73, the applicant shall provide the following:**
  - a. **An eight-foot-wide shared-use sidepath or wide sidewalk along the site's entire frontage of MD 202, unless modified with written documentation by Maryland State Highway Administration.**

The DSP does not show this required sidepath. Prior to certification, the applicant should revise the plan to include the path, or provide written documentation from the Maryland State Highway Administration modifying the requirement.

5. **Total development within the subject property shall be limited to uses, which generate no more than 448 AM and 547 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This trip cap was reviewed by the Transportation Planning Section (Masog to Zhang, February 17, 2021) and summarized in the Trip Generation table below, and it is determined that the development proposed is consistent with the PPS trip cap.

<b>Trip Generation Summary: DSP-04067-10: Woodmore Commons</b>								
<b>Land Use</b>	<b>Use Quantity</b>	<b>Metric</b>	<b>AM Peak Hour</b>			<b>PM Peak Hour</b>		
			<b>In</b>	<b>Out</b>	<b>Tot</b>	<b>In</b>	<b>Out</b>	<b>Tot</b>
<b>Existing Development: Balk Hill Village</b>								
Residential – Detached plus Manor Residences	333	units	50	200	250	197	103	300
Residential – Attached	60	units	8	34	42	31	17	48
Specialty Retail/Live-Work	20,000	square feet	0	0	0	26	26	52
<b>Total Trips Existing: Balk Hill Village</b>			<b>58</b>	<b>234</b>	<b>292</b>	<b>254</b>	<b>146</b>	<b>400</b>
<b>Approved Development: DSP-04067-09 pursuant to PPS 4-18024</b>								
Multifamily Residences	268	units	27	112	139	105	56	161
<b>Proposed Development: DSP-04067-10 pursuant to PPS 4-18024</b>								
Super Gas Station and Convenience Store	4,000	square feet	125	125	250	122	122	244
	12	pumps						
Less Pass-By (76 percent)			-95	-95	-190	-92	-92	-184
Net Trips for Super Gas Station/Store			<b>30</b>	<b>30</b>	<b>60</b>	<b>30</b>	<b>30</b>	<b>60</b>
Office	20,000	square feet	36	4	40	7	30	37
Retail	47,411	square feet	61	38	99	174	189	363
Less Pass-By (40 percent per Guidelines)			-25	-15	-40	-70	-75	-145
Net Trips for Retail			<b>36</b>	<b>23</b>	<b>59</b>	<b>104</b>	<b>114</b>	<b>220</b>
<b>Sum for DSP-04067-10</b>			<b>102</b>	<b>57</b>	<b>159</b>	<b>141</b>	<b>174</b>	<b>315</b>
<b>Sum: DSP-04067-09 plus DSP-04067-10</b>			<b>129</b>	<b>169</b>	<b>298</b>	<b>246</b>	<b>230</b>	<b>476</b>
<b>Trip Cap – 4-18024</b>					<b>721</b>			<b>658</b>
<b>Total Existing Plus Approved Plus Proposed</b>					<b>590</b>			<b>876</b>
<b>Trip Cap – A-9956</b>					<b>1013</b>			<b>1058</b>

It is noted that the office component is shown above as general office and is parked as general office. The PPS trip cap considered the office component to be medical/professional office, which is a more trip-intensive use, and the trip cap gives flexibility to allow the office space to be leased as medical office provided that parking is sufficient. As evidenced above, the uses proposed on this site plan are within the PPS trip cap. Also, the uses proposed plus approved and existing uses within Balk Hill Village are within the trip cap. This condition has been satisfied.

- 9. Substantial revision to the uses on the subject property that affect Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.**

The uses included in this DSP are consistent with those approved in PPS 4-18024.

- 15. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions.**

An approved SWM Concept Letter, 56766-2018-00, and associated plan were submitted with the application for this site. This condition has been met.

- 11. Detailed Site Plan DSP-04067 and its amendments:** DSP-04067 was approved by the District Council on July 18, 2006, subject to 27 conditions. This application was amended eight times for specific lots and uses in the overall Balk Hill development that does not relate to the property contained in this DSP.

DSP-04067-09 is for a 268-unit multifamily development on part of Parcel 1 (new Parcel 11). The District Council Order of approval was issued on November 10, 2020, with four conditions. None of the conditions are applicable to the review of this DSP.

- 12. 2010 Prince George's County Landscape Manual:** Per Section 27-544(a) of the Zoning Ordinance, landscaping, screening, and buffering for property zoned M-X-T is subject to the provisions of the Landscape Manual. The proposed development is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual. The required plantings and schedules are provided, in conformance with the Landscape Manual, with the exception of screening the loading space on proposed Parcel 10 from the residential uses on Parcel 11, in conformance with Section 4.4. A condition is included herein requiring this to be revised.

In addition, for the parking lot interior planting in the Eastern Section, where the applicant cannot meet the required interior planting area in accordance with Section 4.3(c)(2), Parking Lot Interior Planting Requirements. The applicant has requested alternative compliance from the requirements, and the Alternative Compliance Committee has reviewed the application, incorporated herein by reference, as follows:

The AC application is proposing to develop a 4,000-square-foot food and beverage store and a gas station in the eastern section. The applicant has requested to provide an alternative design, to conform with the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements for parking lots 7,000 square feet or larger. The proposed commercial development is in the center of the parcel, due to the location of the site access. The entrance to the property had to be placed near the center of the site to allow for adequate stopping distance and to maintain a safe distance from the intersection. Further, it is noted that the east and west portions of the site are used for green space and micro-bioretention stormwater management facilities and cannot be developed. Those green spaces and the stormwater facilities create a wide buffer along Ruby Lockhart Boulevard, and provide more than 12,000 square feet of green space at the corner of Ruby Lockhart Boulevard and St. Joseph's Drive.

Due to space limitations, the parking compound cannot meet the total amount of interior green area required and an alternative site design is proposed. The applicant is seeking relief from the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements on the site. A comprehensive overview of the requirements for Section 4.3(c)(2) is provided below:

**REQUIRED: Section 4.3-2, Parking Lot Interior Planting Requirements for Parking Lots 7,000 Square Feet or Larger**

Parking Lot Area (square feet)	27,849
Interior landscaped area required (percent /square feet)	8/2,228
Minimum number of shade trees required (1 per 300 square feet of interior planting area provided)	8

**PROVIDED: Section 4.3-2, Parking Lot Interior Planting Requirements for Parking Lots 7,000 Square Feet or Larger**

Parking Lot Area (square feet)	27,849
Interior landscaped area provided (percent /square feet)	5.4/1,492
Number of shade trees provided	5

**Justification of Recommendation**

The applicant is seeking relief from the provisions of Sections 4.3 of the Landscape Manual. Specifically, Section 4.3(c)(2), Parking Lot Interior Planting Requirements for a reduction in the amount of green area in the parking lot.

Section 4.3(c)(2), Parking Lot Interior Planting Requirements, requires that parking lots larger than 7,000 square feet shall include landscape areas with shade trees. The purposes of these requirements are to enhance the appearance of parking lots, help delineate vehicular and pedestrian travel-ways within parking facilities, provide shade and visual relief, and reduce heat island effects created by large expanses of pavement. The applicant is required to provide 8 percent of the total green area in the parking compound, or 2,228 square feet. The site plan proposes 1,492 square feet of green area, or 5.4 percent, which is two-thirds of the required area.

The applicant is proposing to provide one additional shade tree on the periphery of the commercial development to shade the parking area. Staff has concerns about the location of the three shade trees proposed on the periphery of the site, east of the convenience building, near the embankment of the bio-retention facility. If the placement for these trees is not allowed by the Prince George’s County Department of Permitting, Inspections and Enforcement, an alternative location should be provided on the property. In addition, it is recommended that the total number of shade trees be increased by one-third on the property, to supplement the reduction of the required green space. Specifically, two additional shade trees should be provided on-site in an appropriate location on top of the one additional shade tree that is currently proposed by this application.

The Alternative Compliance Committee finds that the applicant’s proposals are equally effective as normal compliance with respect to Section 4.3 (c)(2) of the Landscape Manual, if

revised as conditioned. The additional plant materials and green areas on the east and west sides of the development enhance the appearance of surface parking facilities from the streets. The interior planting area and shade trees clearly delineate vehicular and pedestrian travel-ways within the eastern section.

### **Recommendation**

The Planning Director recommends APPROVAL of Alternative Compliance AC-21005 for Woodmore Commons from the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements of the 2010 Prince George's County Landscape Manual, subject to the two conditions that have been included in the Recommendation section of this report.

- 13. Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because it has previously approved tree conservation plans for the overall Woodmore Commons property: Type I Tree Conservation Plan TCPI-019-03-03 and Type II Tree Conservation Plan TCPII-082-05-05. A revision to the tree conservation plan, TCP2-082-05-06, has been submitted with this application.
- a. A Natural Resources Inventory (NRI-151-2018), approved on November 13, 2018, was submitted with the review package. The NRI shows that no streams, wetlands, or floodplain are found to occur on the 17.2 acres included in Parcels 1 and 2, which are the subject of this application. The forest stand delineation indicates the presence of one forest stand, totaling 14.90 acres, and no specimen trees. No revisions are required for conformance to the NRI.
  - b. According to the worksheet submitted, the woodland conservation threshold for the overall 117.89-acre property is 15 percent of the net tract area, or 17.32 acres, which is consistent with previous approvals. The current application proposes to clear all of the remaining woodland within Parcels 1 and 2 (Phases 3 and 4). The 7.97-acre woodland conservation requirement generated by the clearing for this DSP is being met through an off-site woodland conservation bank.
- 14. Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. Properties zoned M-X-T are required to provide a minimum of 10 percent of the gross tract area covered in tree canopy. The subject application includes two distinct sections on both sides of Ruby Lockhart Boulevard, with a total site area of 10.64 acres. TCC schedules are provided for both sides, but the one for the west side lists plants that do not match the plant list. A condition has been included in the Recommendation section of this report requiring the applicant to revise the TCC schedule to match the plant list, prior to certification of this DSP.
- 15. Referral Comments:** The subject application was referred to the following concerned agencies and divisions. The referral comments are summarized, as follows:
- a. **Historic Preservation**—In a memorandum dated January 4, 2021 (Stabler to Zhang), incorporated herein by reference, the Historic Preservation Section noted that a Phase I archeological survey was conducted on the subject property in 2005. The subject property was once part of the Rose Mount plantation, home of Governor

Joseph Kent, members of his family, and his enslaved laborers. No archeological sites were identified, and no further work was required on this portion of the development. The subject property does not contain and is not adjacent to any designated Prince George's County historic sites or resources.

- b. **Community Planning**—In a memorandum dated February 19, 2021 (Dickerson to Zhang), incorporated herein by reference, the Community Planning Division indicated that, pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
- c. **Transportation Planning**—In a memorandum dated February 17, 2021 (Masog to Zhang), incorporated herein by reference, the Transportation Planning Section provided a discussion of the applicable previous conditions of approval, the requested departure, and the parking requirements under Section 27-574 that have been included in the above findings. The Transportation Planning Section concluded that, from the standpoint of transportation, this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance, with one condition that has been included in the Recommendation section of this report.
- d. **Pedestrian/Bicycle Facilities**—In a memorandum dated February 17, 2021 (Smith to Zhang), incorporated herein by reference, the Transportation Planning Section provided a discussion of the applicable previous conditions of approval that have been incorporated in the findings above. In addition, it is noted that the subject property was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* and the 1990 *Approved Master Plan Amendment and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* (Largo-Lottsford Master Plan and SMA), to provide the appropriate pedestrian and bicyclist transportation recommendations. They also reviewed the proposed on-site improvements and connectivity to the adjacent mixed-use areas and properties for conformance with the underlying M-X-T Zone.

In conclusion, it was noted that the pedestrian and bicycle access and circulation for this plan is acceptable, is consistent with the site design guidelines pursuant to Section 27-283 and 27-256, meets the findings required by Section 27-285(b) for a DSP for pedestrian and bicycle transportation purposes, and conforms to the prior development approvals and the Largo-Lottsford Master Plan and SMA. The Transportation Planning Section recommends approval of this DSP, with one condition that has been included in the Recommendation of this report.

- e. **Subdivision**—In a memorandum dated February 18, 2021 (Diaz-Campbell to Zhang), incorporated herein by reference, the Subdivision Section provided a complete history of the two parcels included in this DSP and a review for conformance with the applicable conditions attached to the approval of PPS 4-18024. The Subdivision Section has no objections to the approval of DDS-672, and concluded that the DSP has been found to be in substantial conformance with the approved PPS and record plat. The Subdivision Section recommends four minor plan corrections, that have been included in the Recommendation Section of this report as conditions of approval.

- f. **Environmental Planning**—In a memorandum dated February 12, 2021 (Rea to Zhang), incorporated herein by reference, the Environmental Planning Section indicated that there are no applicable environmental-related conditions attached to previous approvals. Additional comments are summarized below.

**Stormwater Management**

An approved SWM Concept Letter, 56726-2018, and associated plan were submitted with the application for this site. The approval was issued on March 12, 2020 for this project from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to construct 34 micro-bioretenion facilities. A SWM fee of \$26,933.33 for on-site attenuation/quality control measures is required.

**Soils**

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Marr-Dodon Complex (5-15 percent slopes) and Collington-Wist Complex (2-5 percent slopes). According to available information, unsafe soils containing Marlboro clay or Christiana complexes are not mapped on-site.

No further action is needed, as it relates to this application. A soils report may be required by DPIE at the time of permit.

The Environmental Planning Section recommends approval of DSP-04067-10 and TCP2-082-05-06, with no conditions.

- g. **Prince George's County Fire/EMS Department**—In an email dated January 3, 2021 (Reilly to Zhang), incorporated herein by reference, the Fire/EMS Department provided two comments, as follows:
- (1) Fire access, as shown on the drawings as submitted, is acceptable.
  - (2) Fire hydrants are not shown, so it is undetermined if coverage is acceptable.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—At the time of this writing, comments regarding the subject project have not been received from DPIE.
- i. **Prince George's County Police Department**—At the time of this writing, comments regarding the subject project have not been received from the Police Department.
- j. **Prince George's County Health Department**—At the time of this writing, comments regarding the subject project have not been received from the Health Department.
- k. **Maryland State Highway Administration (SHA)**—At the time of this writing, comments regarding the subject project have not been received from SHA.
- l. **Washington Suburban Sanitary Commission (WSSC)**—At the time of this writing, comments regarding the subject project have not been received from WSSC.

However, the applicant received WSSC in-depth review comments (Madagu to Duffy, May 31, 2019) at the time of DSP-04067-09 approval. WSSC comments will be enforced through their separate permitting process.

16. Based on the foregoing, and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
17. As required by Section 27-285(b)(2) of the Zoning Ordinance, the DSP is in conformance with the approved CSP-03001, as amended. CSP-03001-01 amended the original CSP for Balk Hill Centre and revised the uses for the two parcels, to reduce the commercial square footage and add multifamily dwelling units. The subject DSP is in general conformance with CSP-03001-01, as conditioned.
18. As required by Section 27-285(b)(4) of the Zoning Ordinance, for approval of a DSP, the regulated environmental features on-site shall be preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Section 24-130(b)(5) of the Subdivision Regulations. As this property does not contain any regulated environmental features, in accordance with the review by the Environmental Planning Section (Rea to Zhang, February 12, 2021), this finding is not required.

## RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE Departure from Design Standards DDS-672, to allow all the standard parking spaces to be 9 feet wide by 18 feet long.
- B. APPROVE Detailed Site Plan DSP-04067-10, Alternative Compliance AC-21005, and Type 2 Tree Conservation Plan TCP2-082-05-06, for Woodmore Commons, subject to the following conditions:
  1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made to the plans or additional information provided:
    - a. Revise the plans to provide:
      - (1) A detailed exhibit of the proposed bicycle racks throughout the site, which shall be an inverted U-style, or a similar style that allows two points of secure contact.
      - (2) ADA-compliant perpendicular and parallel curb ramps throughout the site and labeled on all site plan sheets.



- (3) An eight-foot-wide sidewalk/pedestrian path along the property frontage of MD 202 (Landover Road), unless modified by the Maryland State Highway Administration with written correspondence.
- b. Revise the Tree Canopy Coverage schedule so that the tree count matches the plant list.
  - c. Provide a general note showing the proposed and allowed floor area ratio, relative to all development within the total area of the conceptual site plan.
  - d. Either redesign the seven northernmost parking spaces on proposed Parcel 10 (Eastern Section) to meet the standard of 9.5 feet by 19 feet or be considered to be compact spaces, with signage provided to mark them as such.
  - e. Show the right-of-way (ROW) dedication area using the same line weight and line type for the existing and ultimate ROW lines. Add labels which mark the ROW dedication area as such, including acreage.
  - f. Revise General Notes 2 and 5 to provide the correct total acreage and number of parcels under this DSP.
  - g. Show the existing sidewalk along the north side of Ruby Lockhart Boulevard.
  - h. Provide landscaping at the base of the gateway sign to provide for seasonal interest.
  - i. Revise the elevations of the office building to incorporate shadow rock as the finish material for the entire watertable and two tower elements, to be reviewed and approved by the Urban Design Section as the designee of the Prince George's County Planning Board.
  - j. Screen the loading space on proposed Parcel 10 from the residential uses on Parcel 11 and the one on Parcel 9 from the public right-of-way, in conformance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
  - k. Provide confirmation from the Prince George's County Department of Permitting, Inspections and Enforcement that the location of the proposed three shade trees is feasible, or relocate them away from the embankment of the bioretention facility on Parcel 10.
  - l. Provide two additional shade trees adjacent to the parking compound on Parcel 10, in an appropriate location to be approved by the Urban Design Section, as the designee of the Planning Board.

ITEM: 8 & 9

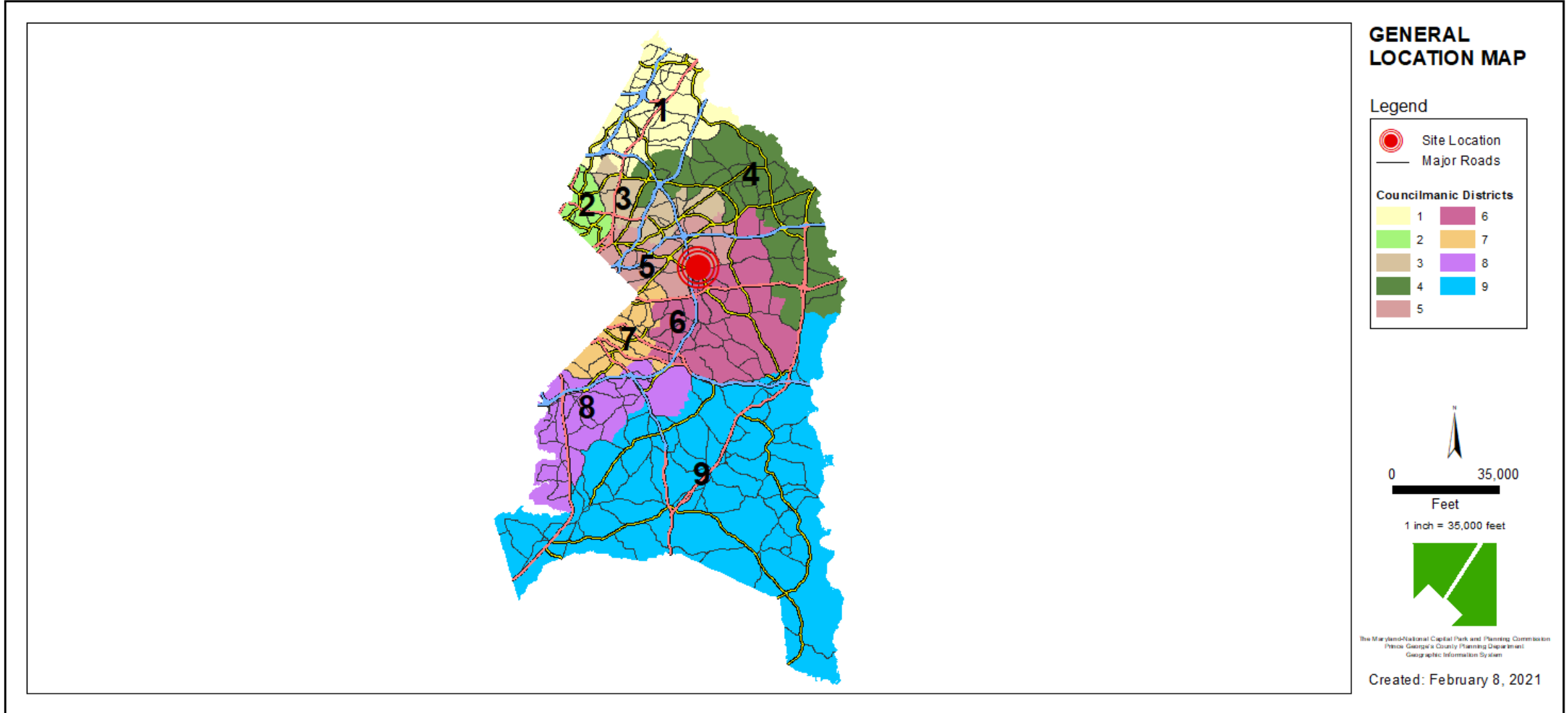
CASE: DSP-04067-10 & DDS-672

# WOODMORE COMMONS

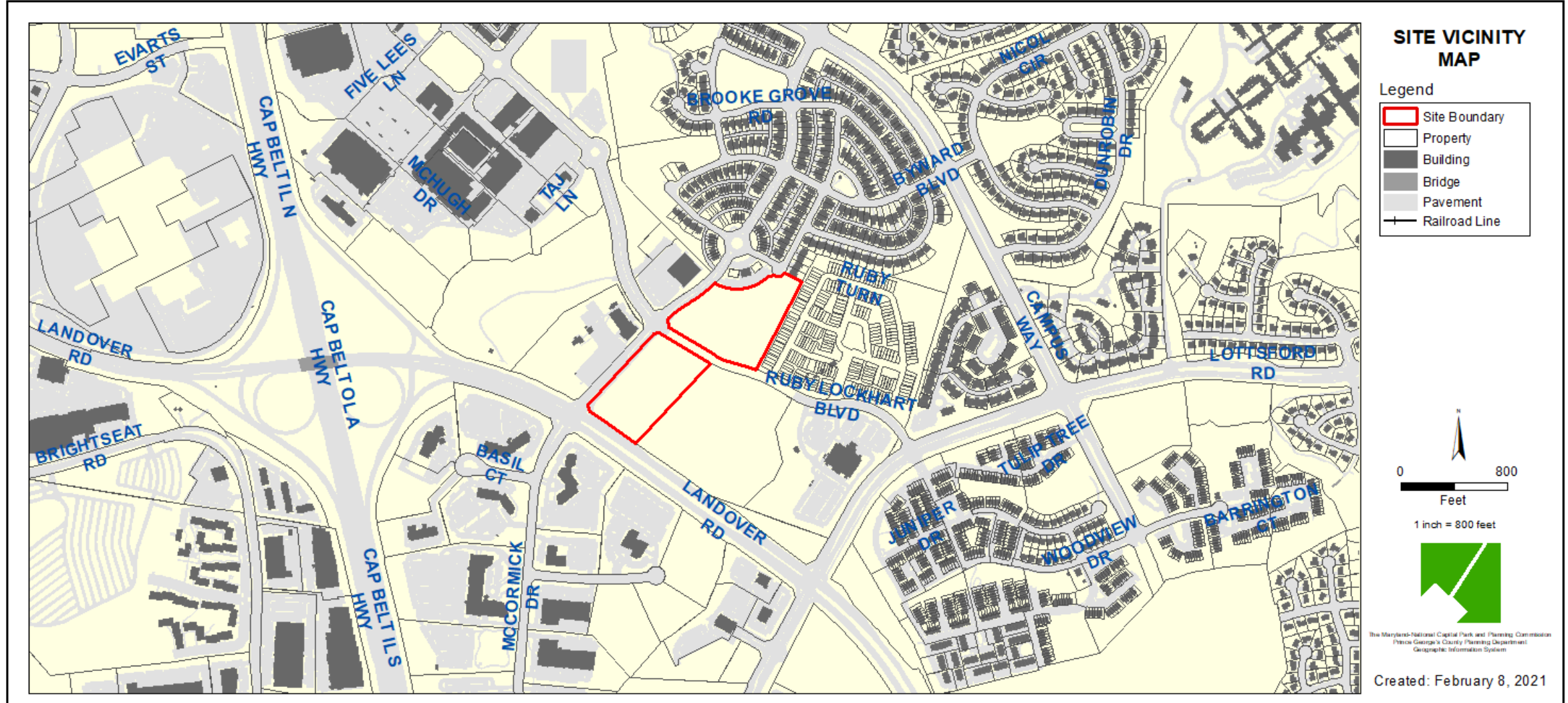
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



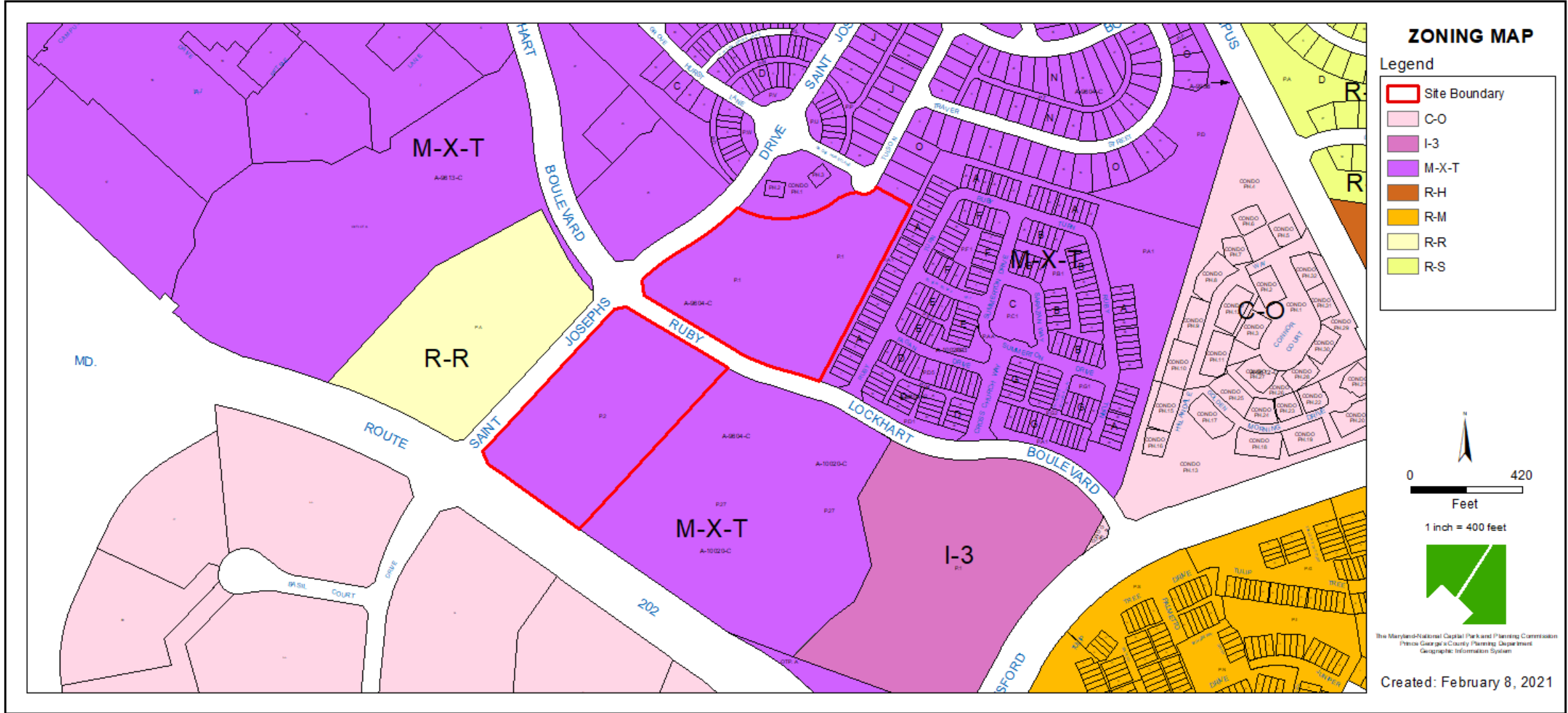
# GENERAL LOCATION MAP



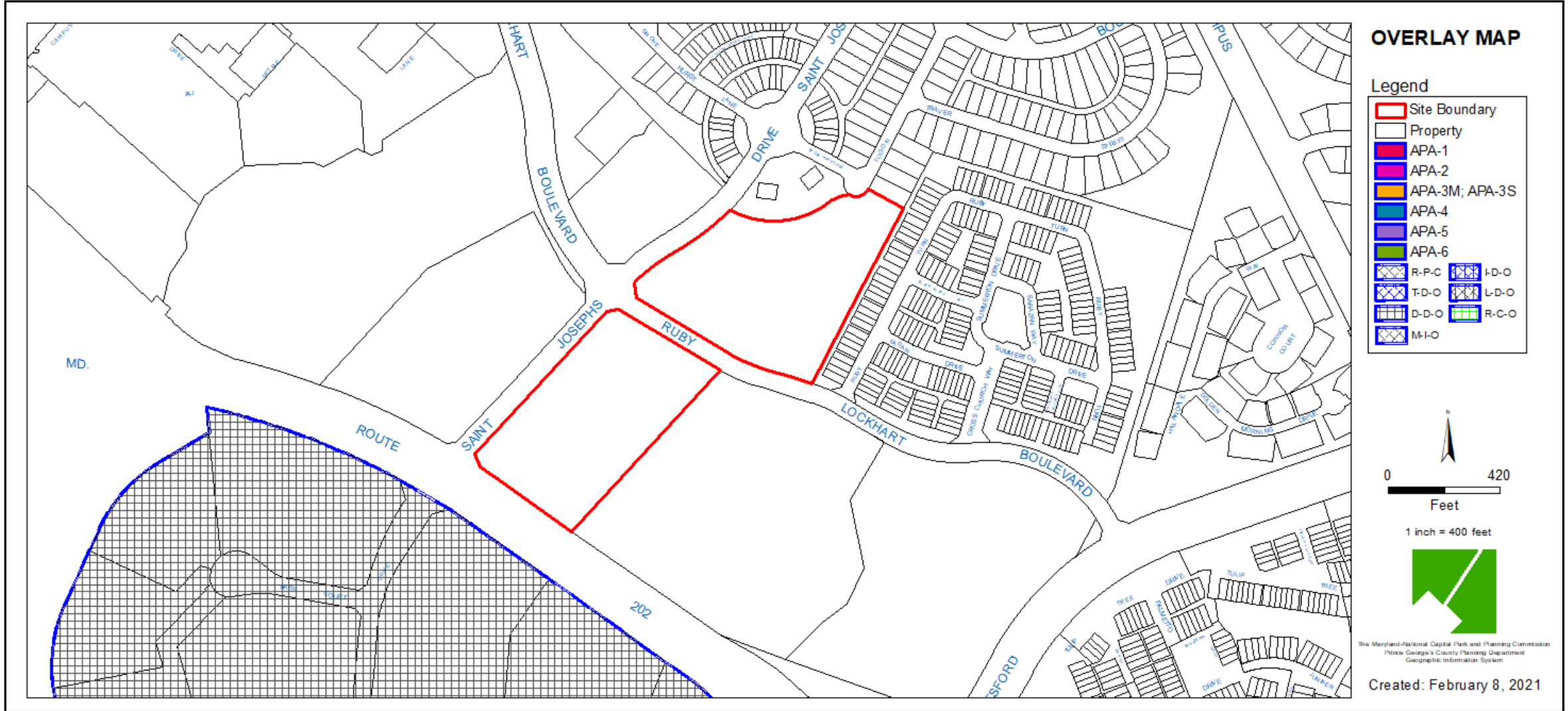
# SITE VICINITY



# ZONING MAP



# OVERLAY MAP



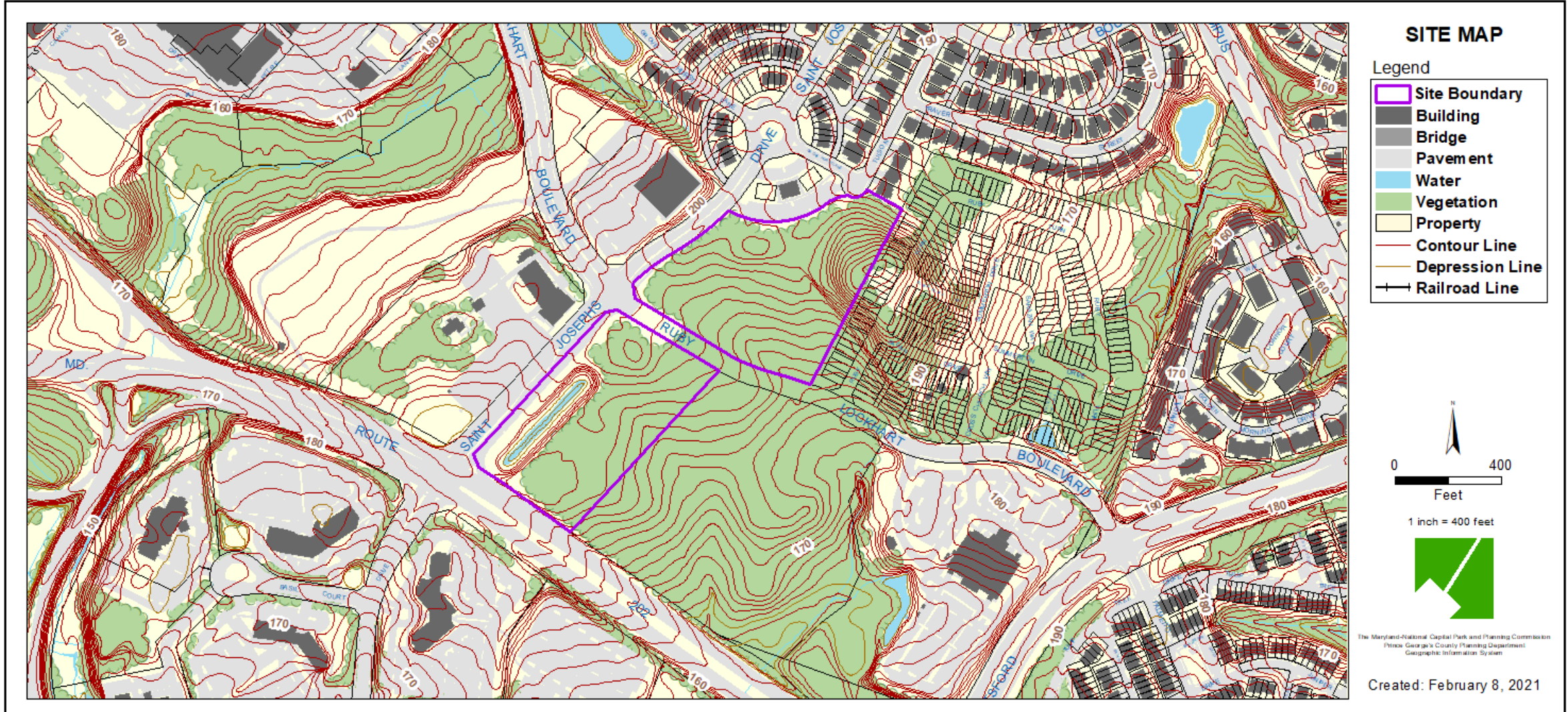


# AERIAL MAP



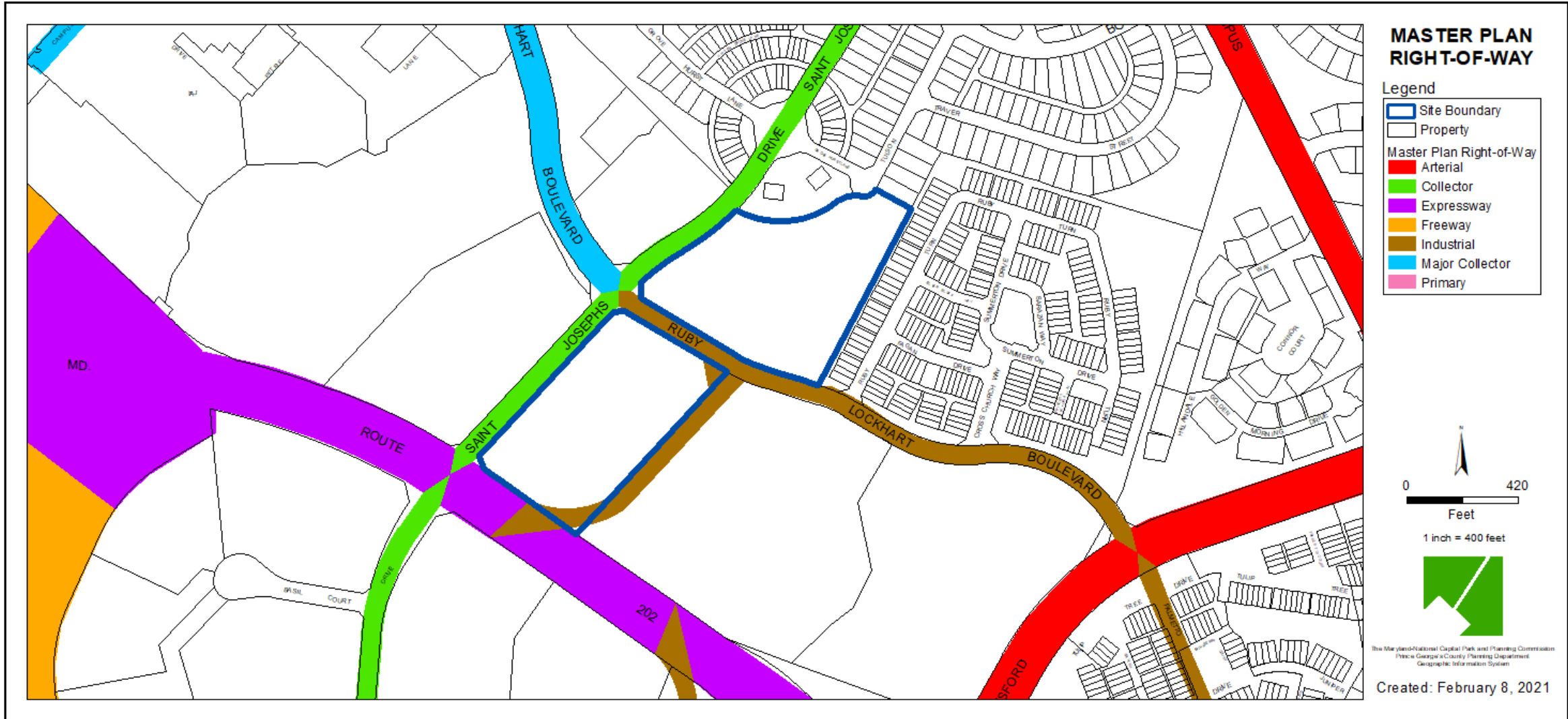


# SITE MAP

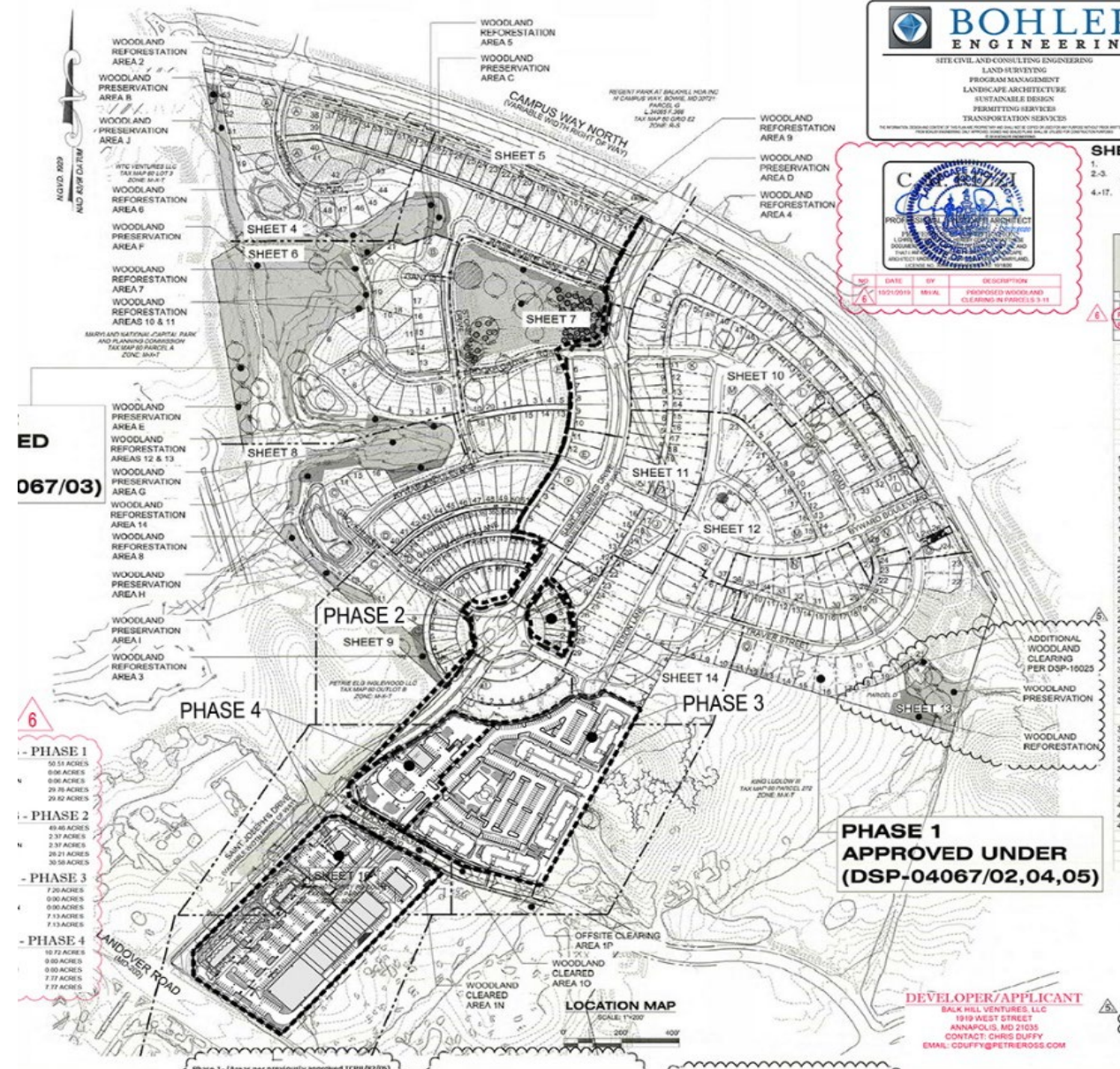




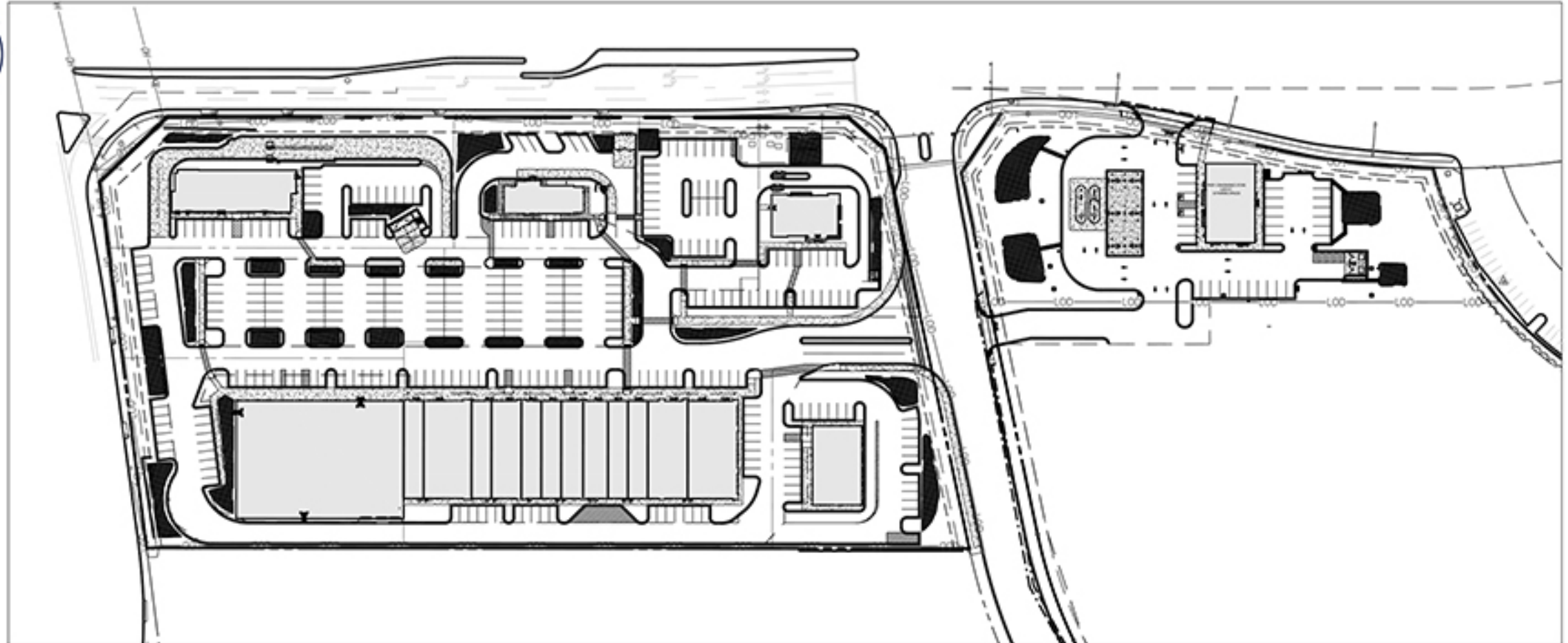
# MASTER PLAN RIGHT-OF-WAY MAP



# BALK HILL VILLAGE PLAN



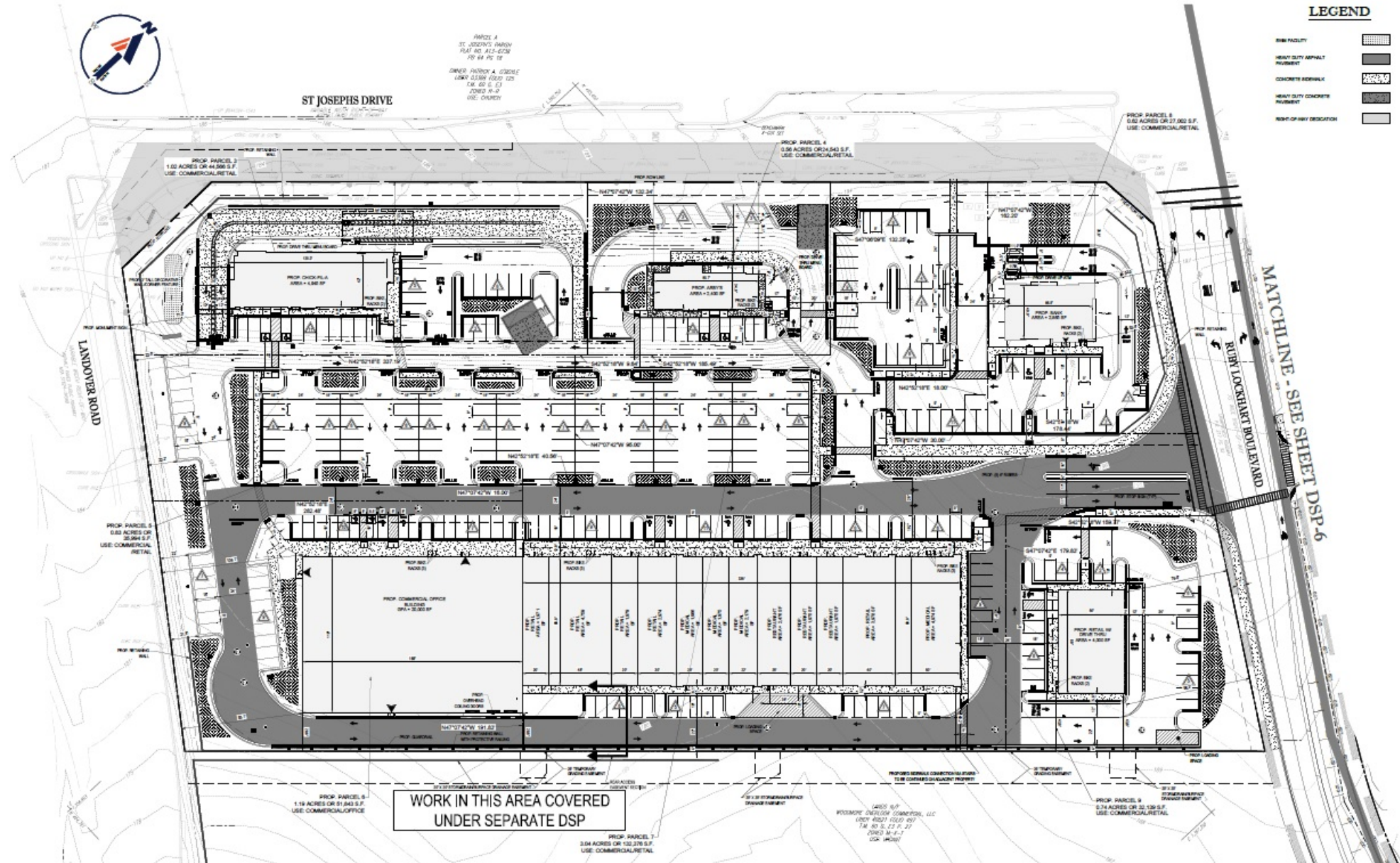
# OVERALL SITE PLAN



(INDUSTRIAL ONLY)



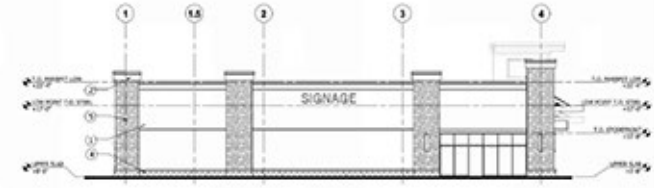
# SITE PLAN- WESTERN SECTION



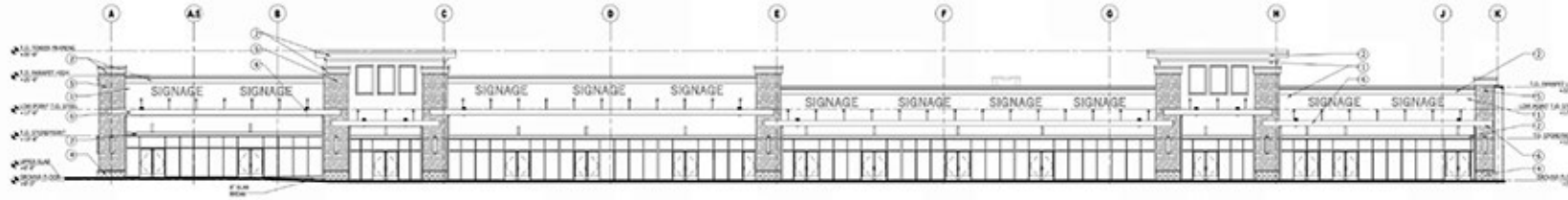
# IN-LINE RETAIL BUILDING ELEVATIONS



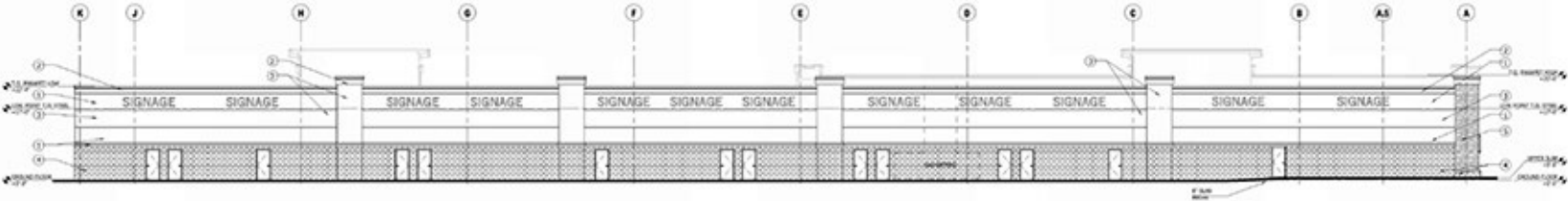
1 SW Perspective View  
SCALE: 1/8" = 1'-0"



2 SIDE ELEVATION V1  
SCALE: 1/32" = 1'-0"



3 FRONT ELEVATION V1  
SCALE: 1/32" = 1'-0"

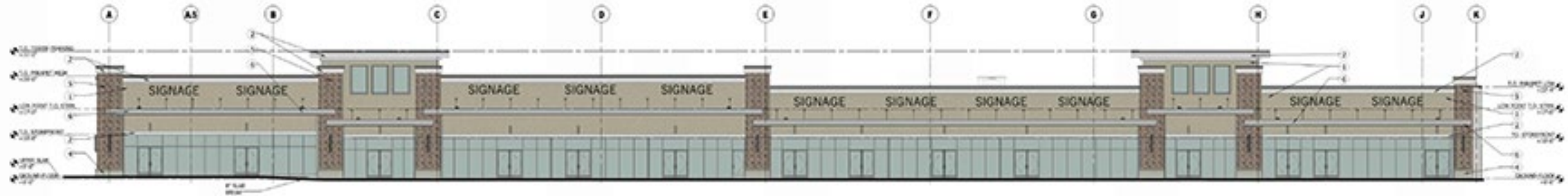


4 REAR ELEVATION V1  
SCALE: 1/32" = 1'-0"

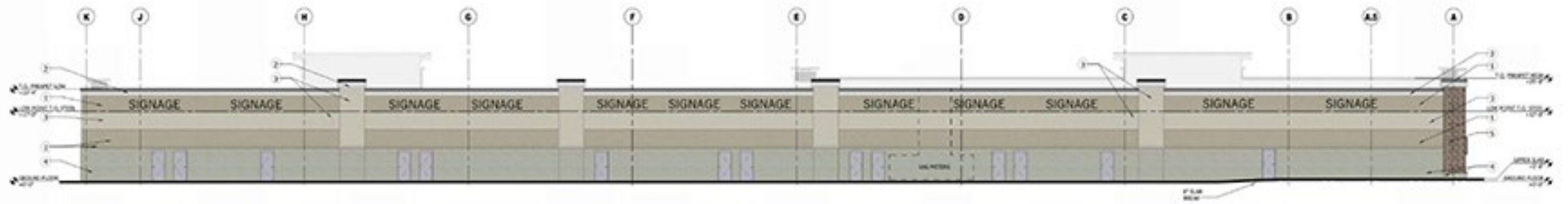




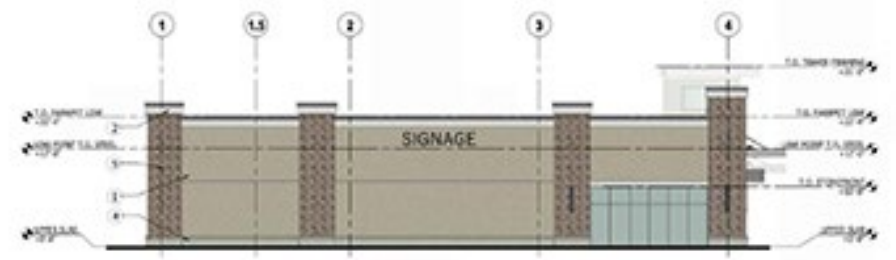
# IN-LINE RETAIL BUILDING ELEVATIONS



1 FRONT ELEVATION RENDERED  
SCALE: 3/32" = 1'-0"

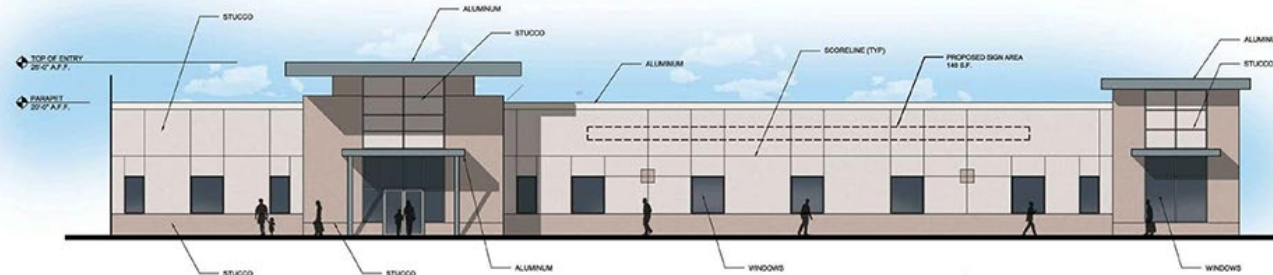


2 REAR ELEVATION RENDERED  
SCALE: 3/32" = 1'-0"

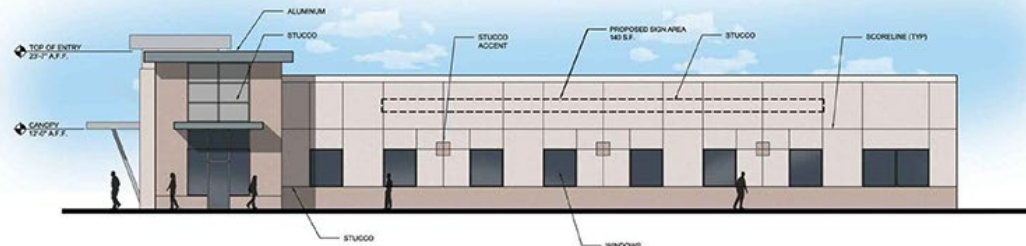


3 SIDE ELEVATION RENDERED  
SCALE: 3/32" = 1'-0"

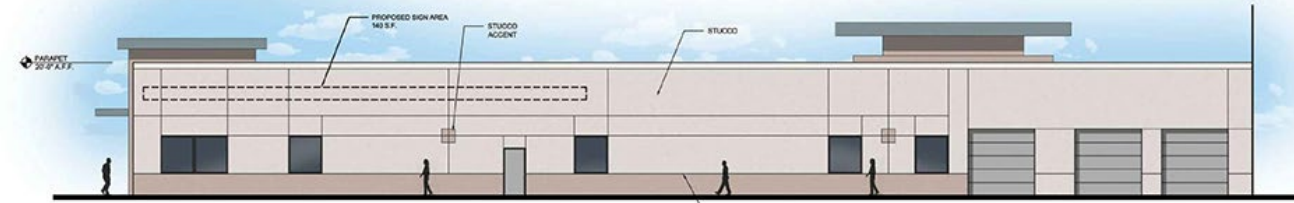
# OFFICE BUILDING ELEVATIONS



**NORTH ELEVATION**  
SCALE: 1/8"=1'-0" A



**WEST ELEVATION**  
SCALE: 1/8"=1'-0" B



**SOUTH ELEVATION**  
SCALE: 1/8"=1'-0" C

	STUCCO DRYVIT #103 NATURAL WHITE		STUCCO DRYVIT #104 DOVER SKY
	STUCCO DRYVIT #105 SUEDE		METAL PANEL PAC. CLAD ALUMINUM CITYSCAPE



# CHICK-FIL-A ELEVATIONS

**DESIGN INTENT PACKAGE**  
**Balk Hill**  
Saint Joseph's Drive and Landover Road, Largo, MD 20774



PERSPECTIVE VIEW - ENTRY

**STORE NUMBER**  
**04245**

PROTOTYPE: **P13\_LE**  
VERSION: Approver  
TIER: TIER 1  
BUILDING FOOTPRINT: 4939  
SEAT COUNT - INTERIOR: 84  
SEAT COUNT - EXTERIOR: 20  
SEATING TYPE: STANDARD  
REGISTERS: 4  
DRIVE-THRU: YES  
LEED: NOT CERTIFIED  
LANDSCAPING: STANDARD

**OPTIONS:**  
RESTROOM: THREE FIXTURE  
WATER FILTRATION: TYPE 1  
PLAYGROUND: STANDARD  
KITCHEN LAYOUT: CENTERLINE

**DESIGN SIGN-OFF**

DESIGN LEADER: \_\_\_\_\_ DATE: \_\_\_\_\_

DIP COVER SHEET

04245, Balk Hill, Saint Joseph's Drive and Landover Road, Largo, MD 20774  
THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES. 12/06/2019



PERSPECTIVE VIEW - REAR LEFT

**EXECUTIVE SUMMARY**

EXTERIOR MODIFICATIONS  
ENTER EXTERIOR MODIFICATIONS HERE.

INTERIOR MODIFICATIONS  
ENTER INTERIOR MODIFICATIONS HERE.

FRONT OF HOUSE MODIFICATIONS  
ENTER FRONT OF HOUSE MODIFICATIONS HERE.

BACK OF HOUSE MODIFICATIONS  
ENTER BACK OF HOUSE MODIFICATIONS HERE.



PERSPECTIVE VIEW - REAR RIGHT



PERSPECTIVE VIEW - FRONT LEFT

PERSPECTIVE VIEWS

04245, Balk Hill, Saint Joseph's Drive and Landover Road, Largo, MD 20774  
THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES. 12/06/2019



EXTERIOR ELEVATION  
1" = 10'-0"



EXTERIOR ELEVATIONS  
1" = 10'-0"

04245, Balk Hill, Saint Joseph's Drive and Landover Road, Largo, MD 20774  
THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES. 12/06/2019



EXTERIOR ELEVATION  
1" = 10'-0"

**ATTACHED CANOPY SCHEDULE**

Mark	Description	Count	Overall Width	Overall Depth	To Back Mounting (Offset from Top)	Integral Lighting
C1-C	Exterior Canopy	8	6'-4"	1'-0"	0"	No
C4-C	Exterior Canopy	2	6'-4"	4'-0"	2'-4"	Yes
C4-G	Exterior Canopy	1	1'-1"	4'-0"	2'-4"	Yes
C4-L	Exterior Canopy	1	10'-4"	4'-0"	2'-4"	Yes
Grand Total		12				



EXTERIOR ELEVATIONS  
1" = 10'-0"

**EXTERIOR FINISHES**

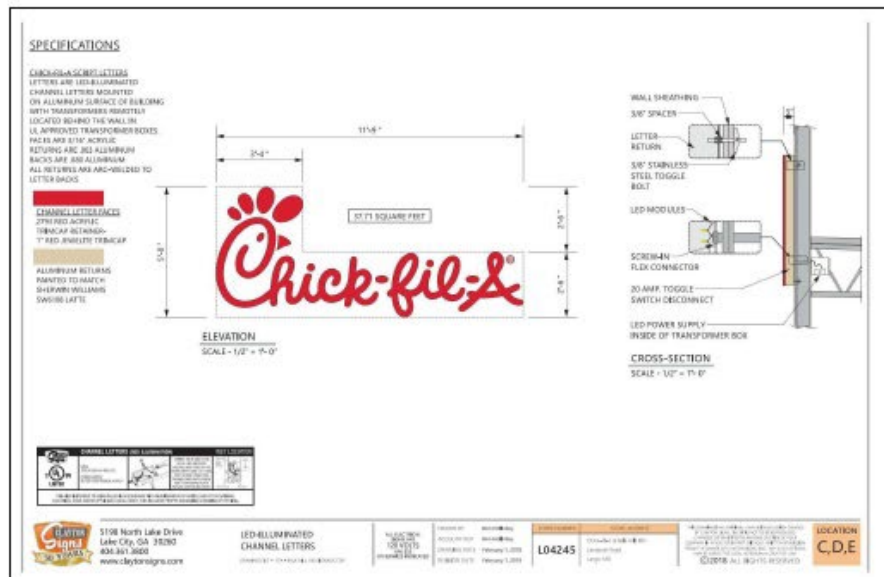
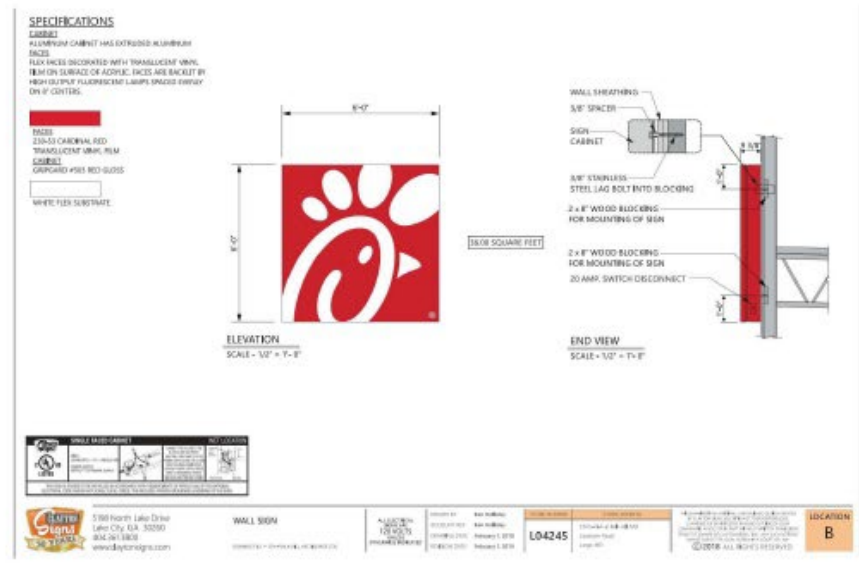
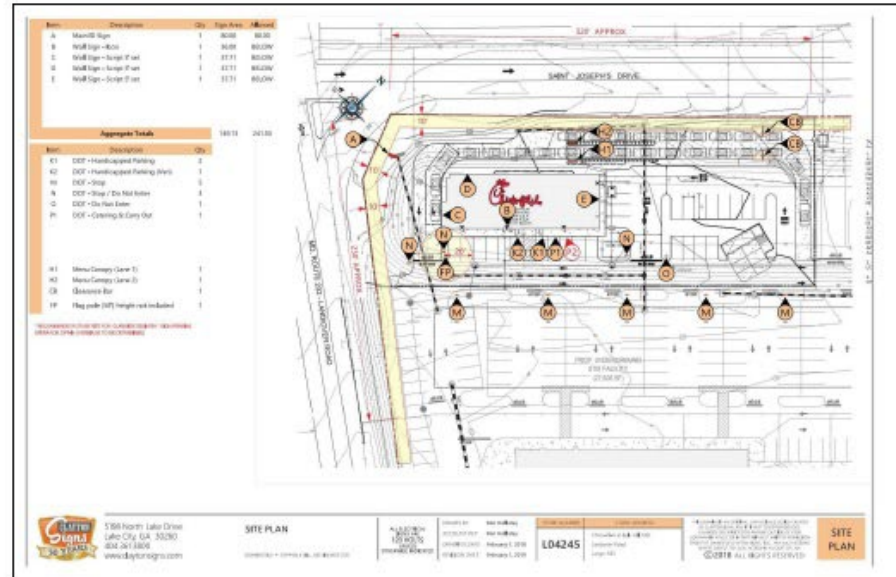
 BRB BRICK VENEER COLOR: LIGHT BROWN SIZE: MODULAR	 EC2 PREFINISHED METAL COPING COLOR: DARK BRONZE
 BRD BRICK VENEER COLOR: DARK BROWN SIZE: MODULAR	 ET2 EXTERIOR PAINT COLOR: DARK BRONZE FINISH: SEMI-GLOSS
 BLG STOREFRONT COLOR: DARK BRONZE	

04245, Balk Hill, Saint Joseph's Drive and Landover Road, Largo, MD 20774  
THE CHICK-FIL-A DESIGN INTENT PACKAGE REPRESENTS A BRAND COMPLIANT DESIGN SOLUTION. SITE ADAPT PROFESSIONALS ARE RESPONSIBLE FOR APPLICATION OF DESIGN AND COMPLIANCE OF WITH ORDINANCES AND CODES. 12/06/2019

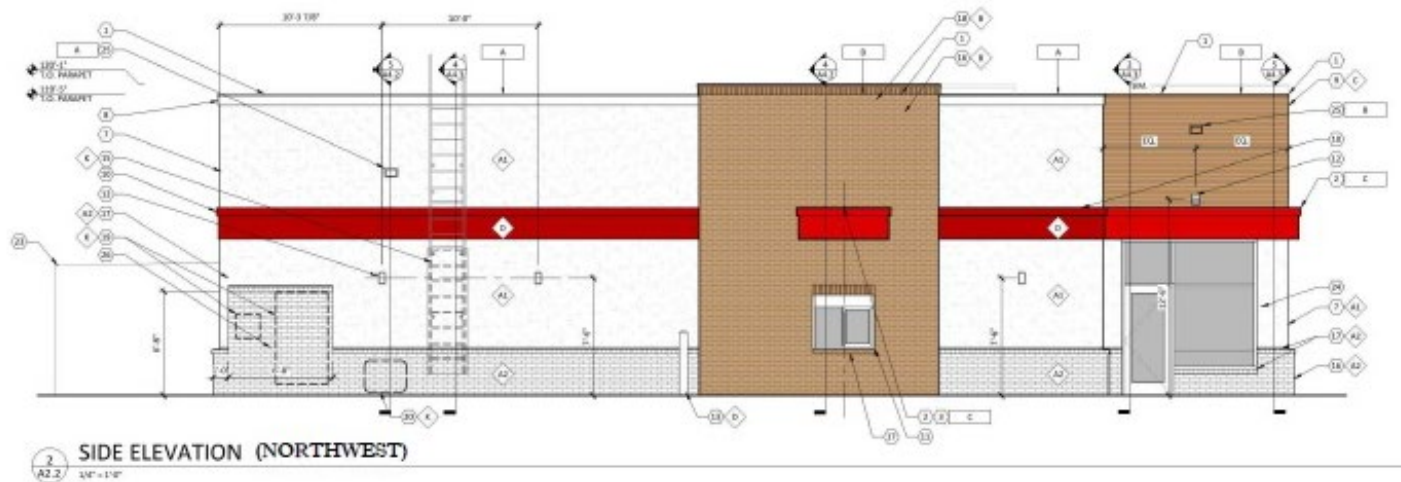




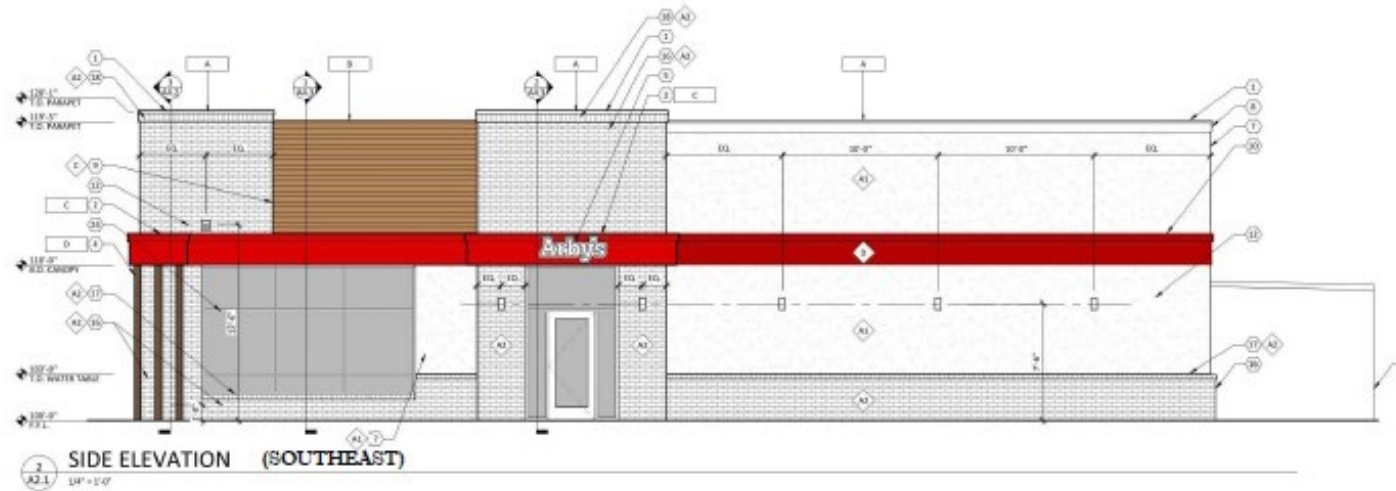
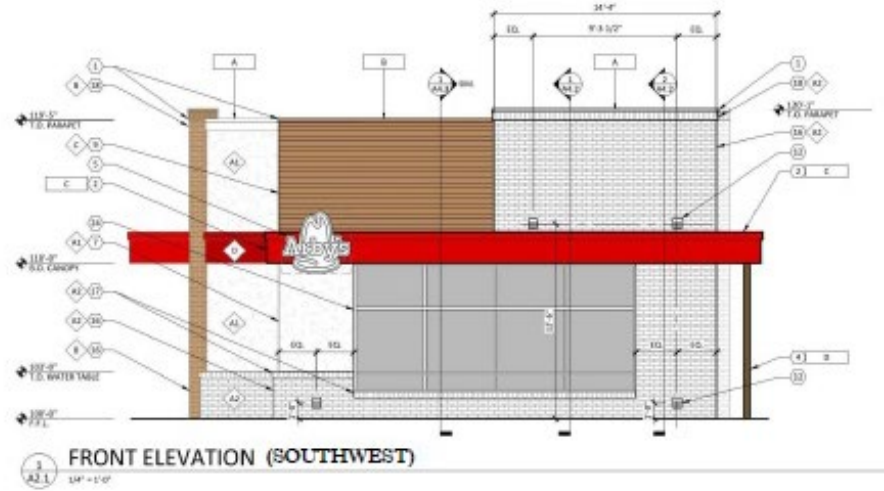
# CHICK-FIL-A SIGNAGE



# ARBY'S BUILDING ELEVATIONS



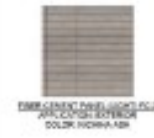
# ARBY'S BUILDING ELEVATIONS







# CHASE BANK ELEVATIONS



# CHASE BANK ELEVATIONS



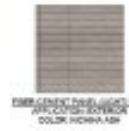
- TO FINISH 12'-0"
- TO FINISH 8'-0"
- TO FINISH 17'-0"
- TO FINISH 12'-0"
- TO FINISH 10'-0"
- TO SLAB 8'-0"

1 EAST ELEVATION - RUBY LOCKMART SQUADWARD  
5/17 - 1/2"



- TO FINISH 17'-0"
- TO FINISH 12'-0"
- TO FINISH 17'-0"
- TO FINISH 12'-0"
- TO FINISH 8'-0"
- TO SLAB 8'-0"

2 WEST ELEVATION - DRIVE / PARKING  
5/17 - 1/2"



# BANK ATM ELEVATIONS

**CHASE**

Signature Canopy CAN-ATM-SIG

**Sign Code Nomenclature:**

- CAN-ATM-SIG-OCT
- CAN-ATM-SIG-OCT-HW
- CAN-ATM-SIG
- CAN-ATM-SIG-HW

**Colors/Materials:**


- Approach Column, Chase Dark Nickel, MP18248
- Canopy, Chase Blue, MP49353
- Departure Column, Chase Dark Nickel, MP18248

**Illumination:**

- 2x7' - Security Lights only - rest of Canopy on Photo Cell
- Chase logo on approach
- Chase octagon on top

**Notes:**

- Although not preferred, the Chase octagon above the roof can be eliminated if required to meet code restrictions.
- The Drive-Up Canopy can also be used at branches where the ATM has to be located in the parking lot.
- Headache bar with clearance height displayed - used in conjunction with canopy to protect the structure and vehicles.
- Drive-Up toppers and doghouses with a Signature canopy uses LED lighting in topper.
- Canopy will use either a topper or doghouse depending on site.



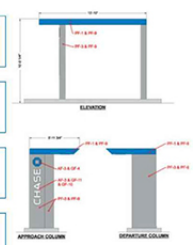
Original Issue Date: 04/04/2011 Current Revision Date: 11/15/2017

**CHASE**

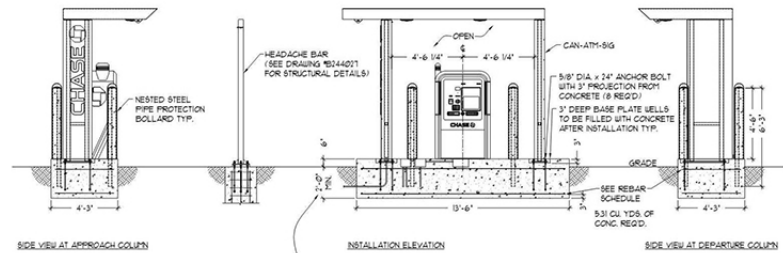
Signature Canopy without Octagon CAN-ATM-SIG

**Finishes**

Key:	PF-1	
Product Number:	Mathews Paint 49353	
Key:	PF-3	
Product Number:	Mathews Paint 18248	
Key:	PF-9	
Description:	Clear Coat	
Finish:	Clear Coat	
Key:	AF-3	
Key:	GF-4	
Product Number:	3M 3632-127	
Key:	GF-10	



Original Issue Date: 04/04/2011 Current Revision Date: 11/15/2017



**REBAR SCHEDULE**

PLACEMENT	SIZE	SPACING	QUANTITY
OVERLAP BOTTOM STEEL	#5	12"	6
OVERLAP TOP STEEL	#5	12"	6
BOTTOM CROSS STEEL	#5	12"	4
TOP CROSS STEEL	#5	12"	4

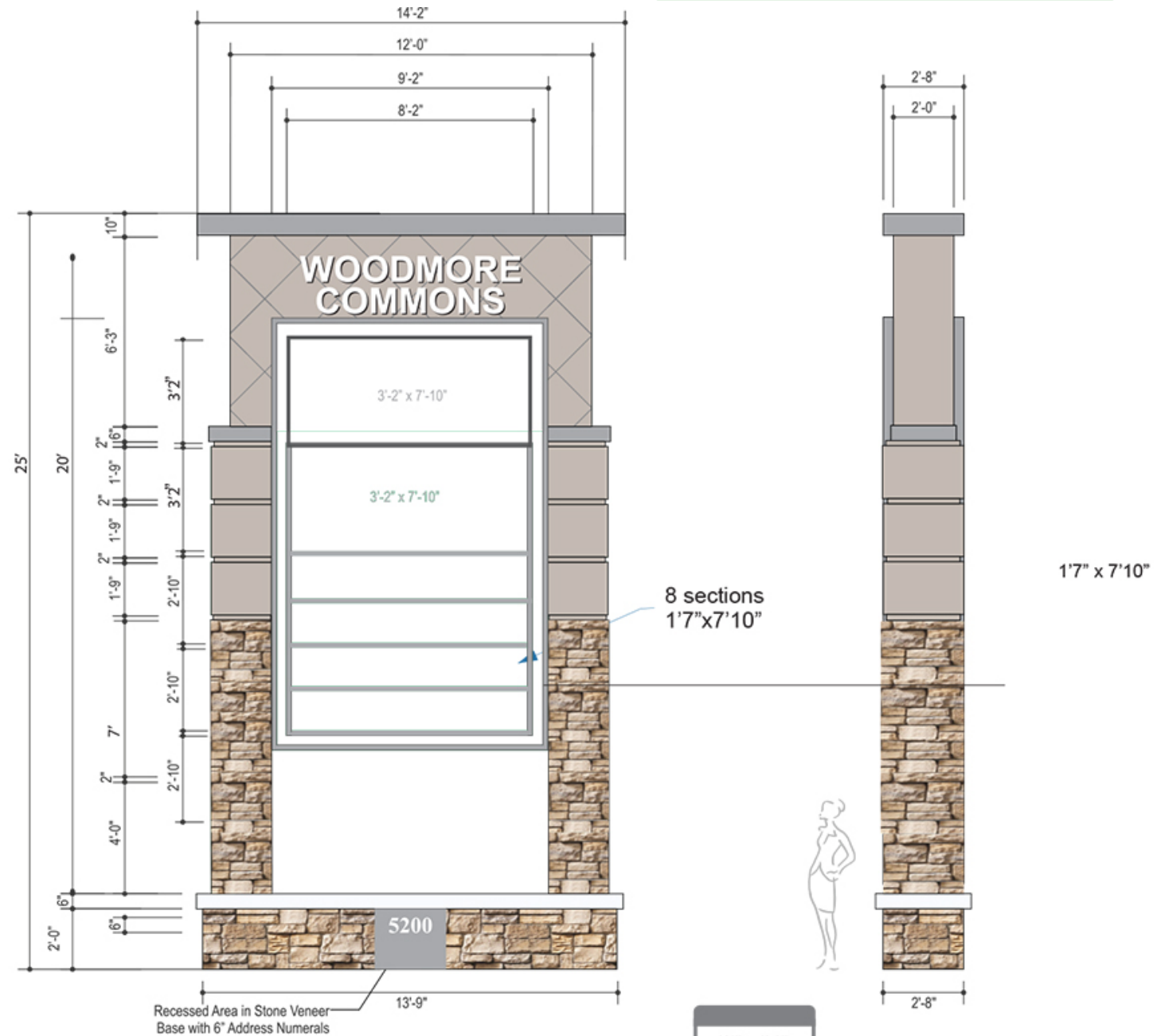
DO NOT WELD REBAR SPREAD FOUNDATION. 2" MIN CONC COVER.

WHERE THE EXTREME FROST PENETRATION DEPTH REQUIREMENT IS GREATER THAN THE SPECIFIED DEPTH OF THE FOUNDATION SHOWN ON THIS SHEET, THE FOUNDATION DESIGN SHOULD BE ALTERED TO MEET THE LOCAL FROST DEPTH REQUIREMENTS. SEE MAP ON SHEET # 1 OF 1 FOR GENERAL GUIDELINES.

**CHASE**

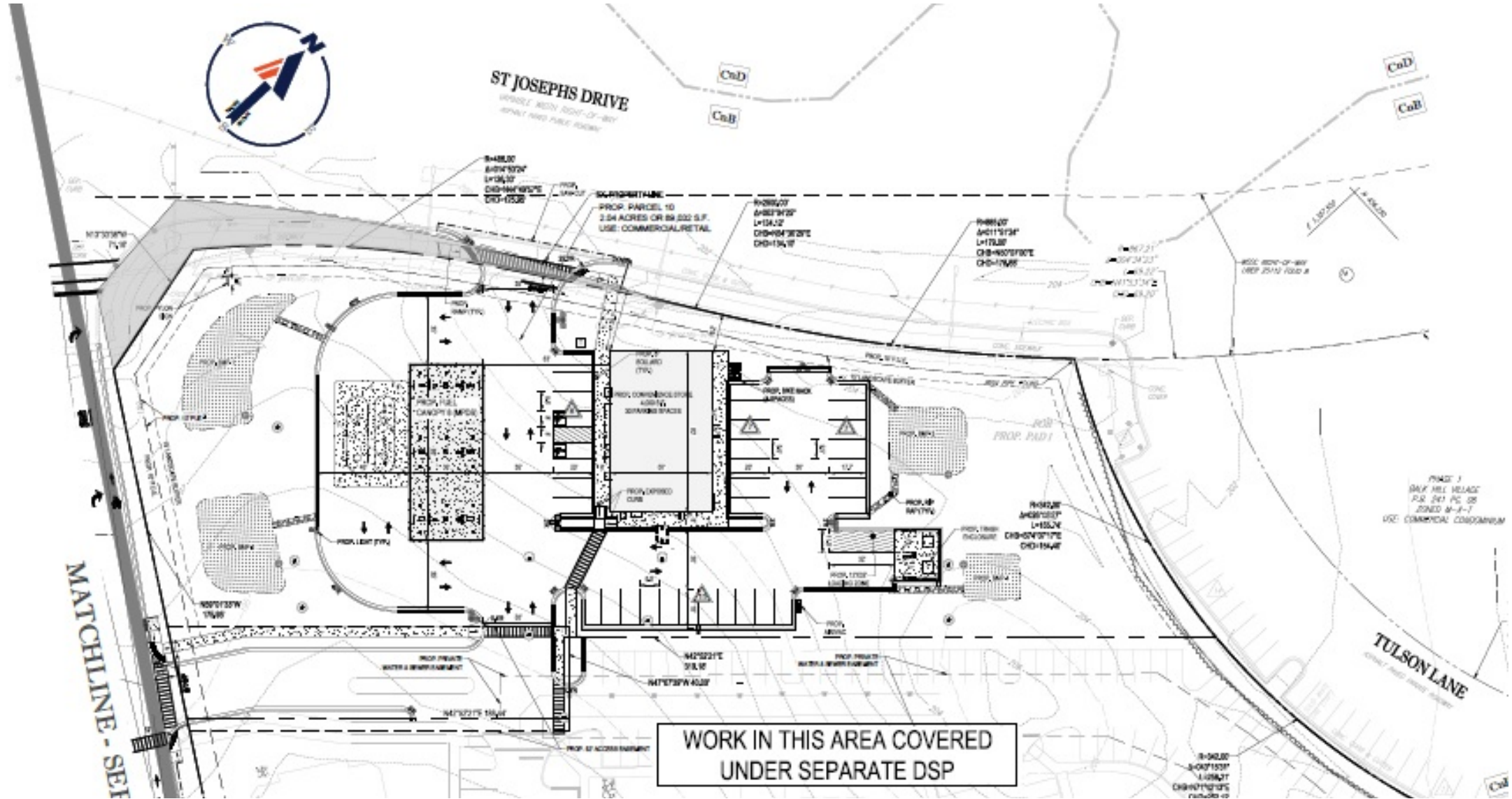
DATE: 4/4/11	DRAWING NO: 0244251	PROJECT NO: 09-018	ISSUE: REBAR APPROACH COLUMN (REV. 02/11)	DESCRIPTION: REBAR APPROACH COLUMN (REV. 02/11)
--------------	---------------------	--------------------	---	---

# GATEWAY SIGN

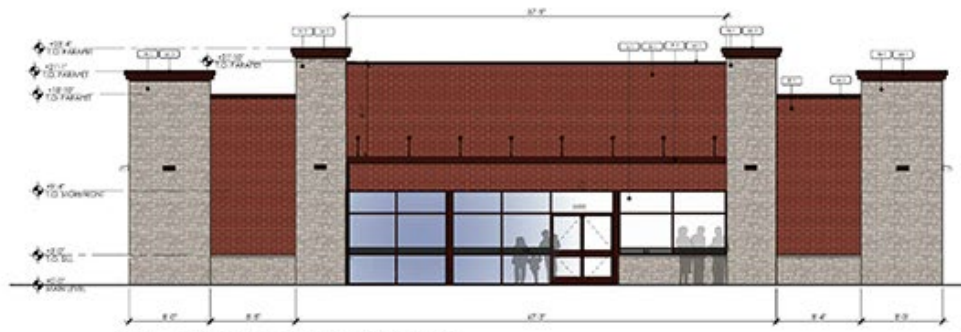




# SITE PLAN - EASTERN SECTION



# 7-11 ELEVATIONS

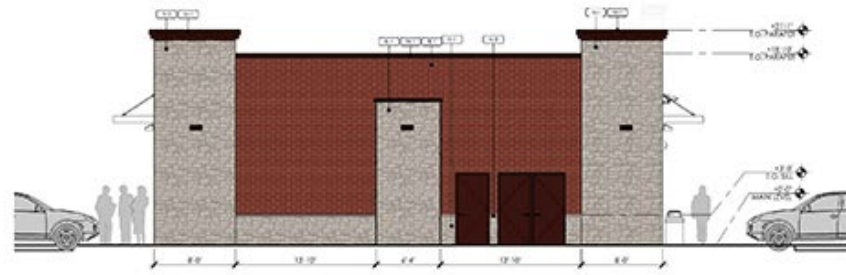


01 FRONT (SOUTH-WEST) ELEVATION  
SITE # 107

EXTERIOR FINISH SCHEDULE		
NOTE: SEALANT COLORS MATCH COLOR OF ADJACENT MATERIAL, BEING SEALER WHEN 2 OR MORE COLORS ARE ADJACENT. MATCH UNDER COLORED MATERIAL.		
FINISH	MATERIAL	TEXTURE
M1	24 GAUGE GALV. SHEET METAL CORNING CAP, SLOPE 1" FOR ROOF. PRE FINISH TO MATCH CAULKING AND OTHER METAL WORK (SEE FINISH SCHEDULE) OF SIMILAR.	[FACTOR]
F1	PREPARED SHEET METAL DOWNSPOUT (1/2" DEEP AND PRE FABRICATED ANCHORS TO MATCH CAULKING AND OTHER METAL WORK (SEE FINISH SCHEDULE) OF SIMILAR.	
N1	MCMX PANEL SYSTEM WALL FINISH (8005STONE BUFF OR SIMILAR)	[STONE]
N2	PRE CAST CONCRETE (SIL)	[CONCRETE]
S1/S2	KNORRER TONY BRONZE ALUMINUM STOREFRONT FRAME - 1" INSULATED CLEAR GLAZING BY GLAZIERS OR EQUAL - OR EQUAL	[GLASS]
B1	MCMX PANEL SYSTEM WALL FINISH ALEXANDRIA RED BUFF	[BRICK]



02 SIDE (NORTH-WEST) ELEVATION  
SITE # 107

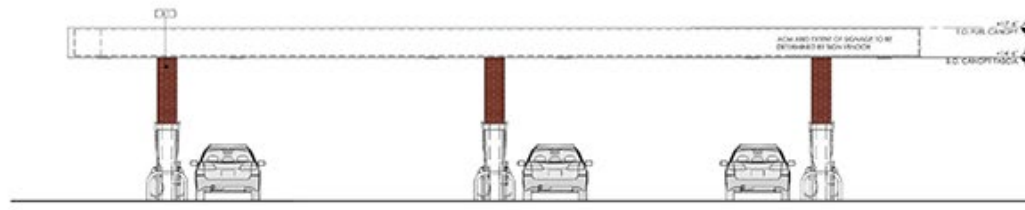


03 SIDE (SOUTH-EAST) ELEVATION  
SITE # 107

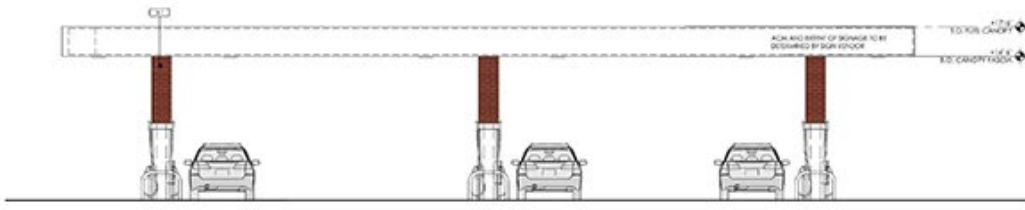


04 REAR (NORTH-EAST) ELEVATION  
SITE # 107

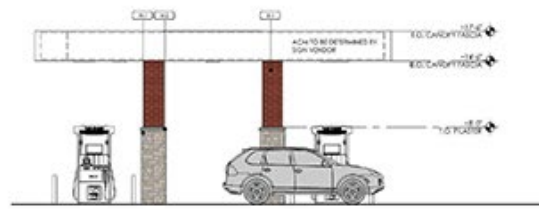
# 7-11 ELEVATIONS



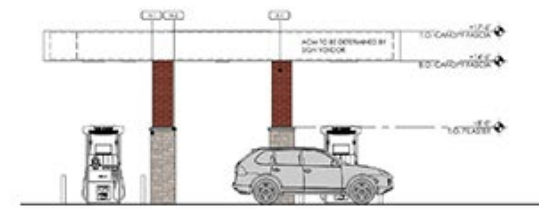
01 FRONT FUEL CANOPY (NORTH-EAST) ELEVATION  
3/16" = 1'-0"



02 FRONT FUEL CANOPY (SOUTH-WEST) ELEVATION  
3/16" = 1'-0"



03 SIDE FUEL CANOPY (NORTH-WEST) ELEVATION  
3/16" = 1'-0"



04 SIDE FUEL CANOPY (SOUTH-EAST) ELEVATION  
3/16" = 1'-0"

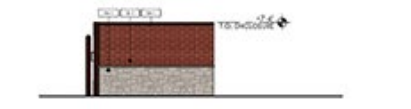
EXTERIOR FINISH SCHEDULE		
NOTE: SIGNIFY COLOR, MATCH COLOR OF ADJACENT MATERIAL BEING REPLACED (WHEN) OR MOST CLOSELY MATCH COLOR, MATCH LIGHTER COLORED MATERIAL		
INDEX	MATERIAL	PATTERN
#1	24 GAUGE GALV. STEEL METAL CEILING CAP, SLOPE TO THE ROOF. FIN FINISHED TO MATCH CHIMNEY AND OTHER METAL WORK (OR THE "URBANE BRONZE" OR SIALAR	[Pattern swatch]
#2	PAINTED TO SUEET METAL SKYRAMPART SYSTEM AND PRE-FABRICATED ARRIVED TO MATCH CANOPIES AND OTHER METAL WORK (OR THE "URBANE BRONZE" OR SIALAR	[Pattern swatch]
#3	NICHIA PANEL SYSTEM WALL FINISH LEXBORNE, BLUFF OR SIALAR	[Pattern swatch]
#4	PRE-CAST CONCRETE SILL	[Pattern swatch]
#5	4" MIN. TYP. BRONZE ALUMINUM SKYRAMPART FINISH - IF INSULATED CLEAR GLAZING BY CLICCASTLE OR EQUIV. OR SIALAR	[Pattern swatch]
#6	NICHIA PANEL SYSTEM WALL FINISH ALEXANDRIA RED DUFF	[Pattern swatch]



05 FRONT TRASH ENCLOSURE ELEVATION  
3/16" = 1'-0"



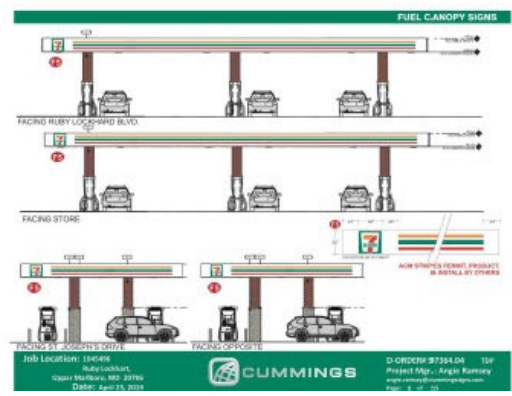
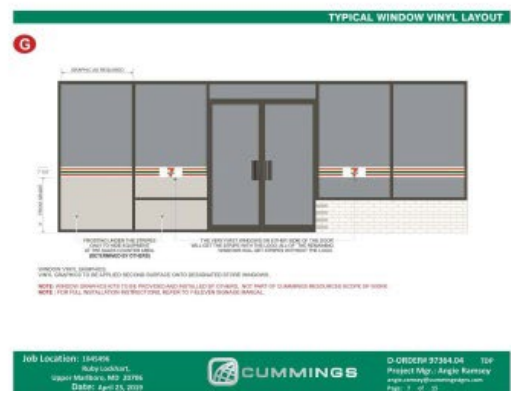
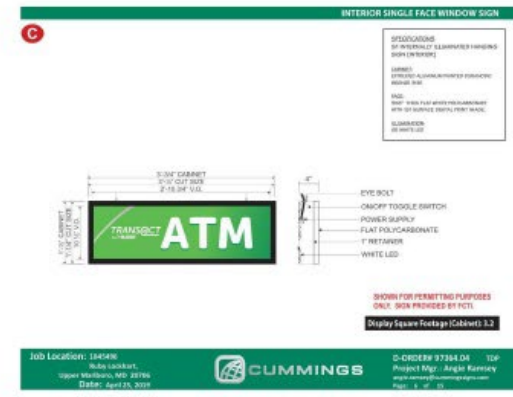
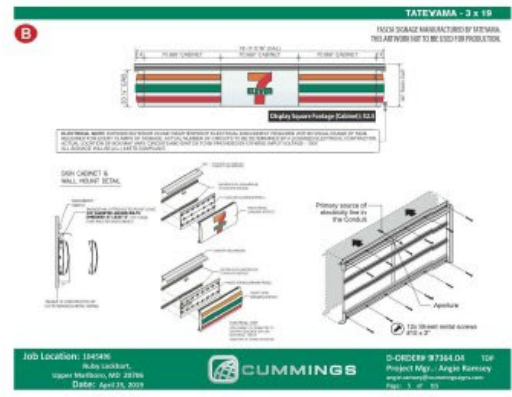
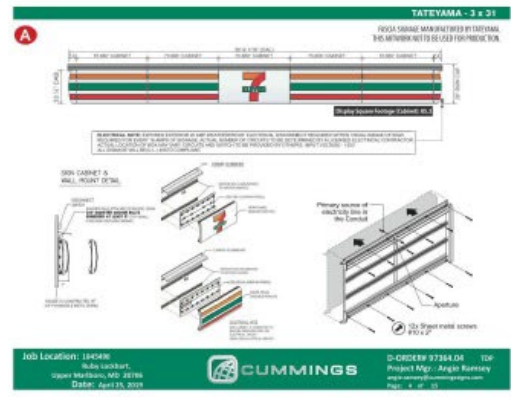
06 REAR TRASH ENCLOSURE ELEVATION  
3/16" = 1'-0"



07 SIDE TRASH ENCLOSURE ELEVATION  
3/16" = 1'-0"



# 7-11 SIGNAGE







Countywide Planning Division  
Historic Preservation Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco

301-952-3680

January 4, 2021

**MEMORANDUM**

**TO:** Henry Zhang, Urban Design Section, Development Review Division

**VIA:** Howard Berger, Supervisor, Historic Preservation Section, Countywide Planning Division

**FROM:** Jennifer Stabler, Historic Preservation Section, Countywide Planning Division  
Tyler Smith, Historic Preservation Section, Countywide Planning Division

**SUBJECT: DSP-04067-10 DDS-672 Woodmore Commons**

The subject property comprises 17.24-acres and is located in the northeast quadrant of the intersection of MD 202(Landover Road) and St. Joseph's Drive in Kentland, Maryland. The subject DSP application proposes the development of a retail office, service commercial use and multifamily residential. The DDS application proposed a reduction in parking space size. The subject property is Zoned M-X-T.

A Phase I archeological survey was conducted on the subject property in 2005. The subject property was once part of the Rose Mount plantation, home of Governor Joseph Kent, members of his family, and his enslaved laborers. No archeological sites were identified, and no further work was required on this portion of the development. The subject property does not contain and is not adjacent to any designated Prince George's County Historic Sites or resources. The Historic Preservation Section recommends approval of DSP-04067-10, Woodmore Commons, without conditions.

301-952-3972

February 19, 2021

**MEMORANDUM**

**TO:** Henry Zhang, Planner Coordinator, Urban Design, Development Review Division

**VIA:** David A. Green, Master Planner, Community Planning Division 

**FROM:** Garrett Dickerson, Planner, Long-Range Planning Section, Community Planning Division   
Division

**SUBJECT:** DSP-04067-10 & DDS-672, Woodmore Commons

**FINDINGS**

Pursuant to Part 3, Division 9, Subdivision 3 of the Zoning Ordinance, Master Plan conformance is not required for this application.

**BACKGROUND**

**Application Type:** Detailed Site Plan for property outside of an overlay zone.

**Location:** Located at the northwest quadrant of the intersection of MD 202 and St. Josephs Dr.

**Size:** 17.23 acres

**Existing Uses:**

**Proposal:** Final Plat to approve retail and service commercial uses and multifamily residential

**GENERAL PLAN, MASTER PLAN, AND SMA**

**General Plan:** This application is in the Established Communities area. The vision for Established Communities is context-sensitive infill and low- to medium-density development.

**Master Plan:** 2013 *Approved Largo Town Center Sector Plan and Sectional Map Amendment* recommends dense mixed-use development.

DSP-04067-10 & DDS-672, Woodmore Commons

**Planning Area:** 73

**Community:** Largo Maryland

**Aviation/MIOZ:** This application is not located within an Aviation Policy Area (APA) or the Military Installation Overlay Zone (MIOZ).

**SMA/Zoning:** 2013 *Approved Largo Town Center Sector Plan and Sectional Map Amendment*

c: Long-range Agenda Notebook

Scott Rowe, AICP CNU-A, Supervisor, Long-Range Planning Section, Community Planning



February 18, 2021

## MEMORANDUM

**TO:** Henry Zhang, Master Planner, Urban Design Section

**VIA:** Mridula Gupta, Planner Coordinator, Subdivision Section **MG**

**FROM:** Eddie Diaz-Campbell, Senior Planner, Subdivision Section **EDC**

**SUBJECT:** DSP-04067-10 & DDS-672, Woodmore Commons, Subdivision Referral Memo

The property subject to this DSP application consists of Parcel 2 of Balk Hill Village, recorded in Plat Book PM 217 page 92 in March 2007; and the northern 2.04 acres of a parcel known as "Part of Parcel 1", recorded in Liber 33973 Folio 99 in 2012. The property is a total of 10.72 acres in area. The property is in the M-X-T (Mixed Use- Transportation Oriented) Zone, and it is subject to the *1990 Approved Master Plan and Adopted SMA for Largo-Lottsford, Planning Area 73*. DSP-04067-10 proposes to construct 71,411 square feet of commercial development on the subject property, including retail, office, and service uses. DDS-672 proposes a departure from the design standards for parking spaces, in order to permit perpendicular parking spaces dimensioned at 9 feet by 18 feet. The site is currently vacant.

The property is subject to Preliminary Plan of Subdivision (PPS) 4-18024, which was approved on September 26, 2019 for development of 284 dwelling units and 88,000 square feet of commercial use. Previously, the site was also subject to a prior PPS 4-03094 covering 125.4 acres, which was approved on February 19, 2004 for 393 lots and 9 parcels. Among the 9 parcels created were two parcels known as Parcels 1 and 2. A 9.33-acre portion of the 10.03-acre Parcel 1 was conveyed by deed to the Prince George's County Revenue Authority in accordance with Section 24-107(a)(5) to become "Part of Parcel 1". Part of Parcel 1 and Parcel 2 are the subject of PPS 4-18024, which supersedes 4-03094 for Parcel 2 and Part of Parcel 1 only. The northern portion of Part of Parcel 1, and Parcel 2 are the subject of this DSP application.

PPS 4-18024 approved two new parcels, known as Parcels 10 and 11, for the area of the existing Part of Parcel 1. It also approved seven new parcels, known as Parcels 3 through 9, for the area of existing Parcel 2. The parcel boundaries and designations shown on the DSP are consistent with those approved at the time of PPS. Residential development was previously approved on Parcel 11 with DSP-04067-09. The subject DSP encompasses Parcels 3 through 10, and the 71,411 square feet of commercial development proposed on these parcels are within the development entitlement approved with 4-18024.

Preliminary Plan of Subdivision 4-18024 was approved subject to 15 conditions. The conditions relevant to the subject application are shown below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text.

**1. Prior to signature approval of this preliminary plan of subdivision, the following revisions shall be made to the plan:**

**b. Revise and consolidate the cross sections provided on the plans to show the following:**

**(1) All cross sections shall include a sidewalk and green space abutting the drive aisles.**

This revision to the PPS 4-18024 was accomplished prior to its certification as required. However, the Urban Design section should evaluate the DSP to confirm that the drive aisles, green spaces, and sidewalks provided are in general conformance with the cross sections approved with the PPS.

**(2) Consolidate the cross sections for 'C' through 'F', to provide a consistent cross section for the loop road showing a 22-24-foot-wide drive aisle with a sidewalk on one side that is a minimum of five feet in width, and contiguous green space.**

This revision to the PPS 4-18024 was accomplished prior to its certification, as required. It is noted that the consolidated cross section (Access Easement Section 'C') shows a sidewalk abutting the drive aisle, and a green space abutting the parking aisle. However, the DSP generally provides a green space abutting the drive aisle, and a sidewalk abutting the parking aisle instead. Subdivision staff do not find that this change presents a conformance issue for the PPS, as it provides for a more pedestrian-friendly design.

**2. Prior to acceptance of the detailed site plan, the applicant shall provide a cross section for the service road segment of the access easement.**

This cross section was provided as required, on sheet DSP-5, and shows a design consistent with what is provided on the DSP plan drawing. The service road in question serves the rears of proposed Parcels 6 and 7.

**3. Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that indicates the location, limits, and details of all pedestrian and bicycle facilities and illustrates how their interconnectivity and connectivity to adjacent properties encourages walkability and reduced automobile use.**

This exhibit is provided on sheets DSP-14 and DSP-15. Appropriate design details are shown on sheet DSP-22. The Transportation Planning section should further evaluate the exhibit for conformance with this Condition.

4. **In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73*, the applicant shall provide the following:**

a. **An eight-foot-wide shared-use sidepath or wide sidewalk along the site's entire frontage of MD 202, unless modified with written documentation by Maryland State Highway Administration.**

The DSP does not show this required sidepath. Prior to certification, the applicant should revise the plan to include the path, or provide written documentation from the Maryland State Highway Administration modifying the requirement.

b. **Sidewalks, a minimum five feet in width, along one side of all internal access easements, not including service access areas.**

The site plan shows the required sidewalks. However, the design of the sidewalks should be further evaluated by the Transportation Planning section.

c. **A standard five-foot-wide sidewalk and a designated bicycle lane along each side of Ruby Lockhart Boulevard, unless modified with written documentation by Prince George's County Department of Permitting, Inspections and Enforcement/Department of Public Works and Transportation.**

The plan shows a sidewalk and a bike lane along the south side of Ruby Lockhart Boulevard, and a bike lane along the north side. The plan should be revised to also show sidewalk along the north side of the street. According to aerial imagery, sidewalks and bike lanes already exist along both sides of the street. The application should be further evaluated by the Transportation Planning section for conformance with this Condition.

6. **The final plats shall reflect a denial of access along the entire frontage of MD 202, and along the site's frontage of St. Josephs Drive between MD 202 and Ruby Lockhart Boulevard.**

The DSP does not propose any site access along the street segments where the final plat is to show denial of access.

9. **Substantial revision to the uses on the subject property that affect Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.**

The DSP does not propose any uses that are a substantial revision to those approved under the PPS. The Subtitle 24 adequacy findings of 4-18024 will not be affected.

10. **Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:**

a. **Dedicate the public right-of-way of Saint Josephs Drive, in accordance with the approved preliminary plan of subdivision.**

The DSP shows, but does not clearly label, the right-of-way (ROW) dedication. The DSP should be revised prior to certification to ensure the area is properly labeled.

- b. A draft Declaration of Restrictive Covenants and/or easement, per Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access for the subject property, shall be submitted to the Maryland-National Capital Park and Planning Commission for review and approval. The limits of the shared access shall be reflected on the final plat, consistent with the approved preliminary plan of subdivision and detailed site plan. Prior to recordation of the final plat, the Declaration of Restrictive Covenants and/or easement shall be recorded in Prince George's County Land Records, and the Liber/folio of the document shall be indicated on the final plat with the limits of the shared access.**

The limits of the shared access easement are shown on the DSP, and are consistent with the limits approved at the time of PPS.

- c. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.**

At the time of PPS, Section 24-128(b)(9) of the Subdivision Regulations was cited to justify consolidation of vehicular access onto Ruby Lockhart Boulevard, ensuring denial of access along the frontage of MD 202 and along the frontage of St. Josephs Drive between MD 202 and Ruby Lockhart Boulevard. The proposed Parcels 3-9 were approved to take access via an access easement from Ruby Lockhart. The DSP site design reflects this vehicular access strategy.

- d. Grant 10-foot-wide public utility easements along the public rights-of-way of MD 202, Saint Josephs Drive, Tulson Lane, and Ruby Lockhart Boulevard.**

The DSP shows all the required public utility easements (PUEs). It is noted that on proposed Parcel 10, the 10-foot-wide PUE overlaps the 15-foot-wide landscape buffer.

- 15. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions.**

An approved Stormwater Management Concept Plan (SWM) 56766-2018-0 was submitted with the DSP application. There are minor site design differences between what is shown on the DSP and what is shown on the SWM Concept plan. The SWM Concept plan should be revised to match the design on the DSP. The Environmental Planning section should further review the application for conformance with this Condition.

#### **Plan Comments:**

1. Final Plat 5-20145 has been approved to divide existing Part of Parcel 1 into proposed Parcels 10 and 11. Recordation of this plat appears to be pending at the time of this referral. Following approval of the DSP, a new final plat application will be required to re-record Parcel 10, and divide existing Parcel 2 into proposed Parcels 3 through 9.

2. General Notes 2 and 5 provide acreage and the number of parcels for the area subject to the PPS, and include Parcel 11, which is not the subject of this DSP.
3. Subdivision staff have no objection to the approval of DDS-672. It is noted that the 18-foot depth of the proposed parking spaces is consistent with the parking aisle width shown on the "Access Easement Section 'C'" cross section within the PPS.

**Recommended Conditions:**

1. Prior to certification, the detailed site plan shall be modified as follows:
  - a. Show an 8-foot-wide sidepath along MD 202, or provide written correspondence from the Maryland State Highway Administration modifying the corresponding Condition 4.a. of the PPS.
  - b. Show the right-of-way (ROW) dedication area using the same line weight and line type for the existing and ultimate ROW lines. Add labels which mark the ROW dedication area as such, including acreage.
  - c. Revise General Notes 2 and 5 to provide the correct total acreage and number of parcels under this DSP.
  - d. Show the existing sidewalk along the north side of Ruby Lockhart Boulevard.

**Conclusion:**

This referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The DSP has been found to be in substantial conformance with the approved preliminary plan of subdivision and record plat. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.





# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco


Countywide Planning Division  
Transportation Planning Section

301-952-3680

February 17, 2021

## **MEMORANDUM**

**TO:** Henry Zhang, Urban Design Review Section, Development Review Division

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

**SUBJECT: DSP-04067-10 and DDS-672: Woodmore Commons**

### **Proposal**

The applicant proposes an office building and parking garage.

### **Background**

This detailed site plan (DSP) is preceded by the original DSP-04067 and several revisions; most of the prior site plans relate to the development of the adjacent Balk Hill Village, which includes 393 residences and 20,000 square feet of specialty commercial space. The ninth revision DSP-04067-09 approved the development of 284 multifamily residences adjacent to this site. This site is subject to conditions on all prior plans including Zoning Map Amendment (ZMA) A-9956-C, Conceptual Site Plan (CSP)-03001-01, and Preliminary Plan of Subdivision (PPS) 4-18024.

The site plan is required to address issues related to architecture, building siting, and relationships between the development and any open space. The site plan is also required to address general detailed site plan requirements such as access and circulation. Also, parking within the M-X-T Zone must be analyzed consistent with Section 27-574 of the Zoning Ordinance.

While parking provided within the M-X-T Zone is typically addressed consistent with Section 27-574 of the Zoning Ordinance, the applicant seeks to modify the standards for parking space size within the site, and so a departure from design standards (DDS) is included in the review.

The transportation-related findings are limited to the circumstance in which at least six years have elapsed since a finding of adequacy was made, which is a requirement of the M-X-T Zone within Part 10 of the Zoning Ordinance. In this case, the most recent finding regarding transportation adequacy was made in September 2019 in connection with PPS 4-18024, and so further traffic-related analyses are not required.

### **Review Comments**

The table below summarizes trip generation in each peak hour that will be used in reviewing conformance with the trip cap for the site:

<b>Trip Generation Summary: DSP-04067-10: Woodmore Commons</b>								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
<b>Existing Development: Balk Hill Village</b>								
Residential – Detached plus Manor Residences	333	units	50	200	250	197	103	300
Residential – Attached	60	units	8	34	42	31	17	48
Specialty Retail/Live-Work	20,000	square feet	0	0	0	26	26	52
<b>Total Trips Existing: Balk Hill Village</b>			<b>58</b>	<b>234</b>	<b>292</b>	<b>254</b>	<b>146</b>	<b>400</b>
<b>Approved Development: DSP-04067-09 pursuant to PPS 4-18024</b>								
Multifamily Residences	268	units	27	112	139	105	56	161
<b>Proposed Development: DSP-04067-10 pursuant to PPS 4-18024</b>								
Super Gas Station and Convenience Store	4,000	square feet	125	125	250	122	122	244
	12	pumps						
Less Pass-By (76 percent)			-95	-95	-190	-92	-92	-184
Net Trips for Super Gas Station/Store			<b>30</b>	<b>30</b>	<b>60</b>	<b>30</b>	<b>30</b>	<b>60</b>
Office	20,000	square feet	36	4	40	7	30	37
Retail	47,411	square feet	61	38	99	174	189	363
Less Pass-By (40 percent per Guidelines)			-25	-15	-40	-70	-75	-145
Net Trips for Retail			<b>36</b>	<b>23</b>	<b>59</b>	<b>104</b>	<b>114</b>	<b>220</b>
<b>Sum for DSP-04067-10</b>			<b>102</b>	<b>57</b>	<b>159</b>	<b>141</b>	<b>174</b>	<b>315</b>
<b>Sum: DSP-04067-09 plus DSP-04067-10</b>			<b>129</b>	<b>169</b>	<b>298</b>	<b>246</b>	<b>230</b>	<b>476</b>
<b>Trip Cap – 4-18024</b>					<b>721</b>			<b>658</b>
<b>Total Existing Plus Approved Plus Proposed</b>					<b>590</b>			<b>876</b>
<b>Trip Cap – A-9956</b>					<b>1013</b>			<b>1058</b>

It is noted that the office component is shown above as general office and is parked as general office. The PPS trip cap considered the office component to be medical/professional office, which is a more trip-intensive use, and the trip cap gives flexibility to allow the office space to be leased as medical office provided that parking is sufficient. As evidenced above, the uses proposed on this site plan are within the PPS trip cap. Also, the use proposed plus approved plus existing uses within Balk Hill Village are within the zoning trip cap.

Regarding parking, Section 27-574 of the Zoning Ordinance provides a methodology for determining parking requirements in the M-X-T Zone. The applicant has submitted a parking analysis. The following are the major points highlighted in the parking analysis:

1. The methodology in Section 27-574 requires that parking be computed for each use in accordance with Section 27-568.
  - a. In consideration of the methodology, the applicant indicates that the parking analysis is limited to proposed Parcels 3 through 9.
  - b. Proposed Parcels 10 and 11 are across Ruby Lockhart Boulevard and are therefore not deemed likely to share parking with each other or with uses on proposed Parcels 3 through 9.
  - c. Likewise, the existing remainder of Balk Hill Village, while part of the same M-X-T development, is not included in the analysis because it is not deemed likely to share parking with proposed Parcels 3 through 11. The remainder of Balk Hill Village is not walkable to Parcels 3 through 11 for the purpose of being able to share parking.
2. Using the parking schedule, it is shown that the uses within proposed Parcels 3 through 9 would require 243 parking spaces. This is the base requirement per Section 27-574.
3. Using the shared parking analysis, the applicant indicates that the site requires 234 parking spaces.
4. The plan provides 328 parking spaces to serve the mix of uses within proposed Parcels 3 through 9. This exceeds the parking requirement under the shared parking analysis as well as the base requirement per Section 27-574, and is determined to be acceptable.
5. The food and beverage store/gas station on proposed Parcel 10 is treated as a singular site and is not deemed likely to share parking with other parcels. The base requirement is 27 parking spaces, and 33 spaces are provided. This is acceptable.
6. Parking for the residential development on proposed Parcel 11 was determined and approved under DSP-04067-09.

Based on information offered in the parking analysis, it is determined that the parking analysis and its conclusions are acceptable.

Ruby Lockhart Boulevard is a Master Plan commercial/industrial roadway with a proposed width of 70 feet. The current right-of-way is adequate, and no additional dedication is required from this plan. MD 202 is a Master Plan expressway with a variable right-of-way. The current right-of-way is adequate, and no additional dedication is required from this plan.

St. Josephs Drive is a Master Plan collector roadway with a proposed width of 80 feet. The current right-of-way is adequate. While no additional dedication is being required by planning staff, the plan shows additional dedication along St. Josephs Drive as requested by the County, and staff supports this additional dedication.

Access and circulation are acceptable. The main feature of access and circulation within proposed Parcels 3 through 9 is an ingress/egress easement from Ruby Lockhart Boulevard to serve the various parcels. This is acceptable and consistent with the preliminary plan of subdivision. Likewise the access to proposed Parcel 10 is acceptable; this was approved as a part of DSP-04067-09.

### **Prior Approvals**

Prior applications A-9956, CSP-03001, and PPS 4-18024 contain several transportation-related conditions. ZMA A-9956-C was approved as Zoning Ordinance 16-2002 and subsequently revised on February 26, 2018 and approved with five traffic-related conditions which merit discussion at this time, as follows:

- 1. The following improvements shall be funded by the Applicant, with the timing to be determined at the time of preliminary plan of subdivision:**
  - a. The construction of Campus Way as an arterial facility within the limits of the subject property.**
  - b. The construction of St. Joseph's Drive as a collector facility within the limits of the subject property.**

These facilities have been constructed.

- 2. The Applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the Applicant shall provide a second eastbound left turn lane along MD 202 at the McCormick Drive/St. Joseph's Drive intersection. These improvements shall be either directly provided by the Applicant, or shall be funded by the Applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis to be determined at the time of preliminary plan of subdivision.**

The needed improvements have been constructed.

- 3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:**
  - a. Campus Way, an arterial facility with a right-of-way of 120 feet.**
  - b. St. Joseph's Drive, a collector facility with a right-of-way of 80 feet.**
  - c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.**

This was confirmed during review of PPS 4-03094, and all right-of-way was dedicated, and the streets are built.

- 4. The Applicant shall study the planned Campus Way/St. Joseph's Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.**

This condition was enforceable at the time of review of PPS 4-03094, and this intersection was studied further at that time. Traffic signals are installed and operational.

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

This cap is reviewed further in the table shown earlier in this memorandum, and it is determined that the development proposed is consistent with the zoning trip cap.

CSP-03001 was approved by the Planning Board on September 11, 2003 (PGCPB No. 03-176). The Planning Board approved the CSP with one traffic-related condition which merits discussion at this time (the CSP-03001-01 included no new traffic-related conditions), as follows:

- 3. If determined to be desirable and needed at the time of preliminary plan, the preliminary plan shall reflect an extension of Ruby Lockhart Boulevard beyond Saint Joseph's Drive to the west property line as a 70-foot right-of-way.**

This was done at the time of PPS 4-03094 and is reflected on this plan.

PPS 4-18024 was approved by the Planning Board on September 26, 2019 (PGCPB No. 19-109). The Planning Board approved the preliminary plan with three traffic-related conditions which merit discussion at this time, as follows:

- 2. Prior to acceptance of the detailed site plan, the applicant shall provide a cross section for the service road segment of the access easement.**

This was provided and is determined to be acceptable.

- 5. Total development within the subject property shall be limited to uses which generate no more than 721 AM and 658 PM peak-hour vehicle trips, which shall be further limited in accordance with the overall Balk Hill development approved with 4-03094. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This cap is reviewed further in the table shown earlier in this memorandum, and it is determined that the development proposed is consistent with the trip cap.



**6. The final plats shall reflect a denial of access along the entire frontage of MD 202, and along the site's frontage of St. Josephs Drive between MD 202 and Ruby Lockhart Boulevard.**

No access is shown along St. Josephs Drive between MD 202 and Ruby Lockhart Boulevard, so this plan is consistent with the PPS and the plat.

It is therefore determined that all conditions on prior plans are met.

**DDS-672**

The spaces being provided within the parking areas serving proposed Parcels 3 through 9 (except for the handicap spaces) are all based on a reduced dimension of 9 feet by 18 feet instead of the Ordinance-required 9.5 feet by 19 feet. Pursuant to Section 27-587 of the Zoning Ordinance, the applicant is proposing to reduce the size of the proposed parking spaces as described above. The applicant has submitted a statement of justification (SOJ) to address the required findings for a DDS, indicated in Sec. 27-587 and 27-239.01(b)(7)(A).

In order for the planning board to grant the departure, it shall make the following findings:

**i. The purposes of this subtitle will be equally well or better served by the applicant's proposal;**

Comment: The reduction in size to the proposed size for the entirety of the development will sufficiently provide off-street for all the needs of the project. Nine-foot widths have been used in many of the parking facilities serving recent developments in the County and have functioned without incident in a variety of locations. Additionally, the newly adopted Zoning Ordinance provides for 9-foot-by-18-foot spaces in various instances.

**ii. The departure is the minimum necessary, given the specific circumstances of the request;**

Comment: The departure of six inches in width and 12 inches in length is relatively insignificant on a space-by-space basis. As noted, this space size is contemplated by the newly adopted Zoning Ordinance. The departure will enable the parking serving proposed Parcels 3 through 9 to function efficiently and to provide adequate parking for shoppers, office and retail workers, and visitors.

**iii. The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

Comment: The site is a relatively compact site in a narrow infill site which is bounded by master plan roadways. These features lend a unique character to the site.

**iv. The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

Comment: The reduced parking space size will still accommodate vehicles while allowing adequate parking spaces in the same amount of area, thus reducing the disturbed area.

In summary, the transportation staff has determined that the departure is supportable and would note that a number of departures of this nature have been supported for use in parking within Prince George's County.

It is noted that seven parking spaces proposed to serve the food and beverage store/gas station within Parcel 10 are dimensioned at 9.5 feet by 17.7 feet. These spaces must either be redrawn to meet the standard of 9.5 feet by 19 feet, or they can be considered to be compact spaces with signage provided to mark them as such.

### **Conclusion**

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a detailed site plan as described in the Zoning Ordinance with the following condition:

1. The seven northernmost parking spaces on proposed Parcel 10 shall either be redesigned to meet the standard of 9.5 feet by 19 feet, or considered to be compact spaces with signage provided to mark them as such.

February 12, 2021

**MEMORANDUM**

**TO:** Henry Zhang, Master Planner, Urban Design Section, DRD

**VIA:** Megan Reiser, Supervisor, Environmental Planning Section, DRD *MR*

**FROM:** Mary Rea, Senior Planner, Environmental Planning Section, DRD *MAR*

**SUBJECT:** Woodmore Commons; DSP-04067-10 and TCP2-082-05-06

The Environmental Planning Section has reviewed the above referenced Detailed Site Plan, DSP-04067-10 and revised Type 2 Tree Conservation Plan TCP2-082-05-06. The application was accepted for review on December 30, 2020. Comments were provided in a Subdivision Development Review Committee (SDRC) meeting on January 8, 2021. Revised plans were submitted on February 11, 2021. The Environmental Planning Section recommends approval of DSP-04067-10 and TCP2-082-05-06.

**Background**

The Environmental Planning Section previously reviewed the following applications and associated plans for the subject site:

Development Review Case #	Associated Tree Conservation Plan or Natural Resource Inventory#	Authority	Status	Action Date	Resolution Number
A-9956	N/A	District Council	Approved	3/27/2018	N/A
CSP-03001	TCPI/019/03	Planning Director	Approved	9/11/2003	03-176
4-03094	TCPI/019/03-01	Planning Board	Approved	2/19/2004	04-33
DSP-04067	TCPII/082/05	District Council	Approved	07/18/2006	N/A
DSP-04067-01	N/A	N/A	Withdrawn	8/21/2006	N/A
DSP-04067-02	N/A	Planning Director	Approved	10/2/26/2008	N/A
DSP-04067-03	TCPII/082/05-01	Planning Board	Approved	4/25/2013	13-29

DSP-04067-04	N/A	Planning Director	Approved	6/25/2009	N/A
DSP-04067-05	N/A	Planning Board	Approved	11/4/2010	10-121
DSP-04067-07	TCPII/082/05-01	Planning Board	Approved	6/29/2017	17-93
CSP-03001-01	TCP1-019-03-02	District Council	Approved	10/15/2019	N/A
4-18024	TCP1-019-03-03	Planning Board	Approved	9/26/2019	19-109
N/A	TCPII/82/05-02	Staff	Approved	12/10/2014	N/A
N/A	TCPII/82/05-03	Staff	Approved	7/1/2016	N/A
N/A	TCPII/82/05-04	Staff	Approved	11/9/2018	N/A
DSP-04067-09	TCP2-082-05-05	Planning Board	Approved	5/7/2020	2020-76
DSP-04067-10	TCP2-082-05-06	Planning Board	Pending	Pending	Pending

### **Proposed Activity**

The proposal is to construct retail, and service commercial, which includes surface parking, and associated stormwater management. The development is proposed on Parcels 1 and 2 of the Balk Hill Village Subdivision.

### **Grandfathering**

The project is subject to the current regulations of Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance) that came into effect on September 1, 2010 because the application has a preliminary plan approved after September 2010.

### **Review of Previously Approved Conditions**

No environmental conditions of A-9956, CSP-03001-01, or 4-18024 apply to the current application.

### **Environmental Review:**

#### **Existing Conditions/Natural Resources Inventory**

An approved Natural Resources Inventory was submitted with the review package, NRI-151-2018, which was approved on November 13, 2018. The NRI shows that no streams, wetlands, or floodplain are found to occur on the 17.2-acres included in Parcels 1 and 2 which are the subject of this application.

The Forest Stand Delineation (FSD) indicates the presence of one forest stand totaling 14.90 acres and no specimen trees. No revisions are required for conformance to the NRI.

#### **Woodland Conservation**

The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance (WCO) because there are approved Tree Conservation Plans for the overall Woodmore

Commons property; TCP1-019-03-03 and TCP2-082-05-05. A revision to the TCP2 has been submitted with this application.

According to the worksheet submitted the woodland conservation threshold (WCT) for the overall 117.89-acre property is 15 percent of the net tract area or 17.32 acres, which is consistent with previous approvals. The current application proposes to clear all of the remaining woodland within Parcels 1 and 2 (Phases 3 and 4). The 7.97-acre woodland conservation requirement generated by the clearing for this DSP is being met through an off-site woodland conservation bank.

### **Stormwater Management**

A Stormwater Management Concept Approval Letter (# 56726-2018) and associated plan were submitted with the application for this site. The approval was issued on March 12, 2020 for this project from the Prince George County Department of Permitting, Inspections and Enforcement (DPIE). The plan proposes to construct 34 micro-bioretenion facilities. A stormwater management (SWM) fee of \$26,933.33 for on-site attenuation/quality control measures is required. No further action regarding SWM is required with this Conceptual Site Plan review.

### **Preservation of Regulated Environmental Features/Primary Management Area**

Section 27-285(b)(4) of the Zoning Ordinance requires the following finding: "The Planning Board may approve a Detailed Site Plan if it finds that the Regulated Environmental Features (REF) have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5)."

There are no REF's on the overall site. Therefore, no findings with regards to Section 27-285(b)(4) are required.

### **Soils**

The predominant soils found to occur on-site, according to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Marr-Dodon Complex (5-15% slopes) and Collington-Wist Complex (2-5% slopes). According to available information, unsafe soils containing Marlboro clay or Christiana complexes are not mapped on-site.

No further action is needed as it relates to this application. A soils report may be required by the Prince George's County Department of Permits, Inspections and Enforcement (DPIE) at time of permit.

### **Summary of Recommended Conditions**

The Environmental Planning Section recommends approval of Detailed Site Plan (DSP-04067-10) and Type 2 Tree Conservation Plan (TCP2-082-05-06).

If you have any questions concerning these comments, please contact me at 301-952-3650 or by e-mail at mary.rea@ppd.mncppc.org.





THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772  
 TTY: (301) 952-4366  
 www.mncppc.org/pgco


Countywide Planning Division  
 Transportation Planning Section


301-952-3680

February 17, 2021

**MEMORANDUM**

TO: Henry Zhang, Urban Design Section, Development Review Division

VIA: Bryan Barnett-Woods, Transportation Planning Section, Countywide Planning Division 

FROM: Noelle Smith, Transportation Planning Section, Countywide Planning Division 

**SUBJECT: Detailed Site Plan Review for Pedestrian and Bicycle Transportation Master Plan Compliance**

The following detailed site plan was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation (MPOT)*, the 1990 *Approved Master Plan for Largo-Lottsford, Planning Area 73*, and Subtitle 27 to provide the appropriate pedestrian and bicycle transportation recommendations.

Detailed Site Plan Number: DSP- 04067-10

Development Case Name: Woodmore Commons

	<u>Type of Master Plan Bikeway or Trail</u>	
Private R.O.W.	<input type="checkbox"/>	Public Use Trail Easement
County R.O.W.	<input type="checkbox"/>	Nature Trails
SHA R.O.W.	<input type="checkbox"/>	M-NCPPC - Parks
HOA	<input type="checkbox"/>	Bicycle Parking
Sidewalks	<input checked="" type="checkbox"/>	Trail Access
Add'l Connections	<input checked="" type="checkbox"/>	Bikeway Signage

Subject to 24-124.01: No

Bicycle and Pedestrian Impact Statement Scope Meeting Date: n/a

<b>Development Case Background</b>	
Building Square Footage (non-residential)	71,412 square feet (total)
Number of Units (residential)	n/a
Abutting Roadways	Landover Road (MD 202), St. Josephs Drive, Ruby Lockhart Blvd, Tulson Lane
Abutting or Nearby Master Plan Roadways	Landover Road, St. Josephs Drive, Ruby Lockhart Blvd
Abutting or Nearby Master Plan Trails	Side path along Landover Road (MD 202)

	(planned)
Proposed Use(s)	Mixed Use
Zoning	M-X-T
Centers and/or Corridors	n/a
Prior Approvals on Subject Site	A-9956-C, CSP-03001,4-03094, 4-18024, DSP-04067, DSP-04067-9
Subject to 24-124.01:	No
Bicycle and Pedestrian Impact Statement Scope Meeting Date	n/a

**Development Proposal**

The subject application proposes commercial, office, retail, restaurant, and a convenience store with gasoline uses, subject to a maximum of 88,000 square-feet.

**Prior Approvals**

The site is subject to the following prior approvals that include pedestrian and bicycle related conditions:

4-03094

6. At the appropriate state of development, the applicant, his heirs, successors, and/or assignees shall provide the following:
  - b. Provide wide sidewalks (six to eight feet wide) along both sides of St. Josephs Drive, per the concurrence of DPW&T.
  - c. Provide standard sidewalks along both sides of all other internal roads, per the concurrence of DPW&T.
  - d. Additional pedestrian amenities and safety measures are encouraged, including benches, curb extensions, well-marked or contrasting crosswalks, raised crosswalks, and pedestrian-scale lighting. These features shall be addressed at the time of Detailed Site Plan.

**Comment:** The subject application includes all relevant conditions above. Six-foot-wide sidewalk currently exists along St. Josephs Drive. Additional pedestrian paths and features are also included within the submitted plans.

4-18024

3. Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that indicates the location, limits, and details of all pedestrian and bicycle facilities and illustrates how their interconnectivity and connectivity to adjacent properties encourages walkability and reduced automobile use.
4. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73*, the applicant shall provide the following:
  - a. An eight-foot-wide shared-use side path or wide sidewalk along the site’s entire frontage of MD 202, unless modified with written documentation by Maryland State Highway Administration.

- b. Sidewalks, a minimum five feet in width, along one side of all internal access easements, not including service access areas.
- c. A standard five-foot-wide sidewalk and a designated bicycle lane along each side of Ruby Lockhart Boulevard, unless modified with written documentation by Prince George's County Department of Permitting, Inspections and Enforcement/Department of Public Works and Transportation.

**Comment:** The subject application includes all relevant conditions above except the sidewalk facility recommended along the property frontage of MD 202. The applicant has indicated ongoing coordination with the State Highway Administration (SHA) in regard to the construction of the recommended master plan facility. Staff recommend that this eight-foot-wide sidewalk be provided.

#### **Review of Proposed On-Site Improvements**

The submitted plans include a comprehensive sidewalk network that ranges from a minimum of five-feet to 11-feet wide throughout all proposed parcels. The sidewalk network and associated continental crosswalks and ADA curb ramps provide connections to the existing sidewalk along St. Joseph's Drive and Ruby Lockhart Blvd, while also connecting uses to adjacent uses and properties. Designated space for bicycle parking is located at convenient locations through all parcels to accommodate various users.

These improvements support separating pedestrian and vehicular transportation routes within the site, pursuant to Sections 27-283 and 27-274. Staff find that with the proposed improvements, vehicular, pedestrian, and bicyclist circulation on the site to be safe, efficient, and convenient, pursuant to Sections 27-283 and 27-274(a)(2), the relevant design guidelines for pedestrian and bicycle transportation.

#### **Proposed Improvements and conformance with Mixed-Use-Transportation Zoning**

The subject site is located within the Mixed-Use-Transportation (M-X-T) Zone. Section 27-256, Site Plans, provides additional requirements for a detailed site plan.

The submitted site plan proposes multimodal access that includes designated space for bicycle parking within each proposed parcel to accommodate various users who may utilize the existing bicycle lanes along Ruby Lockhart Blvd. The bicycle parking is a component needed to encourage alternative modes of transportation. The submitted plans include a pedestrian and bicycle transportation circulation exhibit.

**Comment:** Staff find that the multimodal transportation circulation and access of the submitted site plan reflect the purposes of the M-X-T zone. All destinations on the site are accessible by pedestrian and bicycle modes of transportation.

The submitted site plan proposes a pedestrian system that includes a wide range of sidewalk widths, ADA curb ramps and continental style crosswalks throughout the site providing continuous pathways for pedestrians and bicyclist. However, not all curb ramps are identified on the plan sheets, specifically the pedestrian path from St. Josephs drive to Parcel 8, and the path from the access driveway to Parcel 9.

**Comment:** Staff recommend all curbs ramps are identified and labeled on the site plan sheets. Staff find that the pedestrian system is convenient and comprehensively designed to encourage pedestrian and bicyclist activity within the development.

The submitted site plan proposes trash receptacles, various lighting fixtures, signage and an outdoor seating area at the proposed restaurant on parcel 3 to accommodate users visiting the site.

**Comment:** Staff find that the pedestrian activity areas pay adequate attention to human scale and high-quality urban design.

### **Review of Connectivity to Adjacent/Nearby Properties**

The subject site is adjacent to additional mixed used areas with existing pedestrian and bicycle connections along St. Josephs Drive and Ruby Lockhart Blvd. The submitted plans propose several connections within the site as well as to the existing facilities.

### **Review Master Plan of Transportation (MPOT) Compliance**

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT). One master plan trail facility impacts the subject site, a planned side path along MD 202. The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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

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

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

**Comment:** The applicant has indicated ongoing coordination with the State Highway Administration (SHA) in regard to the construction of the recommended master plan facility. Staff recommend that this sidewalk along MD 202 be provided. The submitted plans include facilities and amenities that fulfill the intent of the policies above.

### **Review Area Master Plan Compliance**

This development is also subject to the 1990 *Approved Master Plan for Largo-Lottsford, Planning Area 73* includes the following recommendation related to pedestrian and bike transportation:

1. A system of trails and walks for pedestrians, bicyclists and equestrians should be developed to connect neighborhoods, recreation areas, commercial areas, employment areas and mass transit facilities.

**Comment:** The submitted plans include pedestrian and bicycle facilities and amenities within the subject development that connect to existing facilities, enhancing the overall connectivity of the area. The proposed facilities and amenities fulfill the intent of the policy above.

**Recommended Conditions of Approval**

Based on the findings presented above, staff conclude that the pedestrian and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Section 27-283, and 27-256 and meets the findings required by Section 27-285(b) for a detailed site plan for pedestrian and bicycle transportation purpose and conforms to the prior development approvals and the 1990 *Approved Master Plan for Largo-Lottsford, Planning Area 73*, if the following conditions are met:

1. Prior to certification of the detailed site plan, the applicant, or the applicant's heirs, successors, and/or assigns shall revise the plans to provide:
  - a. Detailed exhibit of the proposed bicycle racks throughout the site. Staff recommend inverted u-style, or a style similar that allows two points of secure contact.
  - b. ADA perpendicular and parallel curb ramps throughout the site and labeled on all site plan sheets.
  - c. Eight-foot-wide sidewalk along the property frontage of MD 202, unless modified by the state Highway Administration with written correspondence.



**From:** [Reilly, James V](#)  
**To:** [Zhang, Henry](#)  
**Cc:** [PGCReferrals](#)  
**Subject:** FW: UPDATED: EPlan Acceptance referral for DSP-04067-10 & DDS-672, WOODMORE COMMONS  
**Date:** Sunday, January 3, 2021 9:58:58 PM  
**Attachments:** [DSP-04067-10 D COVER.pdf](#)  
[DDS-672 D COVER.pdf](#)  
[DSP-04067-10 DDS-672 COVER .pdf](#)  
**Importance:** High

---

**[EXTERNAL EMAIL]** Exercise caution when opening attachments, clicking links, or responding.

Good Evening Henry,

Fire/EMS has reviewed the submittal for DSP-04067-10. We have the following comments:

- Fire access as shown on the drawings as submitted is acceptable.
- Fire hydrants are not shown so it is undetermined if coverage is acceptable.

Regards. Jim

**James V. Reilly**  
Contract Project Coordinator III



Office of the Fire Marshal  
Division of Fire Prevention and Life Safety  
Prince George's County Fire and EMS Department  
6820 Webster Street, Landover Hills, MD 20784  
Office: 301-583-1830  
Direct: 301-583-1838  
Cell: 240-508-4931  
Fax: 301-583-1945  
Email: [jvreilly@co.pg.md.us](mailto:jvreilly@co.pg.md.us)

---

**From:** ePlan <ePlan@ppd.mncppc.org>  
**Sent:** Wednesday, December 30, 2020 12:02 PM  
**To:** Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Hall, Ashley <Ashley.Hall@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Masog, Tom <Tom.Masog@ppd.mncppc.org>; Barnett-Woods, Bryan <bryan.barnett-woods@ppd.mncppc.org>; Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>; Dixon, June <june.dixon@ppd.mncppc.org>; Chaconas, Sheila <Sheila.Chaconas@ppd.mncppc.org>; Holley, Edward <Edward.Holley@Pgparks.com>; Brooke E. Larman <brooke.larman@ppd.mncppc.org>; Hughes, Michelle <michelle.hughes@ppd.mncppc.org>; PPD-EnvDRDreferrals <ppd-envdrdreferrals@ppd.mncppc.org>; Reilly, James V <JVReilly@co.pg.md.us>; sltoth@co.pg.md.us; SLToth@co.pd.md.us; Richards, Dorothy A. <DARichards@co.pg.md.us>; Gaskins, Tabitha <TGaskins@co.pg.md.us>; De Guzman, Reynaldo S. <rsdeguzman@co.pg.md.us>; Edelen, William K.

<WKEdelen@co.pg.md.us>; Giles, Mary C. <mcgiles@co.pg.md.us>; Lord-Attivor, Rene <rlattivor@co.pg.md.us>; Snyder, Steven G. <SGSnyder@co.pg.md.us>; Abdullah, Mariwan <MAbdullah@co.pg.md.us>; Formukong, Nanji W. <nwformukong@co.pg.md.us>; Tayyem, Mahmoud <mtayyem@co.pg.md.us>; Yuen, Steven <SYuen@co.pg.md.us>; Contic, Wendy M. <wmcontic@co.pg.md.us>; Thweatt, Susan W. <swthweatt@co.pg.md.us>; Adepoju, Adebola O. <aoAdepoju@co.pg.md.us>; #dsgintake@wsscwater.com; kenneth.l.barnhart@verizon.com; mark.g.larsen@verizon.com; jkoroma@pepco.com; tltolson@pg.co.md.us; dsmith@cityofglenarden.org

**Cc:** Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>; Kosack, Jill <Jill.Kosack@ppd.mncppc.org>; Summerlin, Cheryl <Cheryl.Summerlin@ppd.mncppc.org>; Grigsby, Martin <Martin.Grigsby@ppd.mncppc.org>; Staton, Kenneth <Kenneth.Staton@ppd.mncppc.org>; Zhang, Henry <Henry.Zhang@ppd.mncppc.org>

**Subject:** UPDATED: EPlan Acceptance referral for DSP-04067-10 & DDS-672, WOODMORE COMMONS  
**Importance:** High

**CAUTION:** This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

All,

This is an EPlan ACCEPTANCE referral for **DSP-04067-10 & DDS-672, WOODMORE COMMONS**. This case was officially accepted on, December 30, 2020. SDRC is scheduled for January 8, 2021.

Please submit ALL comments to **Henry Zhang** (email attached). Click on the hyperlink to view the case:

[https://www.dropbox.com/sh/4r1ggnxoqp0ciuc/AACqZ00\\_sTpLbfYWThpx9\\_8Na?dl=0](https://www.dropbox.com/sh/4r1ggnxoqp0ciuc/AACqZ00_sTpLbfYWThpx9_8Na?dl=0) (12-22)

UPDATED...

---

This E-mail and any of its attachments may contain Prince George's County Government or Prince George's County 7th Judicial Circuit Court proprietary information or Protected Health Information, which is privileged and confidential. This E-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this E-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this E-mail is strictly prohibited by federal law and may expose you to civil and/or criminal penalties. If you have received this E-mail in error, please notify the sender immediately and permanently delete the original and any copy of this E-mail and any printout.







**1 - General comments**

Created by: Jonathan Madagu  
On: 01/06/2021 09:12 AM

A proposed site development project was previously submitted to WSSC (DA6675Z19) and is a conceptually approved. See attached approve LOF's and HPA sketch.

2). Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.

3). Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.

4). WSSC facilities/structures cannot be located with a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.

----- 0 Replies -----

**2 - 1. WSSC Plan Review Comments**

Created by: Irene Andreadis  
On: 12/31/2020 02:51 PM

DSP-04067-10 - Woodmore Commons

----- 0 Replies -----

**3 - 2.WSSC Standard Comments For All Plans**

Created by: Irene Andreadis  
On: 12/31/2020 02:52 PM

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.

2. Coordination with other buried utilities:

a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.

b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.

c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.



- d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSCs pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
- e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
- f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
- g. Upon completion of the site construction, utilities that are found to be located within WSSCs rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.

3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.

4. Unless otherwise noted: ALL extensions of WSSCs system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at <https://www.wsscwater.com/business--construction/developmentconstruction-services.html> for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

----- 0 Replies -----



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
(301) 952-3600

March 9, 2018

**RE: A-9956-C The Revenue Authority of Prince George's County/DR Horton,  
Inc./Balk Hill Village (Amendment of Conditions)  
The Revenue Authority of Prince George's County/DR Horton,  
Inc./Balk Hill Village, Applicant**

## ***NOTICE OF DECISION OF THE DISTRICT COUNCIL***

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 2 - 2018 setting forth the action taken by the District Council in this case on February 26, 2018.

## ***CERTIFICATE OF SERVICE***

This is to certify that on March 9, 2018, this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Redis C. Floyd".

Redis C. Floyd  
Clerk of the Council

Case No.: A-9956-C  
(Amendment of Conditions)

Applicant: The Revenue Authority of  
Prince George's County

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 2 - 2018

AN ORDINANCE to amend Conditions 5 and 10 of Zoning Ordinance 16-2002, which conditionally rezoned 123.2 acres of land, located 1,460 feet northwest of the intersection of Campus Way North and Lottsford Road (Largo), in the I-3 (Planned Industrial/Employment Park) Zone to the M-X-T (Mixed Use-Transportation Oriented) Zone.<sup>1</sup>

IT IS HEREBY ORDERED, that the Applicant's (The Revenue Authority of Prince George's County)<sup>2</sup> request to amend Conditions 5 and 10 of Zoning Ordinance 16-2002, is hereby APPROVED/GRANTED.

WHEREAS, on July 23, 2002, the District Council conditionally approved Zoning Map Amendment 9956 (A-9956-C), subject to the following conditions:

1. The following improvements shall be funded by the Applicant, with the timing to be determined at the time of preliminary plan of subdivision:
  - a. The construction of Campus Way as an arterial facility within the limits of the subject property.

---

<sup>1</sup> Rocky Gorge Homes (Balk Hill) was the Applicant that obtained conditional rezoning of the 123.2 acres of land in Zoning Ordinance 16-2002. ZHE Exhibit 6.

<sup>2</sup> DR Horton, Inc. and Balk Hill are not applicants to this request. ZHE Exhibit 1.



- b. The construction of St. Joseph's Drive as a collector facility within the limits of the subject property.
2. The Applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the Applicant shall provide a second eastbound left turn lane along MD 202 at the McCormick Drive/St. Joseph's Drive intersection. These improvements shall be either directly provided by the Applicant, or shall be funded by the Applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis to be determined at the time of preliminary plan of subdivision.
3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:
  - a. Campus Way, an arterial facility with a right-of-way of 120 feet.
  - b. St. Joseph's Drive, a collector facility with a right-of-way of 80 feet.
  - c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.
4. The Applicant shall study the planned Campus Way/St. Joseph's Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.
5. The development of the subject property shall be limited to 20,000 square feet of retail space, 328,480 square feet of general office space, and 393 residences, or other permitted uses which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.
6. No more than 119 of the single-family dwelling units shall be attached units.

7. The Conceptual Site Plan shall include a tree stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams and where they serve as a buffer between the subject property and adjacent land.
8. At the time of Conceptual Site Plan, TCPI/05/97 shall be revised as required if areas along St. Joseph's Drive and Campus Way North are not proposed for woodland reforestation or preservation.
9. All public sidewalks shall comply with applicable ADA standards and be free of above ground utilities and street trees.
10. An Advisory Planning Committee, consisting of the Applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.
11. The Applicant shall work with the Fox Lake and Ridgewood communities in restoring the entranceway hardscape and landscape at a cost not to exceed \$35,000.
12. The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.
13. The community building shall be designed with an area suitable for community theatrical productions.
14. No building permits shall be issued for Balk Hill Village until the percent of capacity at all affected school clusters is less than or equal to 105 percent or three years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement where the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council (if required) to construct



or secure funding for construction of all or part of a school to advance capacity. ZHE Exhibit 6.

WHEREAS, in June 2012, The Revenue Authority of Prince George's County acquired the subject property from D. R. Horton, Inc., and recorded the deed among the land records of Prince George's County, Maryland at Liber 33975 at Folio 099; and

WHEREAS, in September 2016, The Revenue Authority of Prince George's County agreed to sell, transfer and convey Parcel 1 and Parcel 2 ( $\pm$  20 acres of the 123.2 acres of land rezoned in 2002) to Petrie Richardson Ventures, LLC;<sup>3</sup> and

WHEREAS, in April 2017, The Revenue Authority of Prince George's County proposed, in writing, to amend Conditions 5 and 10, of Zoning Ordinance 16-2002, as follows:

- Proposed Condition 5<sup>4</sup> – “The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.”
- Proposed Condition 10 – “Prior to acceptance of a detailed site plan for development of the 20 acre parcel (Parcels 1 and 2), the Applicant shall provide written confirmation that it has held [a] community meeting with stakeholders which shall include an invitation to at least representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations.”

---

<sup>3</sup> Petrie Richardson Ventures, LLC, is the contract purchaser of the Parcels 1 and 2 ( $\pm$  20 acres of the 123.2 acres of land rezoned in 2002), which is the subject of this amendment.

<sup>4</sup> Proposed Condition 5 is not intended to impair approved residential development that has prior site plan and subdivision approvals.



WHEREAS, on June 14 and July 21, 2017, the Zoning Hearing Examiner held evidentiary hearings to consider the Applicant's request to amend Conditions 5 and 10 of Zoning Ordinance 16-2002, which was opposed by Fox Lake Homeowner's Association, et al.;<sup>5</sup>

WHEREAS, on October 27, 2017, the Zoning Hearing Examiner recommended approval of the Applicant's request to amend Condition 5 but not Condition 10; and

WHEREAS, on November 2, 2017, Fox Lake Homeowner's Association, et al., filed exceptions to the Examiner's recommendations; and

WHEREAS, on November 13, 2017, Petrie Richardson Ventures, LLC (the contract purchaser), filed exceptions to the Examiner's recommendations; and

WHEREAS, on January 22, 2018,<sup>6</sup> the District Council held oral argument; and

WHEREAS, having reviewed the record, the District Council finds that the request to amend Conditions 5 and 10<sup>7</sup> of Zoning Ordinance 16-2002, should be approved/granted; and

WHEREAS, as a basis for this final decision, the District Council will adopt the findings and conclusions of the Examiner to amend Condition 5 and it will also adopt in part the reasons advanced by the Applicant and contract purchaser to amend Condition 10.

---

<sup>5</sup> Fox Lake Homeowner's Association, et al., is represented by G. Macy Nelson, Esquire.

<sup>6</sup> Fox Lake Homeowner's Association, et al., formally withdrew exceptions to the Examiner's recommendations prior to oral argument on January 22, 2018.

<sup>7</sup> Proposed Condition 10 has been modified by the District Council. Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations were stricken and replaced with Balk Hill Home Owners Association.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland–Washington Regional District in Prince George’s County, Maryland, remains amended, in accordance with Zoning Ordinance 16-2002, subject to amendment of Conditions 5 and 10 herein.

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall become effective on the date of its enactment, and shall become final and effective if the Applicant timely accepts, in writing, the following conditions:<sup>8</sup>

1. The following improvements shall be funded by the Applicant, with the timing to be determined at the time of preliminary plan of subdivision:
  - a. The construction of Campus Way as an arterial facility within the limits of the subject property.
  - b. The construction of St. Joseph’s Drive as a collector facility within the limits of the subject property.
2. The Applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the Applicant shall provide a second eastbound left turn lane along MD 202 at the McCormick Drive/St. Joseph’s Drive intersection. These improvements shall be either directly provided by the Applicant, or shall be funded by the Applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis to be determined at the time of preliminary plan of subdivision.

---

<sup>8</sup> Conditions 1, 2, 3, 4, 6, 7, 8, 9, 11, 12, 13, and 14 of Zoning Ordinance 16-2002 are not amended, revised or modified. Said conditions are restated herein because the initial rezoning of the 123.2 acres of land is (and remain) subject to those conditions.



3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:
  - a. Campus Way, an arterial facility with a right-of-way of 120 feet.
  - b. St. Joseph's Drive, a collector facility with a right-of-way of 80 feet.
  - c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.
4. The Applicant shall study the planned Campus Way/St. Joseph's Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.
5. The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.
6. No more than 119 of the single-family dwelling units shall be attached units.
7. The Conceptual Site Plan shall include a tree stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams and where they serve as a buffer between the subject property and adjacent land.
8. At the time of Conceptual Site Plan, TCPI/05/97 shall be revised as required if areas along St. Joseph's Drive and Campus Way North are not proposed for woodland reforestation or preservation.
9. All public sidewalks shall comply with applicable ADA standards and be free of above ground utilities and street trees.
10. Prior to the acceptance of a detailed site plan for development of the 20 acres (Parcels 1 and 2), the Applicant shall provide written confirmation that it has held a community meeting with

stakeholders which shall include an invitation to at least representatives from St. Joseph's Parish and Balk Hill Home Owners Association.

11. The Applicant shall work with the Fox Lake and Ridgewood communities in restoring the entranceway hardscape and landscape at a cost not to exceed \$35,000.
12. The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.
13. The community building shall be designed with an area suitable for community theatrical productions.
14. No building permits shall be issued for Balk Hill Village until the percent of capacity at all affected school clusters is less than or equal to 105 percent or three years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement where the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council (if required) to construct or secure funding for construction of all or part of a school to advance capacity.

SECTION 3. Use of the subject property shall be subject to all requirements in the applicable zones and conditions referenced above. Failure to comply with any stated condition herein shall constitute a zoning violation, and shall constitute sufficient grounds for the District Council to annul the rezoning approved in Zoning Ordinance 16-2002; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; and/or to take any other action deemed necessary to obtain compliance.



ENACTED this 26<sup>th</sup> day of February, 2018, by the following vote:

In Favor: Council Members Davis, Franklin, Glaros, Harrison, Lehman, Patterson, Taveras,  
Toles and Turner.

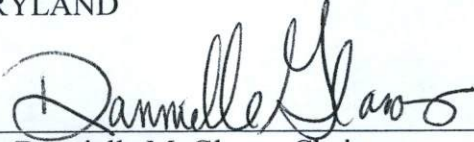
Opposed:

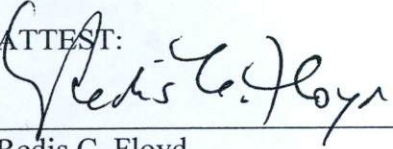
Abstained:

Absent:

Vote: 9-0.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF THE  
MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

By:   
Dannielle M. Glaros, Chair

ATTEST:  
  
Redis C. Floyd  
Clerk of the Council



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
(301) 952-3600

March 9, 2018

## ***DISTRICT COUNCIL PRELIMINARY NOTICE OF CONDITIONAL ZONING APPROVAL***

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland, requiring notice of decision of the District Council, a copy of Zoning Ordinance No. 2 - 2018 granting preliminary conditional zoning approval of A-9956-C The Revenue Authority of Prince George's County/DR Horton, Inc./Balk Hill Village (Amendment of Conditions), is attached.

In compliance with the provisions of Section 27-157(b) of the Zoning Ordinance, the applicant must file a written acceptance or rejection of the land use classification as conditionally approved within ninety (90) days from the date of approval by the District Council. Upon receipt by the Clerk's Office of a written acceptance by the applicant, a final Order will be issued with an effective date for conditional approval shown as the date written acceptance was received by the Clerk's Office.

The failure to accept the conditions in writing within ninety (90) days from the date of approval shall be deemed a rejection. Rejection shall void the Map Amendment and revert the property to its prior zoning classification.

Written approval or rejection of conditions must be received by the Clerk's Office no later than the close of business (5:00 p.m.) on June 7, 2018.

### ***CERTIFICATE OF SERVICE***

This is to certify that on March 9, 2018 this notice and attached Order were mailed, postage prepaid, to the attorney/correspondent and applicant(s). Notice of final approval will be sent to all persons of record.

Redis C. Floyd  
Clerk of the Council





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
(301) 952-3600

October 18, 2019


**RE: CSP-03001-01 Balk Hill Centre  
Balk Hill Ventures, Applicant**

## ***NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL***

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on October 15, 2019.

## ***CERTIFICATE OF SERVICE***

This is to certify that on October 18, 2019, this notice and attached Council Order was mailed, postage prepaid, to all persons of record.

  
Donna J. Brown  
Acting Clerk of the Council

**County Administration Building  
14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772**

Case No.: CSP-03001-01  
Balk Hill Centre

Applicant: Balk Hill Ventures

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ORDER OF APPROVAL WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that application Conceptual Site Plan 03001-01 (CSP-03001-01), an amendment to the previously approved conceptual site plan for Balk Hill Centre, to revise the uses on Parcels 1 and 2 to reduce the commercial square footage to 65,000 to 100,000 square feet and add 284 multifamily dwelling units, be and the same is hereby conditionally APPROVED.

A. Board's Resolution

On June 20, 2019, Planning Board approved the application, to amend previously approved Conceptual Site Plan for the subject property, by adoption of Resolution No. 19-71 (PGCPB No. 19-71). The Board's decision was served on all persons of record on June 25, 2019. Notification of Board's Action, 6/25/2019.

B. Appeal

Most Reverend Roy E. Campbell, Jr., Auxiliary Bishop of St. Joseph's Church, filed an appeal of the Board's decision on July 19, 2019. The appeal was served upon all persons of record by Christopher M. Anzidei, Esquire, Deputy General Counsel, Archdiocese of Washington. Appeal, 7/19/2019. The appeal is timely and authorized by law. Most Reverend Roy E. Campbell, Jr., Auxiliary Bishop of Washington, Bishop of Saint Joseph Catholic Church, 2020 St. Joseph's Drive, Largo, MD, 20774, was a person of record before the Planning Board. Persons of Record List, 6/20/2019. St. Joseph's Church is directly across St. Joseph's Drive from Parcels 1 and 2 of

the property that is the subject of this application. Applicant's Response to Appeal, 9/19/2019, Md. Code, Ann., Land Use Article, § 25-212 (2012, 2018 Supp.) (A person may make a request for the review of a decision of the Planning Board if the person is aggrieved and appeared at the hearing before the Planning Board in person, by an attorney, or in writing). PGCC § 27-280(a) (within 30 days of the Board's decision in a conceptual site plan, the decision may be appealed to the District Council upon petition by any person of record). An adjoining, confronting or nearby property owner is deemed, prima facie, to be specially damaged and, therefore, a person aggrieved. *Bryniarski v. Montgomery County Board of Appeals*, 247 Md. 137, 145, 230 A.2d 289, 294 (1967). The County Code defines adjoining as abutting, touching and sharing a common point or line. PGCC § 27-107.01(a)(1). Adjacent is defined as nearby, but not necessarily "abutting," "adjoining," or "contiguous." PGCC § 27-107.01(a)(4).

St. Joseph's Church does not oppose the proposed development in CSP-03001-01. Instead, St. Joseph's Church requests a condition requiring an inter-parcel connection between the proposed development and an adjacent development recently approved in Detailed Site Plan (DSP) 18024 (Woodmore Overlook Commercial). In Woodmore Overlook, Planning Board approved that application subject to, in part, Condition 1.g., which stated:

Revise the site plan to show a bicycle and pedestrian access between Parcels 1 and 3 as constructed to the western property line with no retaining wall at the end, *if determined to be feasible in conjunction with adjacent property owner*. PGCPB No. 19-72, p. 28 (Emphasis added).

Woodmore Overlook appealed Condition 1.g. to the District Council on grounds that it was not feasible to comply with Condition 1.g. Woodmore's Appeal, 7/19/2019. The District Council agreed that it was not feasible for the applicant to comply with Condition 1.g. because, after review of the record from Planning Board, both property owners had *already* made the determination that the connection was not feasible. Notice of Final Decision (DSP-18024), 9/24/2019, (5/30/2019,



Tr.), (9/9/2019, Tr.).

Because the record supports that an inter-parcel connection is not feasible, St. Joseph's request is denied.

CSP-03001-01 and Type 1 Tree Conservation Plan TCP1-019-03-02, are approved subject to the following conditions:

1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:
  - a. Revise the site plan to show potential pedestrian access to the adjacent M-X-T-zoned property to the east, approximately 460 feet south of the right-of-way for Ruby Lockhart Boulevard (to correspond to a driveway between Parcels 1 and 3 as shown on Detailed Site Plan DSP-18024 for Woodmore Overlook Commercial).
  - b. Remove all access easements shown on Sheets 5-9.
  - c. Remove the project title "Woodmore Commons" from the coversheet and provide the correct project name of "Balk Hill Centre" in accordance with the filed application.
  - d. Revise Note 12 on the overall conceptual site plan, site data table, to state commercial uses of 65,000 square feet-100,000 square feet.
  - e. Revise the Type 1 tree conservation plan (TCP1), as follows:
    - (1) The TCP1 approval block shall be filled-in with all previous approval information. The original plan was approved with Conceptual Site Plan CSP-03001, the -01 revision with Preliminary Plan of Subdivision 4-03094, and the current -02 revision for Conceptual Site Plan CSP-03001-01.
    - (2) The existing treeline shall be revised to match approved Natural Resource Inventory NRI-151-2018.
    - (3) A phase line shall be added to the plan to clearly differentiate between Phases 1 and 2.
    - (4) The limits of disturbance shall be shown on the plan.
    - (5) A revision bubble shall be added to the Bohler Engineering information block.

- (6) The label for the site statistics table shall be revised to “Phase 2 site statistics.”
- (7) The TCP approval block containing original approval signatures shall be crossed-out.
- (8) All proposed stormwater management features shall be labeled on the plan.
- (9) The general information table on the plan shall be revised to remove the yes/no labels for Planning Area, General Plan Tier, Traffic Analysis Zone (COG), and Traffic Analysis Zone (PG), and to enter the corrected information for each category.
- (10) The TCP1 notes shall be revised, as follows:
  - (a) Note 1 shall be revised to refer to the current Conceptual Site Plan, CSP-03001-01, as the associate plan upon which the TCP1 is based.
  - (b) Note 7 regarding the tier and zone shall be revised to match the standard note language found in the Environmental Technical Manual.
- (11) The woodland conservation worksheet shall be revised to match the worksheet shown on the most recently approved TCP2 for the overall site (TCP2-082-05-04). The worksheet shall be further revised to provide a separate phase for Parcels 1 and 2.

Ordered this 15<sup>th</sup> day of October, 2019, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON  
REGIONAL DISTRICT IN PRINCE GEORGE'S  
COUNTY, MARYLAND

By: Todd M. Turner  
Todd M. Turner, Chair

ATTEST:

Donna J. Brown  
Donna J. Brown  
Acting Clerk of the Council



R E S O L U T I O N

WHEREAS, Revenue Authority of Prince George’s County is the owner of a 17.92-acre parcel of land known as Part of Parcel 1, recorded in Prince George’s County Land Records, in Liber 33973 folio 99 and Parcel 2, Balk Hill Village recorded in Plat Book PM 217-92, said property being in the 13th Election District of Prince George’s County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T); and

WHEREAS, on June 21, 2019, Balk Hill Ventures, LLC filed an application for approval of a Preliminary Plan of Subdivision for nine parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18024 for Woodmore Commons was presented to the Prince George’s County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 26, 2019, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George’s County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on September 26, 2019, the Prince George’s County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George’s County Code, the Prince George’s County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-019-03-03, and further APPROVED Preliminary Plan of Subdivision 4-18024 for nine parcels with the following conditions:

1. Prior to signature approval of this preliminary plan of subdivision, the following revisions shall be made to the plan:
  - a. Revise General Note 1 to provide the correct recording reference for Part of Parcel 1.
  - b. Revise and consolidate the cross sections provided on the plans to show the following:
    - (1) All cross sections shall include a sidewalk and green space abutting the drive aisles.
    - (2) Consolidate the cross sections for ‘C’ through ‘F’, to provide a consistent cross section for the loop road showing a 22–24-foot-wide drive aisle with a sidewalk on one side that is a minimum of five feet in width, and contiguous green space.

- (3) Revise the cross sections and preliminary plan of subdivision so that the easements shown are inclusive of the vehicular and pedestrian circulation.
  - c. The general notes shall be revised to include a reference to SDCP Case No. 45273-2018.
2. Prior to acceptance of the detailed site plan, the applicant shall provide a cross section for the service road segment of the access easement.
3. Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that indicates the location, limits, and details of all pedestrian and bicycle facilities and illustrates how their interconnectivity and connectivity to adjacent properties encourages walkability and reduced automobile use.
4. In conformance with the 2009 *Approved Countywide Master Plan of Transportation* and the 1990 *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73*, the applicant shall provide the following:
  - a. An eight-foot-wide shared-use sidepath or wide sidewalk along the site's entire frontage of MD 202, unless modified with written documentation by Maryland State Highway Administration.
  - b. Sidewalks, a minimum five feet in width, along one side of all internal access easements, not including service access areas.
  - c. A standard five-foot-wide sidewalk and a designated bicycle lane along each side of Ruby Lockhart Boulevard, unless modified with written documentation by Prince George's County Department of Permitting, Inspections and Enforcement/Department of Public Works and Transportation.
5. Total development within the subject property shall be limited to uses which generate no more than 721 AM and 658 PM peak-hour vehicle trips, which shall be further limited in accordance with the overall Balk Hill development approved with 4-03094. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
6. The final plats shall reflect a denial of access along the entire frontage of MD 202, and along the site's frontage of St. Josephs Drive between MD 202 and Ruby Lockhart Boulevard.
7. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
  - a. The existing tree line shall be revised to match approved Natural Resources Inventory NRI-151-2018.
  - b. All proposed stormwater management features shall be labeled on the plan.

- c. The values in the Site Statistics table shall be revised to be consistent with the corresponding values in the woodland conservation worksheet for Phase 3.
- d. Revise tree conservation plan Note#7 to correctly indicate that the site is in Environmental Strategy Area 2 (formerly the Developing Tier) rather than the Developed Tier.
- e. The woodland conservation worksheet shall be revised as follows:
  - (1) Deduct the Phase 3 amount of “woodland on the net tract for this phase” from the Phase 1 value.
  - (2) Deduct the Phase 3 amount of “woodland cleared on net tract for this phase” from the Phase 1 value.
  - (3) Remove all proposed fee-in-lieu from Phase 3 and indicate that it is either going to be met on-site, or through off-site mitigation on the worksheet and TCP1 plan.
- 8. Prior to signature approval of the preliminary plan of subdivision (PPS) and Type 1 tree conservation plan (TCP1), an approved stormwater management concept plan and approval letter shall be submitted that are consistent with the limits of Phase 3 of the TCP1 and the PPS.
- 9. Substantial revision to the uses on the subject property that affect Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.
- 10. Prior to approval of the final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall:
  - a. Dedicate the public right-of-way of Saint Josephs Drive, in accordance with the approved preliminary plan of subdivision.
  - b. A draft Declaration of Restrictive Covenants and/or easement, per Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access for the subject property, shall be submitted to the Maryland-National Capital Park and Planning Commission for review and approval. The limits of the shared access shall be reflected on the final plat, consistent with the approved preliminary plan of subdivision and detailed site plan. Prior to recordation of the final plat, the Declaration of Restrictive Covenants and/or easement shall be recorded in Prince George’s County Land Records, and the Liber/folio of the document shall be indicated on the final plat with the limits of the shared access.
  - c. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
  - d. Grant 10-foot-wide public utility easements along the public rights-of-way of MD 202,

Saint Josephs Drive, Tulson Lane, and Ruby Lockhart Boulevard.

11. The applicant shall provide private recreational facilities within the residential development parcel. The private recreational facilities shall be evaluated by the Urban Design Review Section of the Development Review Division, for adequacy and proper siting during the review of the detailed site plan.
12. All on-site private recreational facilities shall be designed in accordance with the Parks and Recreation Facilities Guidelines.
13. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of recreational facilities on-site, for approval prior to submission of final plats. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber folio indicated on the final plat, prior to recordation.
14. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on-site, prior to issuance of building permits.
15. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located in the northeast quadrant of the intersection of MD 202 (Landover Road) and Saint Josephs Drive. This preliminary plan of subdivision (PPS) includes Part of Parcel 1, recorded in Prince George's County Land Records in Liber 33973 folio 99 and Parcel 2, Balk Hill Village recorded in Plat Book PM 217-92.

The subject property is 17.92 acres and is zoned Mixed Use-Transportation Oriented (M-X-T). The application includes nine parcels for the development of 88,000 square feet of commercial and office development, and 284 multifamily dwelling units. The site is currently vacant.

The subject PPS includes two parcels on the north and seven parcels on the south side of Ruby Lockhart Boulevard. Vehicular access from Ruby Lockhart Boulevard to the north and south is to be consolidated to one access driveway, and easements provided pursuant to Section 24-128(b)(9) of the Subdivision Regulations, to avoid potentially hazardous or dangerous traffic situations. The request for the use of access easement is discussed further in this resolution.

3. **Setting**—The property is located on Tax Map 60, in Grid E-3, and is in Planning Area 73. The 17.92-acre site consists of two existing parcels (Part of Parcel 1 and Parcel 2), which are unimproved and located on the north side of MD 202 (Landover Road), on both sides of Ruby Lockhart Boulevard, and on the east side of Saint Josephs Drive.

To the west of Part of Parcel 1 is Saint Josephs Drive and property beyond zoned M-X-T and developed with commercial uses. The property north of Parcel 1 is zoned M-X-T and developed with office uses. To the west of Parcel 2 is Saint Josephs Drive with a church in the Rural Residential Zone beyond. To the east of both parcels is vacant land zoned M-X-T. Parcel 2 is bound by Landover Road to the south.

4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	<b>EXISTIN</b>	<b>APPROVED</b>
Zone	M-X-T	M-X-T
Use(s)	Vacant	Residential/Commercial/Office
Acreage	17.92	17.92
Gross Floor Area (sq. ft.)	0	88,000
Dwelling Units	0	284
Parcels	2	9
Outparcels	0	0
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee on July 12, 2019.

5. **Previous Approvals**—The subject site has a Zoning Map Amendment A-9956-C (123.20 acres) which rezoned the property from Planned Industrial/Employment Park (I-3) to M-X-T, and was originally approved by the District Council on July 23, 2002, with 14 conditions. Subsequently, the District Council approved a request to amend Conditions 5 and 10 on February 26, 2018. The majority of the conditions have been addressed through previous approvals and existing development on the property. The following conditions are pertinent to the current application and warrant discussion:

5. **The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.**

This condition caps the peak-hour trips for the property at 1,013 AM peak-hour trips and 1,058 PM peak-hour trips. The development of this project, together with other properties covered by A-9956-C, are within the trip cap, which is further discussed in the



Transportation findings.

- 10. Prior to the acceptance of a detailed site plan for development of the twenty (20) acres (Parcels 1 and 2), the Applicant shall provide written confirmation that it has held a community meeting with stakeholders which shall include an invitation to at least representatives from St. Joseph's parish and Balk Hill Homeowners association.**

The applicant will be required to provide documentation of the required notice prior to acceptance of a detailed site plan (DSP) for the subject property.

The property is a part of Conceptual Site Plan CSP-03001 that covers 125.4 acres of a larger mixed-use development, approved by the Prince George's County Planning Board on September 11, 2003. Subsequent to the approval of CSP-03001, a PPS (4-03094) for 125.4 acres was approved by the Planning Board (PGCPB Resolution No. 04-33) in 2004, and DSP-04067 was approved in 2006, for 125.4 acres. In those prior approvals, the subject site was identified as property to be conveyed to the Revenue Authority of Prince George's County and no development was proposed for these two parcels. After the District Council's approval of the revised conditions attached to A-9956-C, the applicant filed CSP-03001-01 for development of 65,000 to 100,000 square feet of commercial space, and 284 multifamily dwelling units on the subject site. CSP-03001-01 was approved on May 30, 2019 (PGCPB Resolution No. 19-71), with one condition, which is not relevant to this PPS. The District Council received an appeal of this CSP and has scheduled a public hearing on the application for September 23, 2019. This PPS (4-18024), which is a portion of the larger property approved with PPS 4-03094, will supersede that approval for Parcels 1 and 2. Any substantial modification made by the District Council to CSP-03001-01 may impact the ability to move forward with the development proposed as part of this PPS, and may require the approval of a new PPS.

6. **Community Planning**—The *Plan Prince George's 2035 Approved General Plan* (Plan 2035) locates the subject site in the Established Communities area. The vision for the Established Communities area is to accommodate context-sensitive infill and low- to medium-density development.

The 1990 *Approved Master Plan Amendment and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* (Largo-Lottsford Master Plan and SMA) recommends employment land uses on the subject property and Land Use Alternatives on a small portion of the property. The Land Use Alternatives classification is identified as where residential development would need to be carefully incorporated into the overall development pattern.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this application is not required to conform to the employment land use recommendation of the master plan because the District Council approved ZMA A-9965-C, which changed the zoning from the I-3 Zone to the M-X-T Zone, in 2002. Subsequently, the Planning Board approved CSP-03001 to allow residential, retail, and commercial development.

7. **Stormwater Management**—The site has an unapproved Storm Water Management (SWM) Concept Plan (No. 56766-2018) that is currently under review with Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE). However, it is noted that the site area and limits of disturbance for this SWM concept are inconsistent with that of the TCP1. Specifically, it appears that the multifamily development and associated parking and circulation located on Parcel 11 is missing from the SWM concept plan. The SWM concept plan must be revised and expanded to include the same site area and site improvements as reflected on Phase 3 of the TCP1. A condition of approval requires the revision and approval of the SWM concept plan, prior to signature approval of the PPS and TCP1.

At the September 26, 2019 Planning Board hearing, the applicant stated that there is a pending SWM concept plan (45273-2018) for the Phase 3 residential component, which will be submitted in lieu of a revision and expansion to SMW Concept Plan No. 56766-2018. Both SWM Concept Plan numbers shall be reflected on the PPS.

Development must be in conformance with an approved plan, or subsequent revisions, to ensure that on-site or downstream flooding does not occur.

8. **Parks and Recreation**—The PPS was reviewed and evaluated for conformance with the requirements and regulations of the Largo-Lottsford Master Plan and SMA, the *Formula 2040 Functional Master Plan for Parks, Recreation and Open Space*, the Subdivision Regulations, and CSP-03001-01, as they pertain to public parks and recreation.

The subject property is not adjacent to any existing Maryland-National Capital Park and Planning Commission (M-NCPPC) owned parkland. The current PPS approval calls for subdividing the two parcels into nine, with Parcel 11 to be used for residential development, and the remaining parcels to be used for commercial and office uses.

Based on the information provided, the plans indicate that the residential parcel (Parcel 11) is 7.2 acres in size, and will be developed with 284 multifamily residential units. Section 24-134 of the Subdivision Regulations requires mandatory dedication of parkland on all residential subdivisions. The mandatory dedication requirement for this development is approximately 1.08 acres. However, mandatory dedication of parkland is not recommended due the size, shape, and utility of the land to be dedicated.

It is determined that, per Section 24-135(b) of the Subdivision Regulations, the mandatory dedication requirements can be met by the provision of on-site private recreational facilities. The on-site recreation facilities package for the residential development shall be reviewed and approved at time of the applicable DSP for residential portion of the project.

The provision of on-site private recreational facilities will address the recreational needs of the future residents of this development.

9. **Trails**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Largo-Lottsford Master Plan and SMA, in order to

implement planned trails, bikeways, and pedestrian improvements. The submitted subdivision includes nine parcels with commercial, office, and multifamily residential uses. Because the site is not within a designated center or corridor, it is not subject to Section 24-124.01 (Adequate Public Pedestrian and Bikeway Facilities Required in County Centers and Corridors) of the Subdivision Regulations and the “Transportation Review Guidelines, Part 2.”

The subject site is located in the M-X-T Zone. Section 27-542(a) of the Zoning Ordinance lists the purposes of the M-X-T Zone. The following statements are related to pedestrian and bicycle transportation:

**Sec. 27-542. - Purposes.**

- (a) **The purposes of the M-X-T Zone are:**
  - (2) **To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential commercial, recreational, open space, employment, and institutional uses;**
  - (4) **To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**

The sidewalk and trail network built to support this development will be reviewed in detail at the time of DSP. Prior to the acceptance of a DSP, an exhibit shall be provided that indicates how the pedestrian and bicycle facilities will contribute to creating a walkable community that encourages pedestrian activity and reduces automobile use.

One master plan trail impacts the subject site. A shared-use sidepath is recommended along MD 202 (Landover Road). The MPOT describes a sidepath as an off-road bidirectional multiuse facility adjacent to major roads.

This facility has not yet been implemented along the frontage of the subject site. While the right-of-way along MD 202 has been fully dedicated, the applicant will be required to build the MD 202 sidepath as part of their frontage improvements, unless modified with written documentation from the Maryland State Highway Administration (SHA).

The complete streets section of the MPOT includes the following policies regarding sidewalk construction and the accommodation of pedestrians:

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

**POLICY 2: All road frontage improvements and road capital improvement projects**

**within the developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

Sidewalks shall be provided along all road frontages, consistent with these policies. Sidewalk access is also required from the public rights-of-way to all building entrances. The sidewalk network within the site will be evaluated in more detail at the time of DSP. Bicycle parking is appropriate at the commercial, office, and multifamily buildings. The location and amount of bicycle parking can be determined at the time of DSP.

The submitted plans include cross sections of access easements for the internal drives. Each cross section includes a sidewalk section ranging from 5 feet wide (easement cross sections D, F, and G) to 13 feet wide (easement cross section E). The easements will contribute to a comprehensive walking and bicycling network within the site. The pedestrian and safety amenities will be further reviewed at the time of DSP.

The MPOT also includes a policy regarding trail connectivity in new development:

**POLICY 9: Provide trail connections within and between communities as development occurs, to the extent feasible and practical.**

The submitted plans indicate a pedestrian and bicyclist connection to the east of the subject site.

There are multiple prior approvals that cover the subject site. Basic Plan A-9956-C includes the following pedestrian recommendation:

- 9. All public sidewalks shall comply with applicable ADA standards and be free of above ground utilities and street trees.**

All sidewalks internal to and fronting on the subject site will be reviewed for Americans with Disabilities Act (ADA) standards at the time of DSP.

There are currently 5- to 6-foot-wide sidewalks along the subject site's frontage on Saint Josephs Drive. An 8-foot-wide sidewalk is required, unless modified with written documentation by DPIE.

CSP-03001-01 included the following condition of approval related to pedestrian and bicycle transportation.

- 1. Prior to certificate approval of the conceptual site plan (CSP), the following revisions shall be made, or information shall be provided:**
  - a. Revise the site plan to show potential pedestrian access to the adjacent M-X-T-zoned property to the east, approximately 460 feet south of the right-of-way for Ruby Lockhart Boulevard (to**

**correspond to a driveway between Parcels 1 and 3 as shown on Detailed Site Plan DSP-18024 for Woodmore Overlook Commercial).**

The basic plan for Woodmore Overlook included a condition that bicycle lanes and an eight-foot-wide sidewalk be provided along Ruby Lockhart Boulevard. This would be the same improvements as was constructed at Woodmore Town Center. However, it is noted that the road classification changes from a Major Collector to an Industrial Road east of Saint Josephs Drive, and the right-of-way is reduced by 20 feet. An April 25, 2019 email from the DPIE Associate Director, Mary Giles, explained that the County is going to require parallel parking along one side of the road, inroad bicycle lanes along both sides, two travel lanes, and standard five-foot wide sidewalks along both sides of Ruby Lockhart Boulevard.

At a separate meeting on the evening of April 25, 2019, Mary Giles confirmed that these are improvements that DPIE recommends and will be required along Ruby Lockhart Boulevard for both the Woodmore Overlook and Balk Hill developments.

The subject site's frontage along Ruby Lockhart Boulevard shall include a standard five-foot-wide sidewalk and a designated bicycle lane.

10. **Transportation**—This PPS is within an area of a previously approved PPS (4-03094) for Balk Hill. Balk Hill was approved for the development of 393 dwelling units and 348,480 square feet of commercial development. The land area for Balk Hill outside the boundaries of the subject PPS has been developed. The overall trip cap was established at the time of zoning (ZMA A-9956-C), with a total trip cap for the site of 1,015 trips during the AM peak-hour and 1,058 trips during the PM peak-hour. The development within this PPS 4-18024 includes a mix of uses which will not exceed the trips analyzed in the previous PPS, or the overall trip established by A-9956-C.

The subject property is located within Transportation Service Area 2, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

**Links and Signalized Intersections:** Level of Service D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

**Unsignalized Intersections:** The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds; (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board)



procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The table below summarizes trip generation in each peak-hour that will be used in reviewing conformance with the trip cap for the site:

<b>Trip Generation Summary: 4-18024: Woodmore Commons</b>								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
<b>Existing Development (Balk Hill)</b>								
Residential – Detached plus Manor Residences	333	units	50	200	250	197	103	300
Residential – Attached	60	units	8	34	42	31	17	48
Specialty Retail/Office	20,000	square feet	0	0	0	26	26	52
<b>Total Trips Existing</b>			<b>58</b>	<b>234</b>	<b>292</b>	<b>254</b>	<b>146</b>	<b>400</b>
<b>Proposed Development for 4-18024</b>								
Multifamily Residences	284	units	29	119	148	111	59	170
<b>Option 1: Retail Plus Office</b>								
Medical Office	30,000	square feet	69	17	86	36	78	114
Retail	50,000	square feet	110	67	177	165	178	343
Less Pass-By (40 percent per Guidelines)			-44	-27	-71	-66	-71	-137
Net Trips for Retail			<b>66</b>	<b>40</b>	<b>106</b>	<b>99</b>	<b>107</b>	<b>206</b>
<b>Option 2: Retail Only</b>								
Retail	80,000	square feet	119	73	192	231	250	481
Less Pass-By (40 percent per Guidelines)			-48	-29	-77	-92	-100	-192
Net Trips for Retail			<b>71</b>	<b>44</b>	<b>115</b>	<b>139</b>	<b>150</b>	<b>289</b>
<b>Both Options 1 and 2: Super Gas Station and Convenience Store</b>								
Super Gas Station and Convenience Store	8,000 16	square feet pumps	225	224	449	183	184	367
Less Pass-By (76 percent)			-171	-170	-341	-139	-140	-279
Net Trips for Super Gas Station/Store			<b>84</b>	<b>84</b>	<b>168</b>	<b>44</b>	<b>44</b>	<b>88</b>
<b>Total Proposed Trips for 4-18024/Option 1</b>			<b>194</b>	<b>254</b>	<b>448</b>	<b>279</b>	<b>243</b>	<b>522</b>
<b>Total Proposed Trips for 4-18024/Option 2</b>			<b>184</b>	<b>247</b>	<b>431</b>	<b>294</b>	<b>253</b>	<b>547</b>
<b>Proposed Trips for 4-18024</b>					<b>448</b>			<b>547</b>
<b>Total Existing Plus Proposed for Woodmore Commons</b>					<b>740</b>			<b>947</b>
<b>Trip Cap – A-9956-C</b>					<b>1013</b>			<b>1058</b>

The applicant provided a trip generation memorandum as a part of the submittal, and the numbers in the table above differ slightly from that submittal. The retail space in the submittal was analyzed using the 9th Edition of *Trip Generation* (Institute of Transportation Engineers), and in the table above, the 10th Edition of the same publication was used. The differences do not alter the conclusion that the plan is consistent with the trip cap established by the rezoning.

This site was the subject of PPS 4-03094; this plan does not contain an explicit trip cap condition. In the process of reviewing this plan against that underlying PPS, it was noted that the adequacy determination was consistent with the trip cap in the ZMA. The resolution attempted to show that the development proposed was consistent with the zoning trip cap with a table (page 14 of PGCPB Resolution No. 04-33). For this reason, and because the uses have not substantially changed since the prior PPS was reviewed in 2003, this PPS does not require a new traffic study; only the provided trip generation report is required as a means of substantiating compliance with prior trip caps.

#### **Master Plan Roadways**

Ruby Lockhart Boulevard is a master plan commercial/industrial roadway with a width of 70 feet. The current right-of-way is adequate, and no additional dedication is required from this plan. MD 202 is a master plan expressway with a variable right-of-way. The current right-of-way is adequate, and no additional dedication is required from this plan.

Saint Josephs Drive is a master plan collector roadway with a width of 80 feet. The current right-of-way is adequate. While no additional dedication was required, the plan shows additional dedication along Saint Josephs Drive, as requested by the County.

#### **Prior Approvals**

Prior application A-9956-C, contains transportation-related conditions. There are no additional conditions from the prior PPS 4-03094 that need to be carried forward on this plan. The status of the transportation-related conditions from A-9956-C are described below:

- 1. The following improvements shall be funded by the Applicant, with the timing to be determined at the time of preliminary plan of subdivision:**
  - a. The construction of Campus Way as an arterial facility within the limits of the subject property.**
  - b. The construction of St. Joseph's Drive as a collector facility within the limits of the subject property.**

These facilities have been constructed.

- 2. The Applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the Applicant shall provide a second eastbound left turn lane along MD 202 at the**

**McCormick Drive/St. Joseph's Drive intersection. These improvements shall be either directly provided by the Applicant, or shall be funded by the Applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis to be determined at the time of preliminary plan of subdivision.**

This was reiterated at the time of PPS 4-03094 and was addressed through conditions on that plan; the needed improvements have been constructed.

**3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:**

- a. **Campus Way, an arterial facility with a right-of-way of 120 feet.**
- b. **St. Joseph's Drive, a collector facility with a right-of-way of 80 feet.**
- c. **A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.**

This was confirmed during review of PPS 4-03094; all required rights-of-way have been dedicated.

**4. The Applicant shall study the planned Campus Way/St. Joseph's Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.**

This condition was enforceable at the time of PPS 4-03094, and this intersection was studied further at that time.

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

On March 27, 2018, the District Council enacted a Final Conditional Zoning Approval which amended Conditions 5 and 10. Condition 5 was amended as follows:

**The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013 AM and 1,058 PM peak-hour vehicle trips.**

This trip cap was reviewed in the Trip Generation Summary table, and it is determined that the development proposed is consistent with the zoning trip cap.

Prior application CSP-03001, contained one transportation-related condition. The status of the

transportation-related condition is described below:

3. **If determined to be desirable and needed at the time of preliminary plan, the preliminary plan shall reflect an extension of Ruby Lockhart Boulevard beyond Saint Joseph's Drive to the west property line as a 70-foot right-of-way.**

This was done at the time of PPS 4-03094 and is reflected on this plan.

**Vehicular Access and Easements**—All parcels within the subdivision have frontage on a public right-of-way. Shared vehicular access to the public street and throughout the site is to be provided by easements authorized pursuant to Section 24-128(b)(9), to avoid potentially hazardous or dangerous traffic situations. No public or private streets are provided within the subdivision. There are two development pods included with this PPS, one north and one south of Ruby Lockhart Boulevard.

The development south of Ruby Lockhart Boulevard includes Parcels 3–9. There are three types of easements needed to form a cohesive pattern of circulation for the development. The first is a boulevard type treatment from the site access with Ruby Lockhart Boulevard, extending southward into the site; the second is a loop road that provides access and circulation to all the parcels within the south development pod; and the third is a service type access easement, which provides a connection to the rears of the anticipated development on Parcels 6 and 7, along the easternmost property line that connects to the boulevard. These easements shall provide a defined and consistent circulation pattern for vehicular and pedestrian traffic into and throughout the site. The CSP-03001-01 Planning Board Resolution (No. 19-71) contains the following finding regarding the expectations for the development of the access easements:

**The internal driveways into the site should reflect a boulevard type of treatment in keeping with the mixed-use development proposed and the zoning of the site as M-X-T. A cross-section exhibit of the driveways has been provided on the plan but does not adequately portray how the driveways will incorporate urban, pedestrian oriented amenities such as sidewalks, street trees, and landscaping in keeping with a mixed-use zone site. This exhibit will need to be updated and shown on the PPS in order to adequately evaluate the spatial relationships associated with the driveways, surrounding parcels proposed and any associated access easements.**

The cross section provided and labeled “Access Easement ‘A’ Section” is appropriate for the boulevard treatment, which provides the only entry to the southern commercial development pod. The easement shall, however, be revised to clearly delineate the length of the easement at the time of DSP.



The loop road begins at the end of the boulevard easement and loops around the site and connects back to the boulevard. This easement section shall be designed to provide continuous sidewalks a minimum of five feet wide along at least one side of the travel lanes, with a contiguous green space, clearly defining the area of the continuous access easements for vehicular and pedestrian flow through the site.

A cross section for the access, which services the rears of Parcels 6 and 7, has not been provided. It is anticipated that this easement will be for service vehicles, and a cross section for this area of the access easement shall be provided at the time of acceptance of the DSP. Prior to certificate approval for the DSP, for Parcels 7 and 9, the length of this easement shall be determined.

The development north of Ruby Lockhart Boulevard includes Parcels 10 and 11. The access easement cross section to Parcels 10 and 11 is shown in "Access Easement 'G' Section." This is an appropriate cross section for this access easement. All other access easement cross sections shall be deleted from the PPS.

Access and circulation on the site are acceptable. All easements provided shall include both the vehicular and pedestrian travel areas. The exact location and details of all easements will be further refined at the time of DSP, when buildings are proposed. All easements shall be shown on the final plat of subdivision. The easements approved pursuant to Section 24-128(b)(9) are supported for the following reasons:

- MD 202 is a master plan expressway facility, and SHA is unwilling to grant driveway access to serve this site. The denial of access from MD 202 is approved.
- Saint Josephs Drive between MD 202 and Ruby Lockhart Boulevard is a busy facility. The applicant states, that individual driveways onto this section of Saint Josephs Drive would present a safety issue. The use of the easement to serve Parcels 3–9 is appropriate.
- The use of the easement from Ruby Lockhart Boulevard to serve Parcels 10 and 11 is appropriate due to safety concerns. Separate driveways to serve Parcels 10 and 11 would result in many driveways within a short spacing along Ruby Lockhart Boulevard.
- It is noted that Parcel 10 will also be served by a driveway from Saint Josephs Drive; this section of Saint Josephs Drive is not as heavily travelled as the section south of its intersection with Ruby Lockhart Boulevard, and the safety concern is not as pronounced along this section.

Access is shall be denied along MD 202 and along Saint Josephs Drive between MD 202 and Ruby Lockhart Boulevard.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision as required, in accordance with Section 24-124.

11. **Schools**—This PPS has been reviewed for its impact on school facilities, in accordance with

Section 24-122.02 of the Subdivision Regulations, and Council Resolution CR-23-2003. The results are as follows:

Impact on Affected Public School Clusters  
 Multifamily Units

Affected School Clusters #	Elementary School Cluster #4	Middle School Cluster #4	High School Cluster #4
Dwelling Units	284	284	284
Pupil Yield Factor	0.119	0.054	0.074
Subdivision Enrollment	34	15	21
Actual Enrollment in 2018	10,847	5,049	7,716
Total Enrollment	10,812	5,052	7,738
State Rated Capacity	13,348	5,374	8,998
Percent Capacity	81%	94%	86%

County Council Bill CB-31-2003 allows for the establishment of a school facilities surcharge with an annual adjustment for inflation. The current school facilities surcharge amount is \$16,698, to be paid at the time of issuance of each building permit.

The commercial portion of the subdivision is exempt from a review for schools because it is a nonresidential use.

12. **Public Facilities**—In accordance with Section 24-122.01 of the Subdivision Regulations, water and sewer, police, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section dated August 19, 2019 (Saunders Hancock to Turnquest), incorporated by reference herein.
13. **Use Conversion**—The total development included in this PPS includes 284 multifamily dwelling units, and 88,000 square feet of commercial and office development in the M-X-T Zone. If a substantial revision to the mix of uses on the subject property is proposed that affects Subtitle 24 adequacy findings, as set forth in the resolution of approval and reflected on the PPS, that revision of the mix of uses shall require approval of a new PPS, prior to approval of any building permits.
14. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a), when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The standard requirement for PUEs is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on public rights-of-way Ruby Lockhart Boulevard, which bisects the

development, Saint Josephs Drive to the west, MD 202 to the south, and Tulson Lane to the north. The required PUEs are delineated on the PPS.

15. **Historic**—The subject property was surveyed for archeological resources in 2005, and no sites were identified. No additional archeological investigations are required. This plan will not impact any historic sites, resources, or known archeological sites.
16. **Environmental**—This project is not grandfathered with respect to the environmental regulations contained in Subtitle 24 that came into effect on September 1, 2010, because the application is for a new PPS. This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Environmental Technical Manual.

#### **2014 Plan Prince George's 2035 Approved General Plan**

The site is located within the Environmental Strategy Area (ESA) 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035.

#### **Largo-Lottsford Approved Master Plan and Adopted Section Map Amendment (July 1990)**

In the Largo-Lottsford Master Plan and SMA, the Environmental Envelope section contains goals, objectives, and guidelines. The following guideline has been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

19. **Tree save areas shall be established to act as noise or visual buffers along major transportation corridors and between conflicting land use zones, tree save areas (and the canopy dripline) shall be adequately protected during the grading and construction phase of the plan. This includes fencing, flagging or bonding if necessary.**

The site is situated at the intersection of MD 202 (Landover Road) and Saint Josephs Drive, which are major transportation corridors into the surrounding community. Although no woodland preservation or retention of existing woodlands are proposed with this application, this project will be subject to buffering and screening requirements as referenced in the 2010 *Prince George's County Landscape Manual* (Landscape Manual) at the time of DSP review.

#### **Countywide Green Infrastructure Plan**

The 2017 *Countywide Green Infrastructure Plan* (Green Infrastructure Plan) was approved with the adoption of the *Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017), in May 2017. According to the approved Green Infrastructure Plan, the property is entirely mapped as an evaluation area within the designated network of the plan. This area corresponds with the existing woodland on the site. There are no regulated environmental features mapped on-site, which are typically associated with regulated areas within the green infrastructure network. The green infrastructure elements mapped on the subject site correspond with existing woodland that will be impacted. The site is subject to the WCO as well as the current SWM requirements and meets the zoning requirements and the intent of the growth

pattern established in the general plan.

### **Natural Resources Inventory/Existing Conditions**

An approved Natural Resources Inventory (NRI) was submitted with the review package, NRI-151-2018, which was approved on November 13, 2018. The NRI shows that no streams, wetlands, or floodplain are found to occur on the 17.2 acres that are the focus of this application. It is noted that the total site acreage on the NRI did not include the acreage of the dedication along Saint Josephs Drive, which has been included in this PPS for a total of 17.92 acres.

The forest stand delineation indicates the presence of one forest stand totaling 14.90 acres and no specimen trees. No revisions are required for conformance to the NRI.

### **Woodland Conservation**

The site is subject to the provisions of the WCO because there are approved tree conservation plans for the property; TCP1-019-03 and Type 2 Tree Conservation Plan TCP2-082-05. A revision to the TCP1 has been submitted with this application.

The TCP worksheet has been broken down into three phases based on the most recently approved TCP2-082-05-04 because this plan has been used for permitting purposes and is more accurate as conditioned by CSP-03001-01. The worksheet has removed Parcels 1 and 2 from previously approved Phase 1 and placed them into Phase 3. However, the worksheet did not deduct the 14.90 acres of woodlands from the “woodland on the net tract for this phase” value, or from the “woodland cleared on net tract for this phase” value from Phase 1 when it was transferred to Phase 3, as required. The worksheet must be revised accordingly. The woodland conservation threshold for the overall 117.89-acre property is 15 percent of the net tract area, or 17.32 acres. The approved plan will clear all of the remaining woodland within Parcels 1 and 2, and to meet the requirement generated by this clearing, 7.97 acres entirely, with fee-in-lieu payments. As previously stated, this plan is not grandfathered from the provisions of the WCO and the environmental technical manual. Per Section 25-122(c), payment of fee-in-lieu is the lowest priority for meeting a woodland conservation requirement. In addition, per Section 25-122(d)(8), fee-in-lieu may be used to meet the conservation requirements after all other options are exhausted, and if the total conservation requirement is one acre or less. Fee-in-lieu may be provided for meeting conservation requirements that total one acre or larger if the project generating the requirement is located in the Developed Tier. This site is within ESA 2 (formerly the Developing Tier) with a total conservation requirement in excess of one acre; therefore, it is not eligible for fee-in-lieu. All fee-in-lieu must be removed from the worksheet and the worksheet must be amended to show the requirements being met through off-site or on-site attenuation, in accordance with the code.

The TCP1 plan requires additional technical corrections to be in conformance with the WCO, which are included as conditions of approval of this application.

17. **Urban Design**—Conformance with the following Zoning Ordinance regulations is required for the site development at the time of the required DSP review including, but not limited to, the following:

- Section 27-544 regarding regulations in the M-X-T Zone;
- Section 27-547(b) regarding the Table of Uses for the M-X-T Zone;
- Section 27-548 regarding regulations in the M-X-T Zone;
- Part 11, Off-street Parking and Loading; and,
- Part 12, Signs

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

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

All parcels will have frontage on Saint Josephs Drive, MD 202, or Ruby Lockhart Boulevard. Access will be from Ruby Lockhart or Saint Josephs Drive, in conformance with this requirement.

#### **Conformance with the 2010 Prince George's County Landscape Manual**

In accordance with Section 27-544(a) of the Zoning Ordinance, the development is subject to the Landscape Manual. Specifically, this property is subject to the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements. Conformance with the applicable landscaping requirements will be determined at time of DSP review.

#### **Tree Canopy Coverage Ordinance**

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of the site to be covered by tree canopy for any development project that proposes more than 5,000 square feet of gross floor area or disturbance, and requires a grading permit. The subject site is zoned M-X-T and is required to provide a minimum of 10 percent of the gross tract area to be covered by tree canopy. For a property of 17.92 acres, the required tree canopy coverage would be 1.79 acres. Compliance with this requirement will be further evaluated at the time of DSP.

#### **Other Design Issues**

The approved CSP-03001-01 shows a gateway feature at the corner of Saint Josephs Drive and MD 202. The lot layout shows two rectangular parcels (3 and 5) in this corner that may need to be adjusted to accommodate future development that will meet the goals of the M-X-T Zone for outward oriented development, and to allow for the anchoring of a design feature that will act as a gateway to one of Prince George's County's Downtowns. Conformance with CSP-03001-01 will be further evaluated at time of DSP.

The PPS shall note or show the potential pedestrian access to the adjacent M-X-T-zoned property to the east, approximately 460 feet south of the right-of-way for Ruby Lockhart Boulevard (to



correspond to a driveway between Parcels 1 and 3, as shown on DSP-18024 for Woodmore Overlook Commercial). Again, connectivity issues will be further evaluated at time of DSP.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

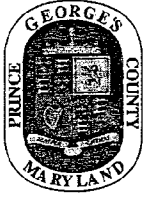
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, September 26, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of October 2019.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

EMH:JJ:AT:gh



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
(301) 952-3600

July 25, 2006

RE: SP 04067 Balk Hill Village (Remand)

## *NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL*

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on July 18, 2006.

## *CERTIFICATE OF SERVICE*

This is to certify that on July 25, 2006, this notice and attached Council Order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Redis C. Floyd".

Redis C. Floyd  
Clerk of the Council

(10/97)

Case No. SP-04067

Applicant: D.R. Horton, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION, WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 05-202 (A), approving with conditions a detailed site plan, No. SP-04067, showing 192 single-family residences, detached and attached, and 19,800 square feet of commercial retail and office space on property known as Balk Hill, described as 125.4 acres of land in the M-X-T Zone, located 2,500 feet northwest of the intersection of Campus Way North and Lottsford Road, Mitchellville, is hereby:

AFFIRMED, for the reasons stated in the Planning Board's Resolution, whose findings and conclusions are hereby adopted as the findings of fact and conclusions of law of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions:

1. Prior to certification of the Detailed Site Plan, the following shall be provided:
  - a. Dimensions shall be provided for all sidewalks.
  - b. The tot lot shall be replaced by an urban park or similar recreational area, whose design shall be approved by the Urban Design section.
  - c. Decorative lighting, to match the lighting in the retail area, shall be provided in the central recreational open space area.
  - d. Architectural models shall be revised to provide a minimum of two standard architectural features, such as a door, window or masonry fireplace on the side elevations of all models.
  - e. Lot numbers and square footage shall be provided for all lots.
  - f. A note shall be added to the plan indicating that the lot coverage for single-family detached lots is 80 percent.

- g. A note shall be added to the plan that all decks shall meet all building restriction lines.
  - h. Fencing details shall be provided. A maximum of three fencing styles shall be permitted.
  - i. All building, deck and fencing standards shall be entered into the Homeowners Association covenants. A copy of the covenants shall be provided to the Urban Design Section for review.
  - j. A note shall be added to the plan that porches may extend into the front building restriction line, but that chimneys and bay windows may not extend into the side yard.
  - k. The type, size, and style of lettering for the retail tenants shall be indicated on the architectural plan elevations.
2. Side and rear architectural elevations shall be provided for the retail buildings. The retail buildings shall be brick on all four sides.
  3. At the time of Detailed Site plan for Phase II, recreational facilities worth no less than \$100,000 shall be provided, based on a total of 201 dwelling units in Phase II. If the number of dwelling units in Phase II is reduced, the amount of recreational facilities may be reduced accordingly.
  4. Prior to approval of Final Plats, the applicant shall enter into a private Recreational Facilities Agreement with the Urban Design Review Section. The private Recreational Facilities Agreement shall include the construction phasing of the various recreational facilities.
  5. On corner lots where the sides of single-family detached homes are exposed to public streets, a brick watertable shall be provided along the entire length of the side elevations and windows and doors shall be provided with a minimum four-inch trim.
  6. At least 80 percent of the approved dwelling units shall have brick or stone front facades, as shown on the approved architectural elevations. A tracking chart shall be provided on the coversheet of the Detailed Site Plan, to account for the brick facades at the time of building permit.
  7. No two identical facades may be located next to or across from one another.

8. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.
9. Prior to certificate approval of DSP-04067 a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.
10. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:
11. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.
12. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
13. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.
14. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
15. Reflect on the plan and the table the actual disposition of Specimen tree #200 shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
16. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.

17. Provide the profiles on the plan for each retaining wall.
18. Replace the Edge Management notes on sheet 15 with the notes currently in use.
19. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
20. After these revisions have been made to the plan, the qualified professional who prepared the plan shall sign and date it.
21. The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
22. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.
23. Prior to the issuance of any permits, a Phase I archeological investigation shall be conducted, pursuant to the findings of Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County, by R. Christopher Goodwin & Associates, Inc., 2004.
24. Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the American Antiquity or Society of Historical Archaeology style guide. Archeological excavations should be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.
25. Regardless of ownership, no part of the approximately 20 acres of commercial and industrial land adjacent to the subject site to be conveyed to the Prince George's County Revenue Authority, shall be eligible for permits until the Planning Board and the District Council approve the use and a detailed site plan for the property.
26. Prior to submittal of the above-mentioned detailed site plan application, the applicant (whether public or private) shall obtain advice from the Advisory Planning Committee about the use and design of the property and reduce that advice to writing and file it with the site plan application.



27. The "Manor House" units shall not include rental or condominium units, and each Manor House unit shall contain exactly three attached "buildings," arranged or designed as "one-family dwellings," in accordance with the Zoning Ordinance definition of a "townhouse."

Ordered this 18th day of July, 2006, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Exum, Harrington, Hendershot and Peters

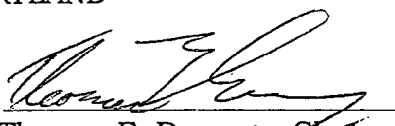
Opposed: Council Member Dean

Abstained:

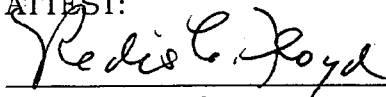
Absent: Council Member Knotts

Vote: 7-1

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

By:   
Thomas E. Dernoga, Chairman

ATTEST:



Redis C. Floyd  
Clerk of the Council



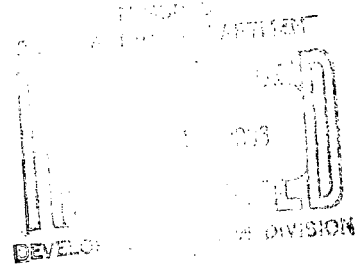
THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
(301) 952-3600

March 21, 2006

RE: SP 04067 Balk Hill Village

**NOTICE OF FINAL DECISION  
OF THE DISTRICT COUNCIL**



Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on March 13, 2006.

**CERTIFICATE OF SERVICE**

This is to certify that on March 21, 2006, this notice and attached Council Order were mailed, postage prepaid, to all persons of record.

Redis C. Floyd  
Clerk of the Council

(10/97)

Case No. SP-04067

Applicant: D.R. Horton, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ORDER OF REMAND

IT IS HEREBY ORDERED, after review of the administrative record, that Application No. SP-04067, approved by the Planning Board in PGCPB No. 05-202, with a detailed site plan showing 192 single-family residences, detached and attached, and 19,800 square feet of commercial retail and office space, on property known as Balk Hill, described as 125.4 acres of land in the M-X-T Zone, located 2,500 feet northwest of the intersection of Campus Way North and Lottsford Road, Mitchellville, is hereby:

REMANDED to the Planning Board, for the following reasons:

- A. The Planning Board should state in its revised decision how transportation improvements proposed by (or required of) the applicant, for adequate public facilities purposes, relate to the design of the residential and commercial components shown on the plan.
- B. Staff and Planning Board shall determine on the record whether the 19,800 square-foot retail component is of sufficient size to serve as a third use type, in the M-X-T Zone on the property.
- C. The Planning Board should also state in a revised decision how the design of the residential component of the project is consistent with public school facilities existing or programmed for the area including the subject property. The Board shall place in the record an explanation how the residential part of the project will affect neighborhood schools and school capacity.

D. As to the commercial or industrial area proposed adjacent to the subject property, the tract of approximately 20 acres to be conveyed to the Prince George's County Revenue Authority, the Planning Board shall require review and approval of the use of the 20-acre property, and the design of the use, as follows:

1. Regardless of ownership, no part of the 20-acre tract shall be eligible for permits until the Planning Board and District Council approve the use of the property and a detailed site plan for the use.

2. Prior to detailed site plan application, the applicant (whether public or private) shall obtain advice from the Advisory Planning Committee about the proposed use and design of the property. This advice shall be reduced to writing and filed with the site plan application.

E. The "Manor House" units shall not include rental or condominium units, and each Manor House unit shall contain exactly three attached "buildings," arranged or designed as "one-family dwellings," in accordance with the Zoning Ordinance definition of a "townhouse."

The Planning Board shall complete the hearing and report in time for this case to be placed on the District Council agenda of June 19, 2006.

Ordered this 13th day of March, 2006, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Harrington, Hendershot and Peters

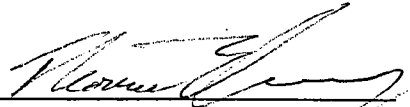
Opposed:

Abstained:

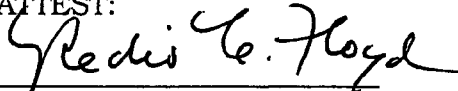
Absent: Council Members Exum and Knotts

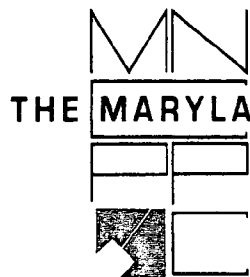
Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

By:   
Thomas E. Dernoga, Chairman

ATTEST:

  
Redis C. Floyd  
Clerk of the Council



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

SPO4067

June 6, 2006

D.R. Horton, Inc.  
1370 Piccard Dr.  
Suite 230  
Rockville, MD 20850

Re: Notification of Planning Board Action on  
**Detailed Site Plan – 04067**  
**Balk Hill Village**

Dear Applicant:

This is to advise you that on **(June 1, 2006)** the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

District Council review of this case is required by **A-9956-C and CSP-03001**

The applicant or any Person of Record may file a written appeal of the Planning Board's decision with the District Council within 30 days after the date of the final notice (**June 6, 2006**) of the Planning Board's decision, pursuant to Section 27-280.

You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-883-5784.

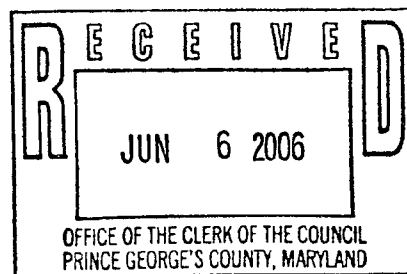
Please direct any future communication or inquiries regarding this matter to Ms. Redis C. Floyd, Clerk of the Council, at the above address.

Very truly yours,  
Arie Stouten, Acting Chief  
Development Review Division

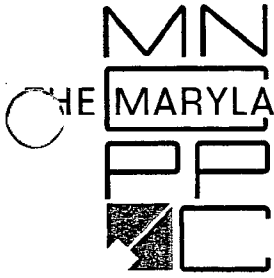
By: *Ruth E. Grov*  
Reviewer

c: Redis C. Floyd, Clerk to the County Council  
Persons of Record

PGCPB No. **05-202(A)**  
I:\forms\resol\dsp







THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

PGCPB No. 05-202 (A)

File No. DSP-04067

A M E N D E D R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

\*WHEREAS, on November 14, 2005, the District Council elected to review this case; and

\*[WHEREAS, in consideration of evidence presented at a public hearing on September 29, 2006 regarding Detailed Site Plan DSP-04067 for Balk Hill Village, the Planning Board finds:]

\*WHEREAS, on March 13, 2006, the District Council voted to remand the case to the Planning Board in accordance with Section 27-290 of the Zoning Ordinance in order to address transportation, land use and school adequacy issues as specified and to ensure that the adjacent 20-acre tract to be dedicated to the Prince George's County Revenue Authority shall be the subject of a detailed site plan; and

\*WHEREAS, in consideration of evidence presented at a second public hearing on June 1, 2006, regarding Detailed Site Plan DSP-04067 for Balk Hill Village, the Planning Board finds:

1. **Request:** The Detailed Site Plan is for Phase I of the development, consisting of 168 single-family dwelling units and 24 "manor house" dwelling units for a total of 192 units. The application also includes 16,500 square feet of commercial retail/office space and 3,300 square feet of community room space. A Conceptual Site Plan and Preliminary Plan have been approved by the Planning Board for up to 393 dwelling units, 20,000 square feet of retail and 328,000 square feet of office.

\*Denotes Amendment

Underlining indicates new language

[Brackets] indicate deleted language

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Residential, Commercial
Acreage (Total Site)	125.4	125.4
Lots (Phase I)	0	192
Parcels (Phase I)	0	3
Square Footage/GFA (Phase I)	0	16,500 SF Commercial; 3,300 Community Space
Dwelling Units:		192
Attached (Manor House)	0	24
Detached	0	168
Multifamily	0	0

**Floor Area Ratio (FAR) in the M-X-T Zone**

FAR Permitted: (For Entire Development)  
 Base Density 0.4 FAR  
 Residential 1.0 FAR  
 Total Permitted 1.4 FAR (permitted under the Optional Method of Development,  
 27-545(b)(4), for provision of more than 20 dwelling units)  
 (1.4 x 5,462,424 sf (gross site area)=7,647,394 sq. ft. permitted)

FAR Proposed (Phase I):  
 Residential 559,768 sq. ft.  
 Retail 7,700 sq. ft.  
 Office 8,800 sq. ft.  
 Community Bldg. 3,300 sq. ft.  
 Total FAR (Phase I) 579,568 sq. ft. (0.106 FAR)

Parking Required (in conformance with Section 27-574 for the M-X-T Zone): 81 spaces  
 Parking Provided: 83 spaces

3. **Location:** The subject property consists of 125.4 acres in the M-X-T Zone and is located on the north side of MD 202 at its intersection with St. Joseph's Drive. The site is approximately 1,000 feet southeast of the interchange of the Capital Beltway (I-95) and MD 202.
4. **Surroundings:** To the southeast of the site is vacant land in the I-3 and C-O Zones; to the northeast is land in the R-S Zone, currently under development (Balk Hill); to the northwest is vacant land in the M-X-T Zone and to the southeast, across MD 202 is land in the I-3 Zone, currently under development. St. Joseph's parish is to the southeast of the site on the west side of St. Joseph's Drive.

5. **Design Features:** Phase I of Balk Hill Village consists of 192 dwelling units, 16,500 square feet of retail/office and 3,300 square feet of community space. Three separate two-story brick commercial buildings are proposed, with retail on the first floor of the buildings and office and community space above.

**Required Findings in the M-X-T Zone**

6. The proposed development is in conformance with the purposes and other provisions of this Division.

**Section 27-542. Purposes of the M-X-T Zone**

**(a) The purposes of the M-X-T Zone are:**

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**
- (2) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**
- (3) To promote the effective and optimum use of transit and other major transportation systems;**
- (4) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**
- (5) To encourage diverse land uses which blend together harmoniously;**
- (6) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**
- (7) To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**
- (8) To permit a flexible response to the market; and**

- (9) **To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The Detailed Site Plan provides for a development that meets the above purposes of the M-X-T Zone. In general, the same finding can be made that was made by the Planning Board for the Conceptual Site Plan. Some portions of that finding that are applicable to the Detailed Site Plan are as follows:

“The plan proposes a mix of uses including a variety of residential types, retail and office in a village pattern utilizing a grid street system. The proposed development is located at a major intersection in the county where the office and retail will provide for an expanding source of desirable employment while also providing for an assortment of living opportunities for its citizens. A mixed-use development at this location maximizes the development potential inherent in the location of the zone and promotes the effective use of major transportation systems. The retail and office components have the ability to facilitate and encourage a 24-hour environment.

“The plan provides for a variety of residential opportunities in different settings that offer choices for the consumer. Three residential types are to be provided: single-family detached lots, manor homes, and triplex and quadplex units. The manor homes are multifamily units constructed to look like large single-family homes. The triplex and quadplex units are models that are designed to look more like townhouse units and will be interspersed with the single-family detached lots. A grid street pattern with a hierarchy of street widths, buildings sited close to the street, pedestrian sidewalks, and street trees will provide for animated streetscapes throughout the development. An open space system is evenly dispersed throughout the development, consisting of a centrally located 8- to 10-acre public open space with a stormwater management (SWM) pond on the west side of Saint Joseph’s Drive and a one-acre pocket park on the east side of Saint Joseph’s Drive.

“These features, connected together with a grid street pattern, create dynamic, functional relationships among individual uses within a distinctive visual character and identity. The Conceptual Site Plan for Balk Hill Village, with its mix of uses on a grid street pattern, promotes optimum land planning at this location with greater efficiency through the use of economies of scale and savings in energy beyond the scope of a single-purpose project. People who live and work in the community will also be able to shop, eat or work in a community that is walkable. The layout, with its diversity of uses and building types, will permit a flexible response to the market and freedom of architectural design has been allowed within the framework of the Detailed Site Plan.”

7. The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.

In general, the same finding can be made that was made by the Planning Board for the Conceptual Site Plan. Some portions of that finding that are applicable to the Detailed Site Plan are as follows:

“Along the frontage with future Campus Way North, the plan proposes to provide manor homes, which are multifamily units constructed to look like large single-family homes. The homes will be set back from the right-of-way by 50 feet. Within the 50-foot-wide bufferyard will be landscaping. Private pedestrian access to the front of the buildings has been provided in this location. The private pedestrian access periodically connects to the public sidewalk along the right-of-way. Along this most publicly visible edge of the development, the fronts of the manor homes will face Campus Way North, which will lend the development an impressive outward orientation.

“Along the western property line a wooded tributary will be preserved, screening the development from the adjacent vacant property in the M-X-T Zone (for Phase II of the development).

“Along the northeastern property line, the residential portion of the development will be screened from vacant property in the C-O and I-3 Zones by a small wooded tributary and by the employment of a landscape bufferyard in compliance with the requirements of the *Landscape Manual*.

“Along the southeastern property line, the proposed commercial development is deemed to be compatible with the adjacent property in the I-3 Zone.” This is in reference to the future office development on Lots 1 and 2 that are to be conveyed to the Revenue Authority.

Therefore, it can be concluded that the proposed development has an outward orientation that is physically and visually integrated with existing and future adjacent development.

8. The proposed development is compatible with existing and proposed development in the vicinity.

The same finding can be made that was made by the Planning Board for the Conceptual Site Plan, which is as follows:

“As explained in Finding 5 above, the proposed development will be compatible with existing and future adjacent development in the vicinity, either by virtue of the intrinsic compatibility of the adjacent land uses or by the existence of wooded areas and/or landscape buffers.”

9. The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

The same finding can be made that was made, in part, by the Planning Board for the Conceptual Site Plan, which is as follows:

The Detailed Site Plan “meets the above requirement by providing for a development with a mixture of residential units, commercial retail and office, and an open space system that is interconnected with a grid street pattern. The village development pattern creates dynamic, functional relationships among individual uses within a distinctive visual character and identity. The applicant proposes to provide a high-quality development of continuing quality and stability.”

10. If the development is staged, each building phase is designed as a self-sufficient entity while allowing for effective integration of subsequent phases.

The Conceptual Site Plan showed the development broken into five stages. The Detailed Site Plan incorporates several of the stages into one larger phase. This phase incorporates all of the unit types anticipated in the Conceptual Site Plan and several of the major amenities, such as the community building, fountain and pocket park. As such, the phasing of this portion of the development has been designed as a self-sufficient entity and allows for the effective integration of subsequent phases.

11. The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.

The same finding can be made that was made, in part, by the Planning Board for the Conceptual Site Plan, which is as follows:

“The grid street pattern will provide for a comprehensive pedestrian system. Sidewalks are proposed to be on both sides of all streets. The pedestrian system is convenient in that there will be easy access to the open space areas and to the village center where the Balk Hill Circle is located.”

12. On a Conceptual Site Plan for property placed in the M-X-T Zone by a sectional map amendment, transportation facilities that are existing; that are under construction; or for which 100 percent of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The property was placed in the M-X-T Zone by Zoning Map Amendment (Case No. A-9956-C), approved by the District Council on July 23, 2002. A finding of adequate public facilities was made with the approval of the Preliminary Plan, 4-03094.

13. Section 27-548.25 (a) of the Zoning Ordinance requires that a Detailed Site Plan be approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance. The detailed site plan submitted has been reviewed in accordance with those provisions and it can be found that the plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. The Detailed Site Plan is in conformance with the requirements of the *Landscape Manual*.
15. The Detailed Site Plan is in conformance with signage regulations of Part 12 of the Zoning Ordinance. Gateway entrance signage is provided at the entrance to the subdivision consisting of a low brick wall, brick columns and wrought iron fence. Metal letters will be mounted to a recessed



brick panel on the corner brick columns indicating the initials RP for Regency Park. Signage for the retail will be located above doorways of individual tenants as shown on the architectural elevations. The applicant should indicate the type, size and style of lettering to be provided on the architectural elevations.

16. **Zoning Map Amendment A-9956-C:** The Conceptual Site Plan is in general conformance to Zoning Map Amendment A-9956-C. The following conditions warrant discussion:

10. **An Advisory Planning Committee, consisting of the applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

By letters dated July 21, 2005, and September 7, 2005, (Arrington to Wagner) the applicant has provided documentation that an Advisory Planning Committee has been established and officers have been elected to advise the Revenue Authority on the development and use of the 20-acre employment parcel. The letter indicates that the Committee will hold monthly meetings on the second Tuesday of each month for 2005 and if necessary, revise the schedule for 2006.

11. **The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.**

To meet the above requirement, the applicant has provided a large fountain in the center of the traffic circle with low, decorative fencing, landscaping and special paving. Since the traffic circle is too small to include an amphitheater, and to encourage pedestrians to cross St. Josephs Drive to use such a facility would be a safety hazard, an amphitheater is not recommended. The applicant has also provided a village green in front of the retail space with benches, special paving, landscaping and pedestrian-scaled lighting that is oriented to the circle and provides views to the water feature.

12. **The community building shall be designed with an area suitable for community theatrical productions.**

The community building is to be located on the second floor of one of the three retail buildings located at the traffic circle on Saint Joseph's Drive and consist of approximately 3,300 square feet of space. The space has been designed to accommodate theatrical productions with the provision of a collapsible stage with approximately 48 moveable seats, suitable for theatrical productions. The facility will also have the ability to be used for other functions when it is not in use for theatrical productions. The facility will also include a warming kitchen, large screen television, internet connections, room dividers and a storage area.

17. **Conceptual Site Plan, CSP-03001:** The Detailed Site Plan is in general conformance to the Conceptual Site Plan. For information regarding transportation issues, see Finding 19 below. For information regarding environmental issues, see Finding 20 below.

18. **Preliminary Plan, 4-03094:** The Detailed Site Plan is in general conformance with the Preliminary Plan. The following conditions warrant discussion:

6. **At the appropriate state of development, the applicant, his heirs, successors, and/or assignees shall provide the following:**

c. **Provide standard sidewalks along both sides of all other internal roads, per the concurrence with DPW&T.**

Sidewalks have been provided on both sides of all streets; however, dimensions should be provided for all sidewalks.

8. **The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.**

Adequate recreational facilities have been provided for Phase I of the development. A 30,000± square-foot central recreation open space has been provided that contains a tot lot, benches, an open grass play area, a walking trail and landscaping. The community has requested that the play area be provided with a rubberized safety surface and that activity stations be provided around the trail. The applicant has also provided a large fountain in the traffic circle and benches, lighting, special paving and landscaping in the village green area in front of the retail buildings.

16. **A Phase I archeology study shall be performed prior to the approval of the Detailed Site Plan. The study shall pay particular attention to possible burials, including slave burials, and possible slave quarters.**

See Finding 21 below for information regarding this condition.

21. **The relationship of the community building, the retail commercial buildings on Lots 1-9, Block D, and the office use on Parcels 1 and 2 shall be determined at the time of the first Detailed Site Plan submitted for any portion of the entire site.**

As mentioned above, the community building is to be located on the second floor of one of the three retail buildings located at the traffic circle on Saint Joseph's Drive and consist of approximately 3,300 square feet of space. The retail/office buildings are designed to have pedestrian connections between the buildings to be able to access the parking to the rear of the buildings. The pedestrian connections will also serve as access to the retail space from the future office development on Parcels 1 and 2.

23. **At the submission of the first Detailed Site Plan, the applicant shall submit documentation on the structure of the Advisory Planning Committee and how it will function to advise the Revenue Authority on the development of Parcels 1 and 2 pursuant to Condition 10 of Zoning Map Amendment A-9956-C. As part of the documentation noted above, it shall include confirmation that the representatives from the required membership have been duly chosen by their respective organizations.**

See discussion under Finding 16 above.

#### **Referrals**

\*[19.]a. In a memorandum dated September 2, 2005 (Masog to Wagner), the Transportation Planning Division offered the following comments:

The Transportation Planning Section has reviewed the application referenced above. The application involves construction of residential units on a portion of a mixed-use development. The entire Balk Hill Village development consists of approximately 125.4 acres of land in the M-X-T Zone. The property is located north and east of MD 202; it straddles the proposed alignment for St. Joseph's Drive and is south and west of the proposed alignment for Campus Way. The application proposes the development of 192 residences and 9 triplex retail units.

Prior applications A-9956, CSP-03001, and 4-03094 contain a number of transportation-related conditions. The status of the transportation-related conditions is summarized below:

A-9956:

Condition 1: Requires construction of Campus Way and St. Joseph's Drive within the limits of the subject property. These facilities are reflected on the plans and will be constructed as overall construction progresses.

Condition 2: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro rata basis. This was reiterated at the time of preliminary plan, and is addressed through conditions on that plan.

Condition 3: Requires that adequate right-of-way for needed master plan facilities is provided. This was confirmed during review of the preliminary plan, and submitted plans show adequate right-of-way where needed.

Condition 4: Requires further study at Campus Way/St. Joseph's Drive. This condition was enforceable at the time of preliminary plan, and this intersection was studied further at that time.

Condition 5: Caps development of the property. The development proposed under this site plan is estimated to generate 158 AM and 188 PM peak-hour vehicle trips. This is well within the overall trip cap indicated by this condition.

CSP-03001:

Condition 3: Requires an extension of Ruby Lockhart Boulevard to the west property line as a 70-foot right-of-way. This was done at the time of preliminary plan and is reflected on this plan.

4-03094:

Condition 1d: Requires the elimination of on-street parking along St. Joseph's Drive. Also requires that curve radii along all streets be increased to a minimum of 300 feet. The on-street parking is a permitting issue under the authority of the county Department of Public Works and Transportation (DPW&T) and is not reviewable under this plan. All streets shown on the plan conform to the 300-foot minimum for curvature.

Condition 18: Requires dedication along proposed Campus Way and St. Joseph's Drive within the limits of the subject property. This is reflected on the plans, and these roadways will be constructed within the dedicated rights-of-way.

Condition 19: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro rata basis. This condition will be enforced at the time of building permit.

Access and circulation within the area of plan is acceptable.

The subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 2004 for Preliminary Plan of Subdivision 4-03094. These findings were supported by a traffic study submitted in 2003. Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the transportation staff can make a finding that the subject property will be served by adequate transportation facilities within a reasonable period of time.

\*[20.]b. In a memorandum dated August 31, 2005 (Shirley to Wagner), the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the revised TCPII/82/05 for the above referenced property, stamped as received by the Environmental Planning Section on August 16, 2005. The Environmental Planning Section recommends approval of DSP-04067 and TCPII/82/05, subject to the conditions in the Recommendations Section.

\*Denotes Amendment

Underlining indicates new language

[Brackets] indicate deleted language

### **Background**

The Environmental Planning Section previously reviewed applications for this site including the approvals of Basic Plan, A-9956; Conceptual Site Plan, CSP-03001 and Type I Tree Conservation Plan, TCPI/19/03. In 2003, Preliminary Plan of Subdivision 4-03094 was submitted and was approved with an 01 revision to the TCPI. The Planning Board's action regarding the preliminary plan is found in Planning Board Resolution No. 04-33. The Board's approval was for a total of 393 lots.

The scope of this review is for the first phase of 201 lots at the central and northeast portions of the overall 125.4-acre Balk Hill Village site.

### **Site Description**

The 125.4-acre property in the M-X-T Zone is located on the east side of MD 202 approximately 1,600 feet north of its intersection with Lottsford Road. Approximately 60 percent of this site has existing forest cover. Streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. MD 202 and Campus Way North have been identified as transportation-related noise generators. The soils found to occur according to the Prince George's County Soil Survey include Collington fine sandy loam, Ochlockonee sandy loam, Shrewsbury fine sandy loam and Westphalia fine sandy loam. Although some of these soils have limitations with respect to drainage and infiltration those limitations will have the greatest significance during the construction phase of any development of this property. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled, "Ecologically Significant Areas of Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The site is located in the headwaters of Western Branch, Bald Hill Branch and Southwestern Branch watersheds of the Patuxent River basin and in the Developing Tier as reflected in the approved General Plan.

### **Summary Of Prior Environmental Conditions Of Approval**

During the approval of the previous Preliminary Plans of Subdivision and Specific Design Plans by the Planning Board and/or District Council, numerous conditions were placed on the approvals, several of which dealt with environmental issues to be addressed during subsequent reviews.

**Conceptual Site Plan, CSP-03001 (PGCPB No. 03-176)**

8. **At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during, and after construction.**

Sheet 15 contains a note that reads: "Specimen tree preservation note per Condition 8 of CSP-03001:

Specimen trees to be preserved as part of this DSP shall be protected by a blaze orange plastic mesh fence around the perimeter of their branches. Installation of the blaze orange fence shall be in accordance with the detail provided on this detail sheet. Specimen trees located 75 feet outside the limits of disturbance shall be exempt from this requirement. Fencing shall be installed prior to the start of construction activity."

There are a total of 69 specimen trees that have been located at the overall site. There is a note on sheet 1 below the Significant Tree Table that states: "□ Indicates specimen trees that are currently being saved, and whose final disposition will be determined during a future phase of development." The square symbol in front of the note is in the table beside the applicable trees. Thirty-four specimen trees have this symbol beside them in the table. This note on the plan does not sufficiently address this condition because specific details, including a narrative about the proposed specimen tree treatments has not been provided. Remove this note below the table on sheet 1 and show the future disposition of all trees in the table as either removed or saved. Replace the third sentence in the note on sheet 15 to address Condition #8 so the third sentence reads: "All specimen trees within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." Sheet 15 has a root pruning detail; however, none of the specimen trees have been shown in the table or on the plan as having this treatment used as a preservation measure. The TCPII must graphically show each specimen tree within 100 feet of the limits of disturbance (LOD) and each tree's critical root zone in relation to the LOD and provide the critical root zone detail on the plan.

It should be noted, many specimen trees at the overall site are located on the west portion not included in the subject DSP. However, when the second phase undergoes DSP review, orange blaze fencing will not be sufficient to protect the specimen trees. In the future review for the second phase, the use of nonmoveable fencing such as installed in place 2 x 4 fencing or chain link a minimum of six feet in height must be shown on the TCPII.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during, and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within



100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.

**10. At time of submission of the Detailed Site Plan, the technical stormwater management plans shall be submitted.**

The DSP submittal included only a copy of the Stormwater Management Concept Plan Approval letter for Case # 4981-2002 that was issued by DER on January 19, 2003. The concept approval has an expiration date of December 19, 2005.

**Recommended Condition:** Prior to certificate approval of DSP-04067, a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.

**Preliminary Plan of Subdivision, 4-03094 Conditions to be addressed at DSP**

The approval of the Preliminary Plan of Subdivision included 23 conditions, two of which are associated with environmental issues to be addressed during DSP review. The two environmental conditions to be addressed during the review of the Detailed Site Plan are provided below.

1. **Prior to signature approval of the Preliminary Plan:**
  - b. **The Preliminary Plan and the Type I Tree Conservation Plan shall be revised:**
2. **To eliminate proposed PMA impacts associated with clearing of Lots 8-10, Block A in order to further minimize the extent of the proposed PMA impacts. The extent of proposed impact "A" shall be further evaluated and minimized to the extent possible prior to the submittal of the Detailed Site Plan.**

The submittal of DSP-04067 does not include the portion of the site where impact "A" is located. Therefore, this condition will be reviewed with the future submittal of a revised TCPII for the second phase of the development.

3. **A Type II Tree Conservation Plan shall be approved concurrently with the Detailed Site Plan.**

The submittal of DSP-04067 included a Type II Tree Conservation Plan to address this condition. See the Environmental Review part of this memo for specific comments about the TCPII.

### **Environmental Review**

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

- a. The Detailed Forest Stand Delineation (FSD) submitted with Preliminary Plan 4-03094 was previously reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

**Discussion:** No additional information is required with respect to the FSD.

- b. The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Tree Conservation Plan for the property, TCPI/19/03. A Type II Tree Conservation Plan, TCPII/82/05, has been submitted and reviewed.

The site contains 75.24 acres of existing woodland, of which 0.06 acres are within the 100-year floodplain. The site has a Woodland Conservation Threshold of 15 percent or 17.68 acres. The site has an overall woodland conservation requirement of 26.14 acres. The TCPII proposes to meet this requirement through the preservation of 10.39 acres of on-site preservation, 0.69 acres of reforestation and 15.05 acres of off-site mitigation on another property.

The TCPII submitted has been reviewed and revisions are required. The worksheet on the current plan has a shortage of 0.01 acres of required woodland conservation. The previous plan submittal showed the worksheet with a different total acreage for the gross tract (125.4). The current plan shows the computed figure of 117.89 acres as the gross tract. This represents a difference of 7.51 acres. The total area in this phase of the development appears to be inaccurate at 117.89 acres as now shown in the worksheet. If this acreage is correct, then the remaining 192 lots of the total 393 lots are proposed on the balance of the 7.51 acres. Use a phased worksheet to reflect the accurate acreage in this phase of the development and adjust the worksheet accordingly.

Sheets 13 and 14 previously showed an unlabeled pattern behind Lots 22-24. The revised plan no longer shows the pattern behind Lot 24 on sheet 13; however, it is still shown on sheet 14 in relation to Lots 22 and 23 and is identified as a future access road in relation to Parcel D where a stormwater management pond is proposed. Put the pattern on sheet 13, and add it to the legend on these sheets with a corresponding symbol.

The standard TCPII notes need several revisions. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase that should be removed from the plan. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.

On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland treatment area to the closest one-hundredth of an acre.

The Specimen Tree table needs several revisions. Specimen tree #200 is shown in the table to be removed; however, on the plan it is shown as saved and has a specimen tree sign associated with it. Reflect on the plan and the table the actual disposition of this tree. Specimen tree #226 is shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table this tree is shown to be removed. Specimen tree #261 is shown on sheet 14 as having a specimen tree sign in relation to it; however, on the plan it is more than 100 feet from the proposed limits of disturbance. Remove the specimen tree symbol from the plan in relation to specimen tree #261.

A total of 0.69 acres of reforestation is proposed. However, not all of the required information regarding the reforestation details has been shown on sheet 15. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.

Two retaining walls are proposed on sheet 14 in the rear yards of Lots 19-21 of Block O. Provide the profiles on the plan for each retaining wall because the walls will be located in front of a woodland conservation treatment area, and the required signage may not be visible depending on the height of the walls.

The Edge Management notes on sheet 15 are outdated. Replace these notes with the current Edge Management notes used by the Environmental Planning staff.

Sheet 14 shows Reforestation Area 1 located behind Lots 16-20 of Block O. In order to protect the reforestation area after planting, so that the area may mature into perpetual woodlands, the reforestation area must be completed prior to the issuance of building permits for Lots 16-20 of Block O. The reforestation area must be placed in a conservation easement.

After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:

- a. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.
- b. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
- c. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the

end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.

- d. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
- e. Reflect on the plan and the table the actual disposition of Specimen tree #200. It is shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
- f. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.
- g. Provide the profiles on the plan for each retaining wall.
- h. Replace the Edge Management notes on sheet 15 with the notes currently in use.
- i. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
- j. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

- c. The current TCPII shows the 65-dBA (Ldn) noise contour in relation to Campus Way North on sheets 11 and 13. However, Sheet 12 also has lots in relation to this traffic-noise generating road. Show the location of the 65-dBA (Ldn) noise contour on sheet 12. It appears that lots in proximity to Campus Way North are outside of this noise contour and no noise impacts are anticipated. In relation to MD 202, the site has lots located approximately 1400 feet set back from the road. It is anticipated that these lots are also outside of the 65-dBA (Ldn) noise contour.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.

\*[21.]c. In a memorandum dated April 29, 2005 (Bienenfeld to Wagner), the Historic Preservation Section offered the following comments with regard to archeology:

Phase I archeological survey is recommended by the county on the above-referenced property. Remains of the historic house, Rose Mount, are located in the northern portion of the property. The parcel was the subject of a Phase IA-type reconnaissance completed in September 2004 (*Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County*, R. Christopher Goodwin & Associates, Inc., 2004). That report consisted of results of an archival study, history of land ownership and land use of the property, and a pedestrian walkover of the parcel. No subsurface archeological testing was done for that study. A Phase I archeological field investigation, discussed below, was recommended in that report.

The reconnaissance study divided the subject parcel into five areas, A through E. Ruins and remains of agricultural outbuildings, most dating to the 20<sup>th</sup> century, were identified in the walkover of the property. Area A included main historic house complex, including the L-shaped foundation of the main residence, with bricks dating the structure to the early- to mid-19<sup>th</sup> century. Remains of two 20<sup>th</sup>-century structures were identified in Area B, and disturbed remains of three 20<sup>th</sup>-century structures were found in Area D. There were no structural remains in Areas C or E.

The reconnaissance report recommended the following for the Phase I investigation:  
**Area A** (the main plantation complex): clearing activities, Phase I shovel testing and retesting, with testing at 20-meter intervals and retesting at 10-meter intervals, and limited test excavations, if artifacts are found. The report also recommends mapping to locate and document the historic terrace system.

**Area B** (possible location for slave quarters, slave burials, and potential prehistoric activity loci): clearing of vegetation, and Phase I testing and retesting, using a minimal testing interval of 10 meters.

**Areas C, D, and E:** standard Phase I shovel testing at 20-meter intervals, with retesting at 10-meter intervals if artifacts are found.

\*Denotes Amendment

Underlining indicates new language

[Brackets] indicate deleted language

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations shall be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.

\*[22.]d. In a memorandum dated April 8, 2005 (Rea to Wagner), the Department of Environmental Resources/Concept has indicated that the site plan is consistent with the approved stormwater concept plan #315-2005.

\*[23.]e. In a memorandum dated April 6, 2005 from the City Manager of the City of Glenarden, the city was concerned with the amount of retail space offered by the development; that additional recreational facilities should be provided; that adequate roads are provided to serve the community; about a proposed connection of Campus Way over the Beltway to Brightseat Road.

With regard to retail space, the applicant is bound by the conditions of ZMA-A-9956-C. With regard to additional recreational facilities, additional facilities will be provided in Phase II of the development.

With regard to adequate roads to serve the community, a finding of adequate public facilities was made with the approval of Preliminary Plan 4-03094.

With regard to the extension of Campus Way North over the Beltway to Brightseat Road, there are no plans to extend Campus Way North at this time beyond the boundaries of the subject property. However, the extension of Campus Way North is shown on the approved Largo-Lottsford master plan.

\*20. The Order of Remand, dated March 13, 2006, offers the following reasons for the remand. Each reason for the remand listed by the District Council is included in bold face type below followed by Staff's comments:

**The Planning Board should state in its revised decision how transportation improvements proposed by (or required of) the applicant, for adequate public facilities purposes, relate to the design of the residential and commercial components shown on the plan.**

Comment: In a memorandum dated May 12, 2006, the Transportation Planning Section offered the following response to this element of the remand order:

\*Denotes Amendment  
Underlining indicates new language  
[Brackets] indicate deleted language



As a part of findings of adequacy, the subject site has been required to do the following:

1. Provide dedication and construction of Campus Way and St. Joseph's Drive within the limits of the subject property. These facilities have been reflected on all plans, and will be constructed as overall construction progresses.
2. Provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the applicant will provide a second eastbound left-turn lane along MD 202 at the McCormick Drive/St. Josephs Drive intersection.
3. Provide other streets, constructed to County standards, to adequately serve the access needs of this site and allow key vehicular connections to adjacent sites.

The residential components of the plan are well-designed with regard to the transportation facilities. The single-family residences are generally along primary and secondary residential streets, with the streets appropriately sized to foster good access and circulation. Larger single-family residences are placed along St. Josephs Drive. All homes along St. Josephs Drive and Campus Way are served by alleys, allowing the master plan roadways to be lined with manicured lawns and vegetation.

The commercial components of the plan are placed around the traffic circle along St. Josephs Drive, creating commercial activity at a transportation focal point. Necessary parking facilities are close at hand.

In all cases, exterior elements on the buildings echo the muted tones of new pavement and curbing.

The subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 2004 for Preliminary Plan of Subdivision 4-03094. These findings were supported by a traffic study submitted in 2003. Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the transportation staff can make a finding that the subject property will be served by adequate transportation facilities within a reasonable period of time.

**Comment:** Based on the Transportation Planning Section's comments above, it is clear that the required transportation improvements relate harmoniously to the design of the residential and commercial components shown on the plan and therefore fulfill the remand order in this respect.

\*Denotes Amendment

Underlining indicates new language

[Brackets] indicate deleted language

**Staff and Planning Board shall determine on the record whether the 19,800 square-foot retail component is of sufficient size to serve as a third use type, in the M-X-T Zone on the property.**

**Comment:** In a memorandum dated May 11, 2006, the Research Section stated that, based on their review of the submitted Regent Park Retail Market Study, prepared by the Center for Regional Analysis at George Mason University, they agree with the applicant's conclusion that the supply of retail space in the market area is substantially greater than the demand for retail by the residents in the area. Therefore, the offered 19,800-square-foot retail component of the subject development is more than adequate to meet market demand, and to require a larger retail component to fulfill the requirements of the M-X-T Zone would not be reasonable or advisable.

**Planning Board should also state in a revised decision how the design of the residential component of the project is consistent with public school facilities existing or programmed for the area including the subject property. The Board shall place in the record an explanation how the residential part of the project will affect neighborhood schools and school capacity.**

**Comment:** In a memorandum dated May 11, 2006, The Public Facilities Planning Section offered the following:

The existing enrollment and capacity of schools in the immediate area are shown on the table below.

<b>School Name</b>	<b>Capacity</b>	<b>Enrollment 2005-2006</b>	<b>Percent Capacity</b>
Lake Arbor E.S.	778	835	107
Ernest E. Just M.S.	990	1,111	112
Flowers H.S.	2,200	2,539	115

Source: Prince George's County Public Schools

The 192 single-family dwelling units will produce 46 elementary school students, 12 middle school students and 23 high school students. The Prince George's County Public Schools make the final assignment for specific schools. The Lake Arbor Elementary School has 835 students in the 2005-2006 school year and operates at 107% of capacity. If the 46 students generated by Balk Hill were to be assigned to that school it would operate at 113% of capacity. The 12 middle school students would attend Ernest Just Middle School, which has an expected enrollment of 1,111 in 2006, 112% of capacity. The 12 additional students would result in the school operating at 113% of capacity. Flowers High school is operating at 115% of capacity in 2006 and the 23 students generated by the Balk Hill development would change the operating capacity to 121%.

\*Denotes Amendment

Underlining indicates new language

[Brackets] indicate deleted language

There are no elementary or middle school projects in the current Capital Improvement Program for this area. The FY 06-2001 Capital Improvement Program does contain a project for a new high school which could provide some relief to the system but it is not expected to be completed before 2008.

Urban Design Comment: It would appear that the design of the residential component will result in a slight increase in the degree of overcrowding in the neighborhood schools. However, there is no required finding of adequacy of public schools at the time of detailed site plan.

As to the commercial or industrial area proposed adjacent to the subject property, the tract of approximately 20 acres to be conveyed to the Prince George's County Revenue Authority, the Planning Board shall require review and approval of the use of the 20-acre property, and the design of the use, as follows:

1. Regardless of ownership, no part of the 20-acre tract shall be eligible for permits until the Planning Board and District Council approve the use of the property and a detailed site plan for the use.

Comment: Staff has included this requirement as a recommended condition below.

2. Prior to detailed site plan application, the applicant (whether public or private) shall obtain advice from the Advisory Planning Committee about the proposed use and design of the property. This advice shall be reduced to writing and filed with the site plan application.

Comment: Staff has included this requirement as a recommended condition below.

The "Manor House" units shall not include rental or condominium units, and each Manor House unit shall contain exactly three attached "buildings," arranged or designed as "one-family dwellings, "in accordance with the Zoning Ordinance definition of a "townhouse."

Comment: Staff has included this requirement as a recommended condition below.

21. As required by Section 27-258(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

\*Denotes Amendment

Underlining indicates new language

[Brackets] indicate deleted language

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/82/05) and further \*[APPROVED Detailed Site Plan, Balk Hill for the above-described land, subject to the following conditions:] REAPPROVED the Detailed Site Plan DSP-04067 in accordance with the Order of Remand subject to the following conditions:

1. Prior to certification of the Detailed Site Plan, the following shall be provided:
  - a. Dimensions shall be provided for all sidewalks.
  - b. The tot lot shall be designed with high-quality play equipment and a rubberized safety surface.
  - c. Decorative lighting, to match the lighting in the retail area shall be provided in the central recreational open space area.
  - d. Architectural models shall be revised to provide a minimum of two standard architectural features, such as a door, window or masonry fireplace on the side elevations of all models.
  - e. Lot numbers and square footage shall be provided for all lots.
  - f. A note shall be added to the plan indicating that the lot coverage for single-family detached lots is 80 percent.
  - g. A note shall be added to the plan that all decks shall meet all building restriction lines.
  - h. Fencing details shall be provided. A maximum of three fencing styles shall be permitted.
  - i. All building, deck and fencing standards shall be entered into the Homeowners Association covenants. A copy of the covenants shall be provided to the Urban Design Section for review.
  - j. A note shall be added to the plan that porches may extend into the front building restriction line, but that chimneys and bay windows may not extend into the side yard.
  - k. The type, size, and style of lettering for the retail tenants shall be indicated on the architectural plan elevations.

\*Denotes Amendment

Underlining indicates new language

[Brackets} indicate deleted language

1. Side and rear architectural elevations shall be provided for the retail buildings. The retail buildings shall be brick on all four sides.
2. At the time of Detailed Site plan for Phase II, recreational facilities worth no less than \$100,000 shall be provided, based on a total of 201 dwelling units in Phase II. If the number of dwelling unites in Phase II is reduced, the amount of recreational facilities may be reduced accordingly.
3. Prior to issuance of Final Plats, the applicant shall enter into a private Recreational Facilities Agreement with the Urban Design Review Section. The private Recreational Facilities Agreement shall include the construction phasing of the various recreational facilities.
4. On corner lots where the sides of single-family detached homes are exposed to public streets, a brick watertable shall be provided along the entire length of the side elevations and windows and doors shall be provided with a minimum four-inch trim.
5. A minimum of 60 percent of the approved dwelling units shall have brick or stone front facades as shown on the approved architectural elevations. A tracking chart shall be provided on the coversheet of the Detailed Site Plan to account for the brick facades at the time of building permit.
6. No two identical facades may be located next to or across from one another.
7. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.
8. Prior to certificate approval of DSP-04067 a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.
9. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:
10. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.

11. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
12. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.
13. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
14. Reflect on the plan and the table the actual disposition of Specimen tree #200 shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
15. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.
16. Provide the profiles on the plan for each retaining wall.
17. Replace the Edge Management notes on sheet 15 with the notes currently in use.
18. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
19. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
20. The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
21. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.



22. Prior to the issuance of any permits, a Phase I archeological investigation shall be conducted, pursuant to the findings of Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County, by R. Christopher Goodwin & Associates, Inc., 2004.
23. Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the American Antiquity or Society of Historical Archaeology style guide. Archeological excavations should be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.
24. Regardless of ownership, no part of the approximately 20 acres of commercial and industrial land adjacent to the subject site to be conveyed to the Prince George's County Revenue Authority, shall be eligible for permits until the Planning Board and the District Council approve the use and a detailed site plan for the property.
25. Prior to submittal of the above-mentioned detailed site plan application, the applicant (whether public or private) shall obtain advice from the Advisory Planning Committee about the use and design of the property and reduce that advice to writing and file it with the site plan application.
26. The "Manor House" units shall not include rental or condominium units, and each Manor House unit shall contain exactly three attached "buildings," arranged or designed as "one-family dwellings, "in accordance with the Zoning Ordinance definition of a "townhouse."

\*Denotes Amendment

Underlining indicates new language

[Brackets} indicate deleted language

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner @, seconded by Commissioner @, with Commissioners @ voting in favor of the motion, at its regular meeting held on Thursday, June 1, 2006, in Upper Marlboro, Maryland.


Adopted by the Prince George's County Planning Board this 1<sup>st</sup> day of June 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RG:bjs

APPROVED AS TO LEGAL SUFFICIENCY.

  
M-NCPPC Legal Department

Date 5/24/06

**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

November 1, 2005

D.R. Horton, Inc.  
1370 Piccard Drive,  
Suite #230  
Rockville MD 20850

Re: Notification of Planning Board Action on  
**Detailed Site Plan DSP-04067**  
**Balk Hill Villages**

Dear Applicant:

This is to advise you that on **October 27, 2005** the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-290, the Planning Board's decision will become final 30 calendar days after the date of the final notice (**November 1, 2005**) of the Planning Board's decision unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or any Person of Record in the case; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-883-5784.)

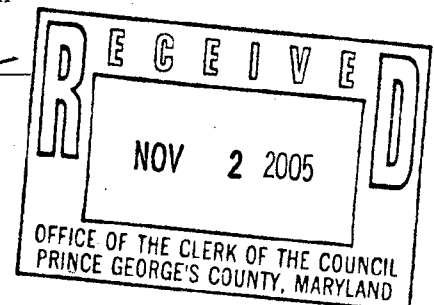
Please direct any future communication or inquiries regarding this matter to Ms. Redis C. Floyd, Clerk of the Council, at the above address.

Very truly yours,  
Faroll Hamer  
Development Review Division

By:   
Reviewer

c: Redis C. Floyd, Clerk to the County Council  
Persons of Record

PGCPB No. 05-202  
I:\forms\resol\dsp



PGCPB No. 05-202

File No. DSP-04067

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 29, 2006 regarding Detailed Site Plan DSP-04067 for Balk Hill Village, the Planning Board finds:

- Request:** The Detailed Site Plan is for Phase I of the development, consisting of 168 single-family dwelling units and 24 "manor house" dwelling units for a total of 192 units. The application also includes 16,500 square feet of commercial retail/office space and 3,300 square feet of community room space. A Conceptual Site Plan and Preliminary Plan have been approved by the Planning Board for up to 393 dwelling units, 20,000 square feet of retail and 328,000 square feet of office.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Residential, Commercial
Acreage (Total Site)	125.4	125.4
Lots (Phase I)	0	192
Parcels (Phase I)	0	3
Square Footage/GFA (Phase I)	0	16,500 SF Commercial; 3,300 Community Space
Dwelling Units:		192
Attached (Manor House)	0	24
Detached	0	168
Multifamily	0	0

**Floor Area Ratio (FAR) in the M-X-T Zone**

FAR Permitted:	(For Entire Development)
Base Density	0.4 FAR
Residential	1.0 FAR
Total Permitted	1.4 FAR (permitted under the Optional Method of Development, 27-545(b)(4), for provision of more than 20 dwelling units) (1.4 x 5,462,424 sf (gross site area)=7,647,394 sq. ft. permitted)

FAR Proposed (Phase I):	Residential	559,768 sq. ft.
	Retail	7,700 sq. ft.
	Office	8,800 sq. ft.

	Community Bldg. 3,300 sq. ft.
Total FAR (Phase I)	579,568 sq. ft. (0.106 FAR)

Parking Required (in conformance with Section 27-574 for the M-X-T Zone):	81 spaces
Parking Provided:	83 spaces

3. **Location:** The subject property consists of 125.4 acres in the M-X-T Zone and is located on the north side of MD 202 at its intersection with St. Joseph's Drive. The site is approximately 1,000 feet southeast of the interchange of the Capital Beltway (I-95) and MD 202.
4. **Surroundings:** To the southeast of the site is vacant land in the I-3 and C-O Zones; to the northeast is land in the R-S Zone, currently under development (Balk Hill); to the northwest is vacant land in the M-X-T Zone and to the southeast, across MD 202 is land in the I-3 Zone, currently under development. St. Joseph's parish is to the southeast of the site on the west side of St. Joseph's Drive.
5. **Design Features:** Phase I of Balk Hill Village consists of 192 dwelling units, 16,500 square feet of retail/office and 3,300 square feet of community space. Three separate two-story brick commercial buildings are proposed, with retail on the first floor of the buildings and office and community space above.

**Required Findings in the M-X-T Zone**

6. The proposed development is in conformance with the purposes and other provisions of this Division.

**Section 27-542. Purposes of the M-X-T Zone**

**(a) The purposes of the M-X-T Zone are:**

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**
- (2) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**
- (3) To promote the effective and optimum use of transit and other major transportation systems;**

- (4) **To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**
- (5) **To encourage diverse land uses which blend together harmoniously;**
- (6) **To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**
- (7) **To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**
- (8) **To permit a flexible response to the market; and**
- (9) **To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The Detailed Site Plan provides for a development that meets the above purposes of the M-X-T Zone. In general, the same finding can be made that was made by the Planning Board for the Conceptual Site Plan. Some portions of that finding that are applicable to the Detailed Site Plan are as follows:

“The plan proposes a mix of uses including a variety of residential types, retail and office in a village pattern utilizing a grid street system. The proposed development is located at a major intersection in the county where the office and retail will provide for an expanding source of desirable employment while also providing for an assortment of living opportunities for its citizens. A mixed-use development at this location maximizes the development potential inherent in the location of the zone and promotes the effective use of major transportation systems. The retail and office components have the ability to facilitate and encourage a 24-hour environment.

“The plan provides for a variety of residential opportunities in different settings that offer choices for the consumer. Three residential types are to be provided: single-family detached lots, manor homes, and triplex and quadplex units. The manor homes are multifamily units constructed to look like large single-family homes. The triplex and quadplex units are models that are designed to look more like townhouse units and will be interspersed with the single-family detached lots. A grid street pattern with a hierarchy of street widths, buildings sited close to the street, pedestrian sidewalks, and street trees will provide for animated streetscapes throughout the development. An open space system is evenly dispersed throughout the development, consisting of a centrally located 8- to 10-acre public open space with a stormwater management (SWM) pond on the west side of Saint Joseph’s Drive and a one-acre pocket park on the east side of Saint Joseph’s Drive.

“These features, connected together with a grid street pattern, create dynamic, functional relationships among individual uses within a distinctive visual character and identity. The Conceptual Site Plan for Balk Hill Village, with its mix of uses on a grid street pattern, promotes optimum land planning at this location with greater efficiency through the use of economies of scale and savings in energy beyond the scope of a single-purpose project. People who live and work in the community will also be able to shop, eat or work in a community that is walkable. The layout, with its diversity of uses and building types, will permit a flexible response to the market and freedom of architectural design has been allowed within the framework of the Detailed Site Plan.”

7. The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.

In general, the same finding can be made that was made by the Planning Board for the Conceptual Site Plan. Some portions of that finding that are applicable to the Detailed Site Plan are as follows:

“Along the frontage with future Campus Way North, the plan proposes to provide manor homes, which are multifamily units constructed to look like large single-family homes. The homes will be set back from the right-of-way by 50 feet. Within the 50-foot-wide bufferyard will be landscaping. Private pedestrian access to the front of the buildings has been provided in this location. The private pedestrian access periodically connects to the public sidewalk along the right-of-way. Along this most publicly visible edge of the development, the fronts of the manor homes will face Campus Way North, which will lend the development an impressive outward orientation.

“Along the western property line a wooded tributary will be preserved, screening the development from the adjacent vacant property in the M-X-T Zone (for Phase II of the development).

“Along the northeastern property line, the residential portion of the development will be screened from vacant property in the C-O and I-3 Zones by a small wooded tributary and by the employment of a landscape bufferyard in compliance with the requirements of the *Landscape Manual*.

“Along the southeastern property line, the proposed commercial development is deemed to be compatible with the adjacent property in the I-3 Zone.” This is in reference to the future office development on Lots 1 and 2 that are to be conveyed to the Revenue Authority.

Therefore, it can be concluded that the proposed development has an outward orientation that is physically and visually integrated with existing and future adjacent development.

8. The proposed development is compatible with existing and proposed development in the vicinity.

The same finding can be made that was made by the Planning Board for the Conceptual Site Plan, which is as follows:



“As explained in Finding 5 above, the proposed development will be compatible with existing and future adjacent development in the vicinity, either by virtue of the intrinsic compatibility of the adjacent land uses or by the existence of wooded areas and/or landscape buffers.”

9. The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

The same finding can be made that was made, in part, by the Planning Board for the Conceptual Site Plan, which is as follows:

The Detailed Site Plan “meets the above requirement by providing for a development with a mixture of residential units, commercial retail and office, and an open space system that is interconnected with a grid street pattern. The village development pattern creates dynamic, functional relationships among individual uses within a distinctive visual character and identity. The applicant proposes to provide a high-quality development of continuing quality and stability.”

10. If the development is staged, each building phase is designed as a self-sufficient entity while allowing for effective integration of subsequent phases.

The Conceptual Site Plan showed the development broken into five stages. The Detailed Site Plan incorporates several of the stages into one larger phase. This phase incorporates all of the unit types anticipated in the Conceptual Site Plan and several of the major amenities, such as the community building, fountain and pocket park. As such, the phasing of this portion of the development has been designed as a self-sufficient entity and allows for the effective integration of subsequent phases.

11. The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.

The same finding can be made that was made, in part, by the Planning Board for the Conceptual Site Plan, which is as follows:

“The grid street pattern will provide for a comprehensive pedestrian system. Sidewalks are proposed to be on both sides of all streets. The pedestrian system is convenient in that there will be easy access to the open space areas and to the village center where the Balk Hill Circle is located.”

12. On a Conceptual Site Plan for property placed in the M-X-T Zone by a sectional map amendment, transportation facilities that are existing; that are under construction; or for which 100 percent of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be

adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The property was placed in the M-X-T Zone by Zoning Map Amendment (Case No. A-9956-C), approved by the District Council on July 23, 2002. A finding of adequate public facilities was made with the approval of the Preliminary Plan, 4-03094.

13. Section 27-548.25 (a) of the Zoning Ordinance requires that a Detailed Site Plan be approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance. The detailed site plan submitted has been reviewed in accordance with those provisions and it can be found that the plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. The Detailed Site Plan is in conformance with the requirements of the *Landscape Manual*.
15. The Detailed Site Plan is in conformance with signage regulations of Part 12 of the Zoning Ordinance. Gateway entrance signage is provided at the entrance to the subdivision consisting of a low brick wall, brick columns and wrought iron fence. Metal letters will be mounted to a recessed brick panel on the corner brick columns indicating the initials RP for Regency Park.  
Signage for the retail will be located above doorways of individual tenants as shown on the architectural elevations. The applicant should indicate the type, size and style of lettering to be provided on the architectural elevations.
16. **Zoning Map Amendment A-9956-C:** The Conceptual Site Plan is in general conformance to Zoning Map Amendment A-9956-C. The following conditions warrant discussion:
  10. **An Advisory Planning Committee, consisting of the applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

By letters dated July 21, 2005, and September 7, 2005, (Arrington to Wagner) the applicant has provided documentation that an Advisory Planning Committee has been established and officers have been elected to advise the Revenue Authority on the development and use of the 20-acre employment parcel. The letter indicates that the Committee will hold monthly meetings on the second Tuesday of each month for 2005 and if necessary, revise the schedule for 2006.

11. **The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.**

To meet the above requirement, the applicant has provided a large fountain in the center of the traffic circle with low, decorative fencing, landscaping and special paving. Since the traffic circle is too small to include an amphitheater, and to encourage pedestrians to cross St. Josephs Drive to use such a facility would be a safety hazard, an amphitheater is not recommended. The applicant has also provided a village green in front of the retail space with benches, special paving, landscaping and pedestrian-scaled lighting that is oriented to the circle and provides views to the water feature.

**12. The community building shall be designed with an area suitable for community theatrical productions.**

The community building is to be located on the second floor of one of the three retail buildings located at the traffic circle on Saint Joseph's Drive and consist of approximately 3,300 square feet of space. The space has been designed to accommodate theatrical productions with the provision of a collapsible stage with approximately 48 moveable seats, suitable for theatrical productions. The facility will also have the ability to be used for other functions when it is not in use for theatrical productions. The facility will also include a warming kitchen, large screen television, internet connections, room dividers and a storage area.

17. **Conceptual Site Plan, CSP-03001:** The Detailed Site Plan is in general conformance to the Conceptual Site Plan. For information regarding transportation issues, see Finding 19 below. For information regarding environmental issues, see Finding 20 below.

18. **Preliminary Plan, 4-03094:** The Detailed Site Plan is in general conformance with the Preliminary Plan. The following conditions warrant discussion:

**6. At the appropriate state of development, the applicant, his heirs, successors, and/or assignees shall provide the following:**

**c. Provide standard sidewalks along both sides of all other internal roads, per the concurrence with DPW&T.**

Sidewalks have been provided on both sides of all streets; however, dimensions should be provided for all sidewalks.

**8. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.**

Adequate recreational facilities have been provided for Phase I of the development. A 30,000± square-foot central recreation open space has been provided that contains a tot lot, benches, an open grass play area, a walking trail and landscaping. The community has requested that the play

area be provided with a rubberized safety surface and that activity stations be provided around the trail. The applicant has also provided a large fountain in the traffic circle and benches, lighting, special paving and landscaping in the village green area in front of the retail buildings.

- 16. A Phase I archeology study shall be performed prior to the approval of the Detailed Site Plan. The study shall pay particular attention to possible burials, including slave burials, and possible slave quarters.**

See Finding 21 below for information regarding this condition.

- 21. The relationship of the community building, the retail commercial buildings on Lots 1-9, Block D, and the office use on Parcels 1 and 2 shall be determined at the time of the first Detailed Site Plan submitted for any portion of the entire site.**

As mentioned above, the community building is to be located on the second floor of one of the three retail buildings located at the traffic circle on Saint Joseph's Drive and consist of approximately 3,300 square feet of space. The retail/office buildings are designed to have pedestrian connections between the buildings to be able to access the parking to the rear of the buildings. The pedestrian connections will also serve as access to the retail space from the future office development on Parcels 1 and 2.

- 23. At the submission of the first Detailed Site Plan, the applicant shall submit documentation on the structure of the Advisory Planning Committee and how it will function to advise the Revenue Authority on the development of Parcels 1 and 2 pursuant to Condition 10 of Zoning Map Amendment A-9956-C. As part of the documentation noted above, it shall include confirmation that the representatives from the required membership have been duly chosen by their respective organizations.**

See discussion under Finding 16 above.

#### **Referrals**

19. In a memorandum dated September 2, 2005 (Masog to Wagner), the Transportation Planning Division offered the following comments:

The Transportation Planning Section has reviewed the application referenced above. The application involves construction of residential units on a portion of a mixed-use development. The entire Balk Hill Village development consists of approximately 125.4 acres of land in the M-X-T Zone. The property is located north and east of MD 202; it straddles the proposed alignment for St. Joseph's Drive and is south and west of the proposed alignment for Campus Way. The application proposes the development of 192 residences and 9 triplex retail units.

Prior applications A-9956, CSP-03001, and 4-03094 contain a number of transportation-related conditions. The status of the transportation-related conditions is summarized below:

A-9956:

Condition 1: Requires construction of Campus Way and St. Joseph's Drive within the limits of the subject property. These facilities are reflected on the plans and will be constructed as overall construction progresses.

Condition 2: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro rata basis. This was reiterated at the time of preliminary plan, and is addressed through conditions on that plan.

Condition 3: Requires that adequate right-of-way for needed master plan facilities is provided. This was confirmed during review of the preliminary plan, and submitted plans show adequate right-of-way where needed.

Condition 4: Requires further study at Campus Way/St. Joseph's Drive. This condition was enforceable at the time of preliminary plan, and this intersection was studied further at that time.

Condition 5: Caps development of the property. The development proposed under this site plan is estimated to generate 158 AM and 188 PM peak-hour vehicle trips. This is well within the overall trip cap indicated by this condition.

CSP-03001:

Condition 3: Requires an extension of Ruby Lockhart Boulevard to the west property line as a 70-foot right-of-way. This was done at the time of preliminary plan and is reflected on this plan.

4-03094:

Condition 1d: Requires the elimination of on-street parking along St. Joseph's Drive. Also requires that curve radii along all streets be increased to a minimum of 300 feet. The on-street parking is a permitting issue under the authority of the county Department of Public Works and Transportation (DPW&T) and is not reviewable under this plan. All streets shown on the plan conform to the 300-foot minimum for curvature.

Condition 18: Requires dedication along proposed Campus Way and St. Joseph's Drive within the limits of the subject property. This is reflected on the plans, and these roadways will be constructed within the dedicated rights-of-way.

Condition 19: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro rata basis. This condition will be enforced at the time of building permit.

Access and circulation within the area of plan is acceptable.

The subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 2004 for Preliminary Plan of Subdivision 4-03094. These

findings were supported by a traffic study submitted in 2003. Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the transportation staff can make a finding that the subject property will be served by adequate transportation facilities within a reasonable period of time.

20. In a memorandum dated August 31, 2005 (Shirley to Wagner), the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the revised TCPII/82/05 for the above referenced property, stamped as received by the Environmental Planning Section on August 16, 2005. The Environmental Planning Section recommends approval of DSP-04067 and TCPII/82/05, subject to the conditions in the Recommendations Section.

#### **Background**

The Environmental Planning Section previously reviewed applications for this site including the approvals of Basic Plan, A-9956; Conceptual Site Plan, CSP-03001 and Type I Tree Conservation Plan, TCPI/19/03. In 2003, Preliminary Plan of Subdivision 4-03094 was submitted and was approved with an 01 revision to the TCPI. The Planning Board's action regarding the preliminary plan is found in Planning Board Resolution No. 04-33. The Board's approval was for a total of 393 lots.

The scope of this review is for the first phase of 201 lots at the central and northeast portions of the overall 125.4-acre Balk Hill Village site.

#### **Site Description**

The 125.4-acre property in the M-X-T Zone is located on the east side of MD 202 approximately 1,600 feet north of its intersection with Lottsford Road. Approximately 60 percent of this site has existing forest cover. Streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. MD 202 and Campus Way North have been identified as transportation-related noise generators. The soils found to occur according to the Prince George's County Soil Survey include Collington fine sandy loam, Ochlockonee sandy loam, Shrewsbury fine sandy loam and Westphalia fine sandy loam. Although some of these soils have limitations with respect to drainage and infiltration those limitations will have the greatest significance during the construction phase of any development of this property. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled, "Ecologically Significant Areas of Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The site is located in the headwaters of Western Branch, Bald Hill Branch and Southwestern Branch watersheds of the Patuxent River basin and in the Developing Tier as reflected in the approved General Plan.

### Summary Of Prior Environmental Conditions Of Approval

During the approval of the previous Preliminary Plans of Subdivision and Specific Design Plans by the Planning Board and/or District Council, numerous conditions were placed on the approvals, several of which dealt with environmental issues to be addressed during subsequent reviews.

#### Conceptual Site Plan, CSP-03001 (PGCPB No. 03-176)

8. **At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during, and after construction.**

Sheet 15 contains a note that reads: "Specimen tree preservation note per Condition 8 of CSP-03001:

Specimen trees to be preserved as part of this DSP shall be protected by a blaze orange plastic mesh fence around the perimeter of their branches. Installation of the blaze orange fence shall be in accordance with the detail provided on this detail sheet. Specimen trees located 75 feet outside the limits of disturbance shall be exempt from this requirement. Fencing shall be installed prior to the start of construction activity."

There are a total of 69 specimen trees that have been located at the overall site. There is a note on sheet 1 below the Significant Tree Table that states: "□ Indicates specimen trees that are currently being saved, and whose final disposition will be determined during a future phase of development." The square symbol in front of the note is in the table beside the applicable trees. Thirty-four specimen trees have this symbol beside them in the table. This note on the plan does not sufficiently address this condition because specific details, including a narrative about the proposed specimen tree treatments has not been provided. Remove this note below the table on sheet 1 and show the future disposition of all trees in the table as either removed or saved. Replace the third sentence in the note on sheet 15 to address Condition #8 so the third sentence reads: "All specimen trees within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." Sheet 15 has a root pruning detail; however, none of the specimen trees have been shown in the table or on the plan as having this treatment used as a preservation measure. The TCPII must graphically show each specimen tree within 100 feet of the limits of disturbance (LOD) and each tree's critical root zone in relation to the LOD and provide the critical root zone detail on the plan.

It should be noted, many specimen trees at the overall site are located on the west portion not included in the subject DSP. However, when the second phase undergoes DSP review, orange blaze fencing will not be sufficient to protect the specimen trees. In the future review for the second phase, the use of nonmoveable fencing such as installed in place 2 x 4 fencing or chain link a minimum of six feet in height must be shown on the TCPII.



**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during, and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.

10. **At time of submission of the Detailed Site Plan, the technical stormwater management plans shall be submitted.**

The DSP submittal included only a copy of the Stormwater Management Concept Plan Approval letter for Case # 4981-2002 that was issued by DER on January 19, 2003. The concept approval has an expiration date of December 19, 2005.

**Recommended Condition:** Prior to certificate approval of DSP-04067, a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.

**Preliminary Plan of Subdivision, 4-03094 Conditions to be addressed at DSP**

The approval of the Preliminary Plan of Subdivision included 23 conditions, two of which are associated with environmental issues to be addressed during DSP review. The two environmental conditions to be addressed during the review of the Detailed Site Plan are provided below.

1. **Prior to signature approval of the Preliminary Plan:**
  - b. **The Preliminary Plan and the Type I Tree Conservation Plan shall be revised:**
2. **To eliminate proposed PMA impacts associated with clearing of Lots 8-10, Block A in order to further minimize the extent of the proposed PMA impacts. The extent of proposed impact "A" shall be further evaluated and minimized to the extent possible prior to the submittal of the Detailed Site Plan.**

The submittal of DSP-04067 does not include the portion of the site where impact "A" is located. Therefore, this condition will be reviewed with the future submittal of a revised TCPII for the second phase of the development.

**3. A Type II Tree Conservation Plan shall be approved concurrently with the Detailed Site Plan.**

The submittal of DSP-04067 included a Type II Tree Conservation Plan to address this condition. See the Environmental Review part of this memo for specific comments about the TCPII.

**Environmental Review**

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

- a. The Detailed Forest Stand Delineation (FSD) submitted with Preliminary Plan 4-03094 was previously reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

**Discussion:** No additional information is required with respect to the FSD.

- b. The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Tree Conservation Plan for the property, TCPI/19/03. A Type II Tree Conservation Plan, TCPII/82/05, has been submitted and reviewed.

The site contains 75.24 acres of existing woodland, of which 0.06 acres are within the 100-year floodplain. The site has a Woodland Conservation Threshold of 15 percent or 17.68 acres. The site has an overall woodland conservation requirement of 26.14 acres. The TCPII proposes to meet this requirement through the preservation of 10.39 acres of on-site preservation, 0.69 acres of reforestation and 15.05 acres of off-site mitigation on another property.

The TCPII submitted has been reviewed and revisions are required. The worksheet on the current plan has a shortage of 0.01 acres of required woodland conservation. The previous plan submittal showed the worksheet with a different total acreage for the gross tract (125.4). The current plan shows the computed figure of 117.89 acres as the gross tract. This represents a difference of 7.51 acres. The total area in this phase of the development appears to be inaccurate at 117.89 acres as now shown in the worksheet. If this acreage is correct, then the remaining 192 lots of the total 393 lots are proposed on the balance of the 7.51 acres. Use a phased worksheet to reflect the accurate acreage in this phase of the development and adjust the worksheet accordingly.

Sheets 13 and 14 previously showed an unlabeled pattern behind Lots 22-24. The revised plan no longer shows the pattern behind Lot 24 on sheet 13; however, it is still shown on sheet 14 in relation to Lots 22 and 23 and is identified as a future access road in relation to Parcel D where a

stormwater management pond is proposed. Put the pattern on sheet 13, and add it to the legend on these sheets with a corresponding symbol.

The standard TCPII notes need several revisions. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase that should be removed from the plan. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.

On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland treatment area to the closest one-hundredth of an acre.

The Specimen Tree table needs several revisions. Specimen tree #200 is shown in the table to be removed; however, on the plan it is shown as saved and has a specimen tree sign associated with it. Reflect on the plan and the table the actual disposition of this tree. Specimen tree #226 is shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table this tree is shown to be removed. Specimen tree #261 is shown on sheet 14 as having a specimen tree sign in relation to it; however, on the plan it is more than 100 feet from the proposed limits of disturbance. Remove the specimen tree symbol from the plan in relation to specimen tree #261.

A total of 0.69 acres of reforestation is proposed. However, not all of the required information regarding the reforestation details has been shown on sheet 15. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.

Two retaining walls are proposed on sheet 14 in the rear yards of Lots 19-21 of Block O. Provide the profiles on the plan for each retaining wall because the walls will be located in front of a woodland conservation treatment area, and the required signage may not be visible depending on the height of the walls.

The Edge Management notes on sheet 15 are outdated. Replace these notes with the current Edge Management notes used by the Environmental Planning staff.

Sheet 14 shows Reforestation Area 1 located behind Lots 16-20 of Block O. In order to protect the reforestation area after planting, so that the area may mature into perpetual woodlands, the reforestation area must be completed prior to the issuance of building permits for Lots 16-20 of Block O. The reforestation area must be placed in a conservation easement.

After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:

- a. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.
- b. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
- c. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.
- d. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
- e. Reflect on the plan and the table the actual disposition of Specimen tree #200. It is shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
- f. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.
- g. Provide the profiles on the plan for each retaining wall.
- h. Replace the Edge Management notes on sheet 15 with the notes currently in use.
- i. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
- j. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

- c. The current TCPII shows the 65-dBA (Ldn) noise contour in relation to Campus Way North on sheets 11 and 13. However, Sheet 12 also has lots in relation to this traffic-noise generating road. Show the location of the 65-dBA (Ldn) noise contour on sheet 12. It appears that lots in proximity to Campus Way North are outside of this noise contour and no noise impacts are anticipated. In relation to MD 202, the site has lots located approximately 1400 feet set back from the road. It is anticipated that these lots are also outside of the 65-dBA (Ldn) noise contour.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.

21. In a memorandum dated April 29, 2005 (Bienenfeld to Wagner), the Historic Preservation Section offered the following comments with regard to archeology:

Phase I archeological survey is recommended by the county on the above-referenced property. Remains of the historic house, Rose Mount, are located in the northern portion of the property. The parcel was the subject of a Phase IA-type reconnaissance completed in September 2004 (*Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County*, R. Christopher Goodwin & Associates, Inc., 2004). That report consisted of results of an archival study, history of land ownership and land use of the property, and a pedestrian walkover of the parcel. No subsurface archeological testing was done for that study. A Phase I archeological field investigation, discussed below, was recommended in that report.

The reconnaissance study divided the subject parcel into five areas, A through E. Ruins and remains of agricultural outbuildings, most dating to the 20<sup>th</sup> century, were identified in the walkover of the property. Area A included main historic house complex, including the L-shaped foundation of the main residence, with bricks dating the structure to the early- to mid-19<sup>th</sup> century. Remains of two 20<sup>th</sup>-century structures were identified in Area B, and disturbed remains of three 20<sup>th</sup>-century structures were found in Area D. There were no structural remains in Areas C or E.

The reconnaissance report recommended the following for the Phase I investigation:

**Area A** (the main plantation complex): clearing activities, Phase I shovel testing and retesting, with testing at 20-meter intervals and retesting at 10-meter intervals, and limited test excavations,

if artifacts are found. The report also recommends mapping to locate and document the historic terrace system.

**Area B** (possible location for slave quarters, slave burials, and potential prehistoric activity loci): clearing of vegetation, and Phase I testing and retesting, using a minimal testing interval of 10 meters.

**Areas C, D, and E:** standard Phase I shovel testing at 20-meter intervals, with retesting at 10-meter intervals if artifacts are found.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations shall be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.

22. In a memorandum dated April 8, 2005 (Rea to Wagner), the Department of Environmental Resources/Concept has indicated that the site plan is consistent with the approved stormwater concept plan #315-2005.
23. In a memorandum dated April 6, 2005 from the City Manager of the City of Glenarden, the city was concerned with the amount of retail space offered by the development; that additional recreational facilities should be provided; that adequate roads are provided to serve the community; about a proposed connection of Campus Way over the Beltway to Brightseat Road.

With regard to retail space, the applicant is bound by the conditions of ZMA-A-9956-C. With regard to additional recreational facilities, additional facilities will be provided in Phase II of the development.

With regard to adequate roads to serve the community, a finding of adequate public facilities was made with the approval of Preliminary Plan 4-03094.

With regard to the extension of Campus Way North over the Beltway to Brightseat Road, there are no plans to extend Campus Way North at this time beyond the boundaries of the subject property. However, the extension of Campus Way North is shown on the approved Largo-Lottsford master plan.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII/82/05) and further APPROVED Detailed Site Plan, Balk Hill for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan, the following shall be provided:
  - a. Dimensions shall be provided for all sidewalks.
  - b. The tot lot shall be designed with high-quality play equipment and a rubberized safety surface.
  - c. Decorative lighting, to match the lighting in the retail area shall be provided in the central recreational open space area.
  - d. Architectural models shall be revised to provide a minimum of two standard architectural features, such as a door, window or masonry fireplace on the side elevations of all models.
  - e. Lot numbers and square footage shall be provided for all lots.
  - f. A note shall be added to the plan indicating that the lot coverage for single-family detached lots is 80 percent.
  - g. A note shall be added to the plan that all decks shall meet all building restriction lines.
  - h. Fencing details shall be provided. A maximum of three fencing styles shall be permitted.
  - i. All building, deck and fencing standards shall be entered into the Homeowners Association covenants. A copy of the covenants shall be provided to the Urban Design Section for review.
  - j. A note shall be added to the plan that porches may extend into the front building restriction line, but that chimneys and bay windows may not extend into the side yard.
  - k. The type, size, and style of lettering for the retail tenants shall be indicated on the architectural plan elevations.
  - l. Side and rear architectural elevations shall be provided for the retail buildings. The retail buildings shall be brick on all four sides.
2. At the time of Detailed Site plan for Phase II, recreational facilities worth no less than \$100,000 shall be provided, based on a total of 201 dwelling units in Phase II. If the number of dwelling unites in Phase II is reduced, the amount of recreational facilities may be reduced accordingly.
3. Prior to issuance of Final Plats, the applicant shall enter into a private Recreational Facilities Agreement with the Urban Design Review Section. The private Recreational Facilities Agreement shall include the construction phasing of the various recreational facilities.



4. On corner lots where the sides of single-family detached homes are exposed to public streets, a brick watertable shall be provided along the entire length of the side elevations and windows and doors shall be provided with a minimum four-inch trim.
5. A minimum of 60 percent of the approved dwelling units shall have brick or stone front facades as shown on the approved architectural elevations. A tracking chart shall be provided on the coversheet of the Detailed Site Plan to account for the brick facades at the time of building permit.
6. No two identical facades may be located next to or across from one another.
7. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.
8. Prior to certificate approval of DSP-04067 a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.
9. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:
10. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.
11. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
12. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.

13. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
14. Reflect on the plan and the table the actual disposition of Specimen tree #200 shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
15. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.
16. Provide the profiles on the plan for each retaining wall.
17. Replace the Edge Management notes on sheet 15 with the notes currently in use.
18. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
19. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
20. The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
21. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.
22. Prior to the issuance of any permits, a Phase I archeological investigation shall be conducted, pursuant to the findings of Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County, by R. Christopher Goodwin & Associates, Inc., 2004.
23. Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the American

Antiquity or Society of Historical Archaeology style guide. Archeological excavations should be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 29, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of October 2005.

Trudye Morgan Johnson  
Executive Director

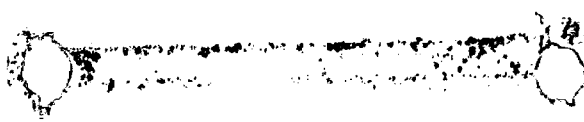
*Frances J. Guertin*  
By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:GW:rmk

APPROVED AS TO LEGAL SUFFICIENCY

M-NCPPC Legal Department

APPROVED AS TO LEGAL SUFFICIENCY.  
*Mac*  
M-NCPPC Legal Department  
Date 10-18-05



## ADDENDUM TO DISTRICT COUNCIL DECISIONS

Project Name: BALK HILL VILLAGE  
DSP-04067

The Subject: 192 Single-family detached and attached units and  
19,800 square feet of commercial retail and office space.

Is composed of:

1	Cover Sheet - Detailed Site Plan
1	Approval Sheet
1	Template Sheet
13	Detailed Site Plans
1	Cover Sheet - Landscape Plan
13	Landscape Plans
3	Landscape Detailed Sheet
1	Cover Sheet – Type II Tree Conservation Plan
14	Type II Tree Conservation Plans
43	Architectural Elevations

The validity period of this application is: 3 Years

The expiration date is: July 18, 2009



THE PRINCE GEORGE'S COUNTY GOVERNMENT

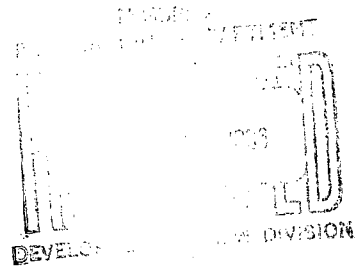
Office of the Clerk of the Council  
(301) 952-3600

Carly W.

March 21, 2006

RE: SP 04067 Balk Hill Village

**NOTICE OF FINAL DECISION  
OF THE DISTRICT COUNCIL**



Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on March 13, 2006.

**CERTIFICATE OF SERVICE**

This is to certify that on March 21, 2006, this notice and attached Council Order were mailed, postage prepaid, to all persons of record.

*Redis C. Floyd*

Redis C. Floyd  
Clerk of the Council

(10/97)

Case No. SP-04067

Applicant: D.R. Horton, Inc.

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ORDER OF REMAND

IT IS HEREBY ORDERED, after review of the administrative record, that Application No. SP-04067, approved by the Planning Board in PGCPB No. 05-202, with a detailed site plan showing 192 single-family residences, detached and attached, and 19,800 square feet of commercial retail and office space, on property known as Balk Hill, described as 125.4 acres of land in the M-X-T Zone, located 2,500 feet northwest of the intersection of Campus Way North and Lottsford Road, Mitchellville, is hereby:

REMANDED to the Planning Board, for the following reasons:

- A. The Planning Board should state in its revised decision how transportation improvements proposed by (or required of) the applicant, for adequate public facilities purposes, relate to the design of the residential and commercial components shown on the plan.
- B. Staff and Planning Board shall determine on the record whether the 19,800 square-foot retail component is of sufficient size to serve as a third use type, in the M-X-T Zone on the property.
- C. The Planning Board should also state in a revised decision how the design of the residential component of the project is consistent with public school facilities existing or programmed for the area including the subject property. The Board shall place in the record an explanation how the residential part of the project will affect neighborhood schools and school capacity.

D. As to the commercial or industrial area proposed adjacent to the subject property, the tract of approximately 20 acres to be conveyed to the Prince George's County Revenue Authority, the Planning Board shall require review and approval of the use of the 20-acre property, and the design of the use, as follows:

1. Regardless of ownership, no part of the 20-acre tract shall be eligible for permits until the Planning Board and District Council approve the use of the property and a detailed site plan for the use.

2. Prior to detailed site plan application, the applicant (whether public or private) shall obtain advice from the Advisory Planning Committee about the proposed use and design of the property. This advice shall be reduced to writing and filed with the site plan application.

E. The "Manor House" units shall not include rental or condominium units, and each Manor House unit shall contain exactly three attached "buildings," arranged or designed as "one-family dwellings," in accordance with the Zoning Ordinance definition of a "townhouse."

The Planning Board shall complete the hearing and report in time for this case to be placed on the District Council agenda of June 19, 2006.

Ordered this 13th day of March, 2006, by the following vote:

In Favor: Council Members Dernoga, Bland, Campos, Dean, Harrington, Hendershot and Peters

Opposed:


Abstained:

Absent: Council Members Exum and Knotts

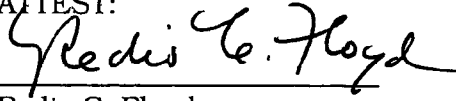


Vote: 7-0

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

By:   
Thomas E. Dernoga, Chairman

ATTEST:

  
Redis C. Floyd  
Clerk of the Council



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
(301) 952-3600

October 4, 2002

RE: A 9956 Rocky Gorge Homes (Balk Hill)

## ***NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL***

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on July 23, 2002.

## ***CERTIFICATE OF SERVICE***

This is to certify that on October 4, 2002 this notice and attached Council Order were mailed, postage prepaid, to all persons of record.

Redis C. Floyd  
Clerk of the Council

(10/97)

County Administration Building - Upper Marlboro, Maryland 20772

Case No.: A-9956-C

Applicant: Rocky Gorge Homes  
(Balk Hill)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 16 - 2002

AN ORDINANCE to amend the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, with conditions.

WHEREAS, Application A-9956-C was filed for property described as approximately 123.2 acres of land in the I-3 Zone, located 1,460 feet northwest of the intersection of Campus Way North and Lottsford Road, Largo, to rezone the property to the M-X-T Zone; and

WHEREAS, the application was advertised and the property posted prior to public hearing, in accordance with all requirements of law; and

WHEREAS, the application was reviewed by the Technical Staff which filed recommendations with the District Council; and

WHEREAS, a public hearing was held before the Zoning Hearing Examiner, who filed recommendations which the District Council has considered; and

WHEREAS, the District Council has determined, after consideration of the entire record, that the subject property should be rezoned to the M-X-T Zone; and

WHEREAS, in order to protect adjacent properties and the surrounding neighborhood, this rezoning is granted with conditions; and

WHEREAS, as the basis for this action, the District Council adopts the recommendations of the Zoning Hearing Examiner as its findings of fact and conclusions of law in this case.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland, is hereby amended by rezoning the property which is the subject of Application A-9956-C from the I-3 Zone to the M-X-T Zone.

SECTION 2. Application A-9956 is approved subject to the following conditions:

1. The following improvements shall be funded by the Applicant, with the timing to be determined at the time of preliminary plan of subdivision:
  - a. The construction of Campus Way as an arterial facility within the limits of the subject property.
  - b. The construction of St. Joseph's Drive as a collector facility within the limits of the subject property.
2. The Applicant shall provide an additional eastbound through lane along MD 202 through the I-95 interchange, and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the Applicant shall provide a second

eastbound left turn lane along MD 202 at the McCormick Drive/St. Joseph's Drive intersection. These improvements shall be either directly provided by the Applicant, or shall be funded by the Applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis to be determined at the time of preliminary plan of subdivision.

3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:
  - a. Campus Way, an arterial facility with a right-of-way of 120 feet.
  - b. St. Joseph's Drive, a collector facility with a right-of-way of 80 feet.
  - c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.
4. The Applicant shall study the planned Campus Way/St. Joseph's Drive intersection and the possible need for traffic controls at that location at the time of preliminary plan of subdivision.
5. The development of the subject property shall be limited to 20,000 square feet of retail space, 328,480 square feet of general office space, and 393 residences, or other permitted uses which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.
6. No more than 119 of the single-family dwelling units shall be attached units.
7. The Conceptual Site Plan shall include a tree stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams and where they serve as a buffer between the subject property and adjacent land.
8. At the time of Conceptual Site Plan, TCPI/05/97, shall be revised as required if areas along St. Joseph's Drive and Campus Way North are not proposed for woodland reforestation or preservation.

A-9956-C

9. All public sidewalks shall comply with applicable ADA standards and be free of above ground utilities and street trees.
10. An Advisory Planning Committee, consisting of the Applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.
11. The Applicant shall work with the Fox Lake and Ridgewood communities in restoring the entranceway hardscape and landscape at a cost not to exceed \$35,000.
12. The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.
13. The community building shall be designed with an area suitable for community theatrical productions.
14. No building permits shall be issued for Balk Hill Village until the percent of capacity at all affected school clusters is less than or equal to 105 percent or three years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement where the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council (if required) to construct or secure funding for construction of all or part of a school to advance capacity.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall become effective on the date of its enactment, but the rezoning shall not be effective until the Applicant accepts in writing the conditions attached to the rezoning.

Enacted this 23<sup>rd</sup> day of July, 2002, for initial approval, by the following vote:

In Favor: Council Members Shapiro, Dernoga, Hendershot, Knotts,

Rusell, Scott, and Wilson

Opposed: Council Member Bailey

Abstained:

Absent: Council Member Estapp

Vote: 7-1

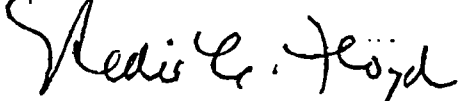
COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND,  
SITTING AS THE DISTRICT COUNCIL  
FOR THAT PART OF THE MARYLAND-  
WASHINGTON REGIONAL DISTRICT IN  
PRINCE GEORGE'S COUNTY, MARYLAND

BY:



Peter A. Shapiro, Chair

ATTEST:



Redis C. Floyd, Acting Clerk



Case No.: A-9956-C

Applicant: Rocky Gorge Homes  
(Balk Hill)

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate the Applicant's acceptance of conditional zoning and to grant final conditional zoning approval.

WHEREAS, the District Council in approving Application A-9956-C, to rezone the subject property from the I-3 Zone to the M-X-T Zone, attached conditions; and

WHEREAS, the applicant has duly consented in writing to the conditions; and

WHEREAS, the District Council, having reviewed the application and the administrative record, deems it appropriate to accept the Applicant's consent to the conditions and to approve final conditional rezoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Application A-9956-C is hereby granted. The Applicant's written acceptance of the conditions referred to above, at the time of initial conditional zoning approval, are hereby incorporated into this

A-9956-C

amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

SECTION 2. Use of the subject property as conditionally reclassified shall be subject to all requirements in the applicable zones and to the requirements in the conditions referred to above. Failure to comply with any stated condition shall constitute a zoning violation and shall be sufficient grounds for the District Council to annul the rezoning approved herein; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; or to take any other action deemed necessary to obtain compliance.

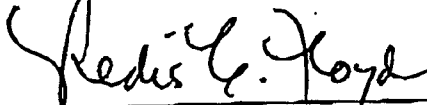
SECTION 3. This Ordinance is effective on October 1, 2002, the date of receipt of the Applicant's acceptance of the conditions imposed.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

BY: 

Peter A. Shapiro, Chair


ATTEST:



Redis C. Floyd, Clerk

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

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

  
September 30, 2003

Rocky Gorge Homes  
7611 Little River Turnpike  
Suite 101E  
Annandale, VA 22003

Re: Notification of Planning Board Action on  
**Conceptual Site Plan CSP-03001**  
**BALK HILL VILLAGE**

Dear Applicant:

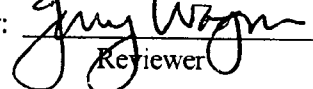
This is to advise you that on **September 25, 2003** the above-referenced Conceptual Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Section 27-280, the Planning Board's decision will become final 30 calendar days after the date of the final notice **September 30, 2003** of the Planning Board's decision unless:

1. Within the 30 days, a written appeal has been filed with the District Council by the applicant or any Person of Record in the case; or
2. Within the 30 days (or other period specified by Section 27-291), the District Council decides, on its own motion, to review the action of the Planning Board.

Please direct any future communication or inquiries regarding this matter to Ms. Redis C. Floyd, Clerk of the County Council, at the above address.

Very truly yours,  
Faroll Hamer  
Development Review Division

By:   
Reviewer

c: Redis C. Floyd, Clerk to the County Council  
Persons of Record

PGCPB No. 03-176

PGCPB No. 03-176

File No. CSP-03001

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Conceptual Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 11, 2003, regarding Conceptual Site Plan CSP-03001 for Balk Hill Village, the Planning Board finds:

1. The subject property consists of 125.4 acres in the M-X-T Zone and is located on the north side of MD 202 at its intersection with St. Joseph's Drive. The site is approximately 1,000 feet southeast of the interchange of the Capital Beltway (I-95) and MD 202. The site is currently vacant, as is all adjacent surrounding property except the existing St. Joseph's parish on the west side of St. Joseph's Drive.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	vacant	Residential, commercial
Acreage	125.4	125.4
Lots	0	393 residential
Parcels	0	0
Square Footage/GFA	0	328,480 sf commercial
Dwelling Units:		
Attached	0	60±
Detached	0	283±
Multifamily	0	50±

**Other Development Data**

**Floor Area Ratio (FAR) in the M-X-T Zone**

FAR Permitted:

Base Density	0.4 FAR
Residential	1.0 FAR
Total Permitted	1.4 FAR (permitted under the Optional Method of Development, 27-545(b)(4), for provision of more than 20 dwelling units) (1.4 x 5,462,424 sf (gross site area)=7,647,394 sf permitted)

FAR Proposed:

Residential	1,000,000 to 1,200,000 sf
Retail	18,000 to 20,000 sf
Commercial	300,000 to 329,480 sf
Total FAR	1,318,000 to 1,549,480 sf (0.24 to 0.28 FAR)

3. The Conceptual Site Plan represents a reasonable alternative for satisfying the Site Design Guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

**Required Findings in the M-X-T Zone**

4. *The proposed development is in conformance with the purposes and other provisions of this Division.*

**Section 27-542. Purposes of the M-X-T Zone**

(a) *The purposes of the M-X-T Zone are:*

- (1) *To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;*
- (2) *To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;*
- (3) *To promote the effective and optimum use of transit and other major transportation systems;*
- (4) *To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;*
- (5) *To encourage diverse land uses which blend together harmoniously;*
- (6) *To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;*
- (7) *To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;*
- (8) *To permit a flexible response to the market; and*
- (9) *To allow freedom of architectural design in order to provide an*

*opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.*

The Conceptual Site Plan provides for a development that meets the above purposes of the M-X-T Zone. The plan proposes a mix of uses including a variety of residential types, retail and office in a village pattern utilizing a grid street system. The proposed development is located at a major intersection in the county where the office and retail will provide for an expanding source of desirable employment while also providing for an assortment of living opportunities for its citizens. A mixed-use development at this location maximizes the development potential inherent in the location of the zone and promotes the effective use of major transportation systems. The retail and office components have the ability to facilitate and encourage a 24-hour environment.

The plan provides for a variety of residential opportunities in different settings that offer choices for the consumer. Three residential types are to be provided: single-family detached lots, manor homes, and triplex and quadplex units. The manor homes are multifamily units constructed to look like large single-family homes. The triplex and quadplex units are models that are designed to look more like townhouse units and will be interspersed with the single-family detached lots. A grid street pattern with a hierarchy of street widths, buildings sited close to the street, pedestrian sidewalks, and street trees will provide for animated streetscapes throughout the development. An open space system is evenly dispersed throughout the development, consisting of a centrally located 8- to 10-acre public open space with a stormwater management (SWM) pond on the west side of Saint Joseph's Drive and a one-acre pocket park on the east side of Saint Joseph's Drive. The larger open space is connected to an existing wooded tributary along the west side of the property. Two large specimen trees will be saved within the open space; a 50-inch diameter American Elm and a 59-inch Black Gum. The SWM pond in that area should be designed with naturalistic contours and as an amenity. Both open space areas should be provided with trails, sitting areas and other recreational facilities such as tot lots and tennis courts. All recreational facilities should be determined at the time of Preliminary Plan. These features, connected together with a grid street pattern, create dynamic, functional relationships among individual uses within a distinctive visual character and identity. The Conceptual Site Plan for Balk Hill Village, with its mix of uses on a grid street pattern, promotes optimum land planning at this location with greater efficiency through the use of economies of scale and savings in energy beyond the scope of a single-purpose project. People who live and work in the community will also be able to shop, eat or work in a community that is walkable. The layout, with its diversity of uses and building types, will permit a flexible response to the market and freedom of architectural design will be allowed within the framework of the Conceptual Site Plan.

5. *The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.*

Along the frontage with future Campus Way North, the plan proposes to provide manor homes, which are multifamily units constructed to look like large single-family homes. The homes will be set back from the right-of-way by 50 feet. Within the 50-foot-wide bufferyard will be landscaping. Private pedestrian access to the front of the buildings should be provided in this location. The private pedestrian access should periodically connect to the public sidewalk along the right-of-

way. Along this most publicly visible edge of the development, the fronts of the manor homes will face Campus Way North, which will lend the development an impressive outward orientation.

Along the western property line a wooded tributary will be preserved, screening the development from the adjacent vacant property in the M-X-T Zone.

Along the northeastern property line, the residential portion of the development will be screened from vacant property in the C-O and I-3 Zones by a small wooded tributary and by the employment of a landscape bufferyard in compliance with the requirements of the *Landscape Manual*.

Along the southeastern property line, the proposed commercial development is deemed to be compatible with the adjacent property in the I-3 Zone.

Therefore, it can be concluded that the proposed development has an outward orientation that is physically and visually integrated with existing and future adjacent development.

6. *The proposed development is compatible with existing and proposed development in the vicinity.*

As explained in Finding 5 above, the proposed development will be compatible with existing and future adjacent development in the vicinity, either by virtue of the intrinsic compatibility of the adjacent land uses or by the existence of wooded areas and/or landscape buffers.

7. *The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.*

The Conceptual Site Plan meets the above requirement by providing for a development with a mixture of residential units, commercial retail and office, and an open space system that is interconnected with a grid street pattern. The village development pattern creates dynamic, functional relationships among individual uses within a distinctive visual character and identity. The applicant proposes to provide a high-quality development of continuing quality and stability.

8. *If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases.*

The development is broken into five stages. At the conceptual level, the phasing appears to be adequate to ensure self-sufficient phases. The staging should be fine tuned as subsequent development plan approvals are obtained.

9. *The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.*

The grid street pattern will provide for a comprehensive pedestrian system. Sidewalks are proposed to be on both sides of all streets. The pedestrian system is convenient in that there will be easy access to the open space areas and to the village center where the Balk Hill Circle is



located. The applicant proposes that the circle be accommodated with a large fountain, special paving, benches, pedestrian lighting and landscaping. It is envisioned to be a public area for relaxation and repose. Pedestrian circulation could be improved if an eight-foot-wide hiker/biker trail were provided between the residential area in the northwest corner of the site and the Village center area via the stormwater management pond embankment (between Street C and Street D). Additionally, pedestrian paths should be provided throughout the common open spaces areas connecting the various recreational facilities to be provided.

10. *On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.*

The property was placed in the M-X-T Zone by Zoning Map Amendment (Case No. A-9956-C), approved by the District Council on July 23, 2002. Adequate public facilities will be reviewed at the time of Preliminary Plan.

#### **Conformance to Zoning Map Amendment A-9956-C**

11. The Conceptual Site Plan is in general conformance to Zoning Map Amendment A-9956-C. The following conditions warrant discussion:

10. **An Advisory Planning Committee, consisting of the applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

The applicant, by letter dated July 21, 2003 (Arrington to Wagner) has indicated that an Advisory Planning Committee has been established to advise the Community Development Corporation on the development and use of the 20-acre employment parcel. The Conceptual Site Plan does not show a pattern of development for the employment parcel, but generally states that "the design will be small in scale with parking areas generally located to the rear of buildings and screened from view of major roadways."

11. **The applicant shall work with the Fox Lake and Ridgewood communities in restoring the entranceway hardscape and landscape at a cost not to exceed \$35,000.**

The applicant, by letter dated July 21, 2003 (Arrington to Wagner), has indicated that the developer is working with the communities to provide assistance with the entrance restoration. The applicant has also noted that Lottsford Road is currently under

construction and that this resulted in the destruction of the entrance features. After the county has completed its work on Lottsford Road, the applicant intends to meet with the communities to provide additional landscape and hardscape in accordance with condition 11 above.

- 12. The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.**

The plan provides for a large fountain with landscaping, special paving, benches and pedestrian-scaled lighting to satisfy the above requirement. Conceptually, the plan is adequate and will be reviewed in more detail at the time of Detailed Site Plan to ensure that it meets the above requirements.

- 13. The community building shall be designed with an area suitable for community theatrical productions.**

The plan provides for two potential locations for the community building. The preferable location would be in the commercial area, close to the retail where parking could be shared between the office, retail and community building. This is particularly important since the community building is to provide theatrical productions. The other location is in the larger open space area at the intersection of Street A and St. Joseph's Drive. This location is less desirable since it is in a residential area where parking may be a problem. The potential buildable area for the community building would be approximately 1.5 acres. This area may be more suitable for private recreational facilities such as sitting areas, playgrounds, open play areas or tennis courts. The final size, location, and timing of construction of the community building should be determined at the time of Preliminary Plan.

### Referrals

11. In a memorandum dated July 14, 2003 (Masog to Wagner), the Transportation Planning Division offered the following comments. The subject property consists of approximately 125.4 acres of land in the M-X-T Zone. The property is located between MD 202 and Campus Way, at the intersection of MD 202 and McCormick Drive/St. Joseph's Drive. The applicant proposes to develop the property under the M-X-T zoning with 393 residences, nine retail units, and up to 348,480 square feet of mixed office and retail space.

The adequacy of transportation facilities was reviewed at the time of the property's rezoning to M-X-T under Zoning Map Amendment A-9956. When this has occurred, the adequacy of transportation facilities is not an issue in the review of a conceptual site plan. Adequacy findings and off-site transportation conditions are governed by conditions placed on A-9956, and will be re-reviewed at such time that the subject plan is the subject of a preliminary plan of subdivision.

### Review Comments

The current plan is a revision from an earlier plan on which the transportation staff provided comments. There continue to be several issues with the plan:

- a. St. Joseph's Drive is a master plan collector facility, and the alignment is substantially in conformance to the master plan. The Department of Public Works and Transportation (DPW&T) must determine the appropriateness of the traffic circle and approve its design elements. A full review should occur prior to preliminary plan approval.
- b. The slight rerouting of St. Joseph's Drive at Ruby Lockhart Boulevard results in a narrow green strip to the west of the street that could effectively prevent the Rouse property (about twice the size of this one zoned M-X-T) from obtaining access. If determined to be desirable and needed at the time of preliminary plan, Ruby Lockhart Boulevard must be extended beyond Saint Joseph's Drive to the west property line (a distance of 38 feet) as a 70-foot right-of-way.
- c. Approximately 80 percent of the single-family residences and all of the townhouse residences will be served by alleys, according to the plan. DPW&T generally does not support 50-foot rights-of-way in front of townhouses, but may allow them where alleys are present.
- d. The street typical sections shown appear to be consistent with current practices. The applicant is put on notice that all public streets must conform to DPW&T standards, and any variation from those standards must be approved by the Director of Public Works and Transportation.
- e. There will be no on-street parking along St. Joseph's Drive and along the traffic circle. The plan has not identified an area of off-street parking that will serve the attached residences around the circle.

#### **Compliance With Basic Plan Conditions**

The staff's review of this conceptual site plan application is part of an ongoing review that started with A-9956. There are several transportation-related conditions in the District Council order approving the Basic Plan that require follow-up during the staff's review of succeeding plans:

**Condition 1:** Requires construction of Campus Way and St. Joseph's Drive within the limits of the subject property. Timing will be determined at the time of preliminary plan.

**Condition 2:** Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro-rata basis. Timing will be determined at the time of preliminary plan.

**Condition 3:** Requires that adequate right-of-way for needed master plan facilities is provided. The submitted plans show adequate right-of-way where needed.

Condition 4: Requires further study at Campus Way/St/ Joseph's Drive. This condition is enforceable at the time of preliminary plan.

Condition 5: Caps development of the property. The upper end of the current proposal appears to slightly exceed the cap shown in this condition, while the lower quantity of office and retail space would conform. Conformance with this condition will be determined when a traffic study is submitted at the time of the preliminary plan. In any regard, the cap contained in this condition shall govern.

### **Conclusions**

The Transportation Planning Section finds that the conceptual site plan represents a reasonable alternative for satisfying the site design guidelines related to transportation. Furthermore, the plan is in general conformance with the transportation elements of the approved Basic Plan. These findings are subject to conditions 2-4 in the Recommendation Section.

12. In a memorandum dated June 25, 2003 (Ingrum to Wagner), the Environmental Planning Section offered the following comments. The Environmental Planning Section has reviewed the above referenced revised Conceptual Site Plan and Type I TCP, stamped as accepted for processing by the Countywide Planning Division on June 13, 2003. CSP-03001 and TCPI/19/03 are recommended for approval subject to the conditions at the end of this memorandum. This memorandum supercedes all previous memorandums from this section concerning this case.

### **Background**

The Environmental Planning Section previously reviewed rezoning application number A-9956 for the rezoning of the subject property from Industrial (I-3) zone to the Mixed Use-Transportation Oriented Zone (M-X-T). A portion of the site is subject to TCPI/05/97, which was approved with preliminary plan 4-97013.

### **Site Description**

The 125.4-acre site is located east of the Capital Beltway, south of Ardwick-Ardmore Road, and north of Lottsford Road. Current air photos indicate that portions of the site are wooded and portions contain open agricultural fields. This property is within the Western Branch watershed, which is part of the Patuxent River watershed. A stream is located in the northwestern portion of this property and wetlands may occur adjacent to this stream. Steep and severe slopes have also been found to occur on the property. Campus Way North, a planned arterial highway, will be a future noise source. Marlboro Clay does not occur in the area. The predominant soils found to occur, according to the Prince George's County Soil Survey, are the Collington series, which do not pose any difficulties for development. The sewer and water service categories are S-4 and W-4.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to

occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of the property.

### Summary of Prior Environmental Conditions of Approval

#### A-9956-C

A-9956-C included two conditions that are required to be addressed at time of Conceptual Site Plan. The respective conditions are in **bold type** and the associated comments are in *italics*.

**Condition 7. "The Conceptual Site Plan shall include a tree-stand delineation plan. Where possible, major stands of trees shall be preserved, especially along streams, and where they serve as a buffer between the subject property and adjacent residentially zoned land."**

*Comment: A Forest Stand Delineation was submitted with this application and will be reviewed in the Environmental Review Section of this memo. It should be noted that to the extent possible, woodlands have been preserved between the subject property and the adjacent residentially zoned land.*

**Condition 8. "At the time of Conceptual Site Plan, TCPI/05/97 shall be revised as required if areas along St. Joseph's Drive and Campus Way North are not proposed for woodland reforestation or preservation."**

*Comment: The proposed TCPI for this site, TCPI/19/03, encompasses a portion of TCPI/05/97. The woodland conservation requirements on the portion of the property covered by TCPI/05/97 are being satisfied by TCPI/19/03. TCPI/05/97 will not need to be revised.*

### Environmental Review

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

1. The revised detailed Forest Stand Delineation (FSD) submitted later in the review process was reviewed and was found to address the criteria for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual.

*Discussion: No additional information is required with respect to the Forest Stand Delineation.*

2. This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site, and there is a previously approved Tree Conservation Plan, TCPI/05/97, encompassing a portion of the property.

The subject property has a net tract area of 125.40 acres, a woodland conservation threshold

(WCT) of 15 percent or 18.80 acres, replacement requirements totaling 31.53 acres, and a total requirement of 41.62 acres. This 41.62-acre requirement is being satisfied by 9.95 acres of on-site preservation in priority retention areas, 0.93 acre of on-site reforestation, and 30.74 acres of off-site mitigation. It is noted that the revision boxes on the plan sheets have been properly used to note revisions made since April of 2003; however, the plan has not been signed and dated by a qualified professional and the initials of the person who made the changes differ from the qualified professional whose name is printed on the plan. The revised Type I Tree Conservation Plan shows the preservation of a large block of woodland and several associated specimen trees. These trees will require special treatment prior to and during construction. The measures necessary to ensure preservation of the specimen trees need to be provided on the Type II Tree Conservation Plan. TCPI/19/03 is recommended for approval subject to the following conditions:

**Recommended Condition:** Prior to certification of the Conceptual Site Plan, the Type I Tree Conservation Plan shall be signed and dated by the qualified professional who prepared the plan.

**Recommended Condition:** At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during and after construction.

Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/19/03). The following note shall be placed on the Final Plat of Subdivision:

*A Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/19/03), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."*

3. Two unnamed streams that drain to the Patuxent River are located on this property. Section 24-130(b)(5) of the Subdivision Ordinance provides for the protection of streams and the associated buffers that comprise the Patuxent River Primary Management Area, (PMA). The PMA includes the 50-foot stream buffer, adjacent areas of wetlands, the 25-foot wetland buffer, the 100-year floodplain, adjacent slopes in excess of 25 percent (severe slopes), and adjacent slopes between 15 and 25 percent on highly erodible soils (steep slopes). The PMA has been accurately shown on the plans as revised on June 13, 2003.

*Comment: No further information is required with respect to the location of the PMA.*

4. The Subdivision Ordinance, Section 24-130(b)(5) requires that the PMA be preserved in a natural state to the fullest extent possible. A letter of justification for four proposed PMA impacts was submitted with the plan revisions on June 13, 2003. The proposed impacts for two road crossings, a stormwater management pond, and a stormwater management outfall are necessary infrastructure for the development of this site. It should be noted that

the site has been redesigned so that the impacts to the PMA from the proposed roads and stormwater management facilities have been reduced. These impacts are supported and recommended for approval.

*Comment: The Patuxent River Primary Management Area has been preserved to the fullest extent possible.*

5. A DER-approved stormwater management concept approval letter and plan have been submitted with this application; however, the location of the stormwater management facilities has changed since the initial submission of this application. In addition, the stormwater management concept approval letter contains a stipulation that a 25-foot landscape buffer is required between the pond and the proposed lot lines. The DER-approved technical stormwater management plans must be submitted at time of Detailed Site Plan submission for review of the location of the stormwater management facilities and the proposed landscape buffer.

Recommended Condition: At the time of Detailed Site Plan, the DER-approved technical stormwater management plans shall be submitted.

The Urban Design Section notes that the Type I Tree Conservation Plan should be modified to incorporate any design changes made subsequent to the Environmental Planning Section memo dated June 25, 2003.

13. In a memorandum dated May 7, 2003 (Asan to Wagner), the Park Planning and Development Division recommends that private recreational facilities be provided for the site

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/19/03), and further APPROVED Conceptual Site Plan CSP-03001 for the above-described land, subject to the following conditions:

1. At the time of Detailed Site Plan, the following shall be provided:
  - a. Private pedestrian access shall be provided to the front of the manor homes fronting on Campus Way North. The private pedestrian access shall periodically connect to the public sidewalk along the right-of-way.
  - b. Consideration shall be given to removing the three single-family detached lots from the south end of Street C, adjacent to the SWM pond. The three lots may be provided on either side of St. Joseph's Drive, at the entrance along Campus Way North, or other locations on the site.
  - c. An eight-foot-wide hiker/biker trail shall be provided across the SWM pond embankment connecting Street C and Street D.

2. Prior to preliminary plan approval, the Department of Public Works and Transportation shall determine the appropriateness of the traffic circle along St. Joseph's Drive and approve its design elements.
3. If determined to be desirable and needed at the time of preliminary plan, the preliminary plan shall reflect an extension of Ruby Lockhart Boulevard beyond Saint Joseph's Drive to the west property line as a 70-foot right-of-way.
4. The applicant, his successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreational Facilities Guidelines*.
5. The amount and location of private recreational facilities shall be determined at the time of Preliminary Plan review and approval.
6. The final size, location and timing of the construction of the community building shall be determined at the time of Preliminary Plan.
7. Prior to certification of the Conceptual Site Plan, the Type I Tree Conservation Plan shall be signed and dated by the qualified professional who prepared the plan.
8. At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during and after construction.
9. *Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/19/03). The following note shall be placed on the Final Plat of Subdivision:*

*"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/19/03), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."*
10. *At time of submission of the Detailed Site Plan, the technical stormwater management plans shall be submitted.*
11. *The Type I Tree Conservation Plan shall be modified to incorporate any design changes made subsequent to the Environmental Planning Section memo dated June 25, 2003.*

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.



\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Harley, with Commissioners Lowe, Harley, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 11, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25<sup>th</sup> day of September 2003.

Trudye Morgan Johnson  
Executive Director

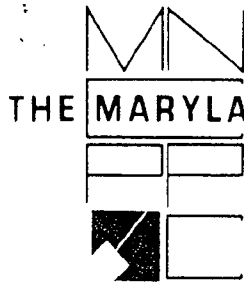
By *Frances J. Guertin*  
Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:GW:rmk

APPROVED AS TO LEGAL SUFFICIENCY.

*Berge Johns*  
M-NCPPC Legal Department

Date 9/26/03



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-3796

PGCPB No. 04-33

File No. 4-03094

RESOLUTION

WHEREAS, D.R. Horton, Inc., is the owner of a 125.4-acre parcel of land known as (Parcels 53 and 273), located on Tax Map 60 and Grid E-2, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned M-X-T; and

WHEREAS, on September 3, 2003, D.R. Horton, Inc., filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 393 lots and 9 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03094 for Balk Hill Village was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on February 19, 2004, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on February 19, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/19/03-01), and further APPROVED Preliminary Plan of Subdivision 4-03094, for Lots 1-393 and Parcels A-I with the following conditions:

1. Prior to signature approval of the Preliminary Plan:
  - a. The Type I Tree Conservation Plan, TCPI/19/03-01 shall be revised as follows:
    - (1) Remove all woodland conservation areas located on lots and woodlands retained on lots shall be considered as being cleared.
    - (2) Show the location of the 100-year floodplain and do not count the floodplain toward the woodland conservation requirements.
    - (3) Revise the TCPI to be consistent with the proposed PMA impacts as identified by the letter of justification.
    - (4) Revise the woodland conservation worksheet as necessary after the above revisions have been completed.

- (5) Have the revised plan signed and dated by the qualified professional who prepared the plan.
  - b. The Preliminary Plan and the Type I Tree Conservation Plan shall be revised:
    - (1) To correctly label the Patuxent River Primary Management Area as PMA, not SVB or stream valley buffer.
    - (2) To eliminate proposed PMA impacts associated with clearing of Lots 8-10, Block "A" in order to further minimize the extent of the proposed PMA impacts. The extent of proposed impact "A" shall be further evaluated and minimized to the extent possible prior to the submittal of the Detailed Site Plan.
  - c. The Preliminary Plan shall be revised:
    - (1) To show the private alleys as parcels.
    - (2) To remove the note that Parcels 1 and 2 are to be conveyed to a private entity and replaced with a note that the parcels are to be conveyed to the Revenue Authority.
  - d. To eliminate on-street parking on St. Joseph's Drive and to increase the curve radii of the streets to a minimum of 300 feet, unless the Department of Public Works and Transportation waives these requirements in writing.
2. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/19/03-01). The following notes shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/19/03-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."
3. A Type II Tree Conservation Plan shall be approved concurrently with the Detailed Site Plan.
4. Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area except for approved impacts. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

6. At the appropriate state of development, the applicant, his heirs, successors, and/or assignees shall provide the following:
- a. Construct a standard sidewalk along the subject property’s entire frontage of the west side of Campus Way North, per the concurrence of DPW&T.
  - b. Provide wide sidewalks (six to eight feet wide) along both sides of St. Josephs Drive, per the concurrence of DPW&T.
  - c. Provide standard sidewalks along both sides of all other internal roads, per the concurrence of DPW&T.
  - d. Additional pedestrian amenities and safety measures are encouraged, including benches, curb extensions, well-marked or contrasting crosswalks, raised crosswalks, and pedestrian-scale lighting. These features shall be addressed at the time of Detailed Site Plan.
  - e. Private pedestrian access shall be provided to the front of the manor homes fronting on Campus Way North. The private pedestrian access shall periodically connect to the public sidewalk along the right-of-way (Condition 1 a. of CSP-03001).
  - f. An eight-foot-wide hiker/biker trail shall be provided across the SWM pond embankment connecting Street C and Street D (Condition 1 c. of CSP-03001).

7. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George’s County laws, unless the Prince George’s County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”

8. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
9. The detailed site plan shall include a site plan of the facilities that comply with the standards outlined in the *Parks and Recreation Facilities Guidelines*. The private recreational facilities

shall be reviewed for adequacy and property siting prior to approval of the detailed site plan by the Planning Board.

10. The applicant, his heirs, successors and/or assignees shall submit three original, executed Recreational Facilities Agreements (RFA) to the Development Review Division for their approval, three weeks prior to a submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
11. The applicant, his heirs, successors and/or assignees shall submit to the Development Review Division a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.
12. The applicant, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.
13. The land to be conveyed to a homeowners association shall be subject to the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved Detailed Site Plan or shall require the written consent of DRD. This shall include, but not be limited to: the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely

- impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
- g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent land, owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
  - i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to M-NCPPC, without the review and approval of DPR.
  - j. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
14. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall have the scrap tires on the property hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt for the tire disposal shall be submitted to the Health Department prior to issuance of building permits.
  15. Development must be in accordance with the approved stormwater management concept plan, Concept 4981-2002-00, or any approved revisions thereto.
  16. A Phase I archeological study shall be performed prior to the approval of the Detailed Site Plan. The study shall pay particular attention to possible burials, including slave burials, and possible slave quarters.
  17. The use and ownership disposition of Parcels 1 and 2 shall be determined at the Detailed Site Plan stage.
  18. At the time of final plat approval, the applicant shall dedicate a right-of-way along Campus Way and St. Josephs Drive in accordance with the submitted plan.
  19. The applicant will provide an additional eastbound through lane along MD 202 through the I-95 interchange and additional eastbound and westbound through lanes along MD 202 between the I-95 interchange and Lottsford Road. Additionally, the applicant will provide a second eastbound left-turn lane along MD 202 at the McCormick Drive/St. Josephs Drive intersection. These improvements will be either directly provided by the applicant, or will be funded by the applicant by payment of a fee, not to exceed \$1.24 million (in 2002 dollars) to be paid on a pro-rata basis.

20. Prior to final plat, either the Subdivision Regulations shall be revised to allow the use of alleys in the M-X-T Zone or the alleys will be removed from the plan.
21. The relationship of the community use building, the retail commercial buildings on Lots 1-9, Block D, and the office use on Parcels 1 and 2 shall be determined at the time of the first Detailed Site Plan submitted for any portion of the entire development.
22. Parcels 1 and 2 shall be platted in conjunction with the first final plats for the entire development. The parcels shall be conveyed to the Revenue Authority immediately after recordation.
23. At the submission of the first Detailed Site Plan, the applicant shall submit documentation on the structure of the Advisory Planning Committee and how it will function to advise the Revenue Authority on the development of Parcels 1 and 2 pursuant to Condition 10 of Zoning Map Amendment A-9956-C. As part of the documentation noted above, it shall include confirmation that the representatives from the required membership have been duly chosen by their respective organizations.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located along both sides of the proposed extension of St. Josephs Drive and on the north side of the proposed extension of Campus Way and is approximately one-half mile north of the existing Campus Way/Lottsford Road intersection.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

Zone	<b>EXISTING</b>	<b>PROPOSED</b>
Uses	M-X-T Vacant	M-X-T Single-family detached and attached homes; commercial office
Acreage	125.4	125.4
Lots	0	393
Parcels	2	9
Dwelling Units:		
Detached	0	283
Attached	0	110
Commercial Square Footage	0	348,480

4. **Environmental**—Approximately 60 percent of this site has existing forest cover. Streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils

are found to occur on the property. MD 202 and Campus Way North have been identified as transportation-related noise generators. The soils found to occur, according to the Prince George's County Soil Survey, include Collington fine sandy loam, Ochlockonee sandy loam, Shrewsbury fine sandy loam, and Westphalia fine sandy loam. Although some of these soils have limitations with respect to drainage and infiltration, those limitations will have the greatest significance during the construction phase of any development on this property. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the headwaters of Western Branch, Bald Hill Branch, and Southwestern Branch watersheds of the Patuxent River Basin and in the Developing Tier as reflected in the adopted General Plan.

#### **ENVIRONMENTAL CONDITIONS OF APPROVAL TO BE ADDRESSED AT PRELIMINARY PLAN OF SUBDIVISION**

During the approval of the Zoning Map Amendment and Conceptual Site Plan, the Planning Board and/or District Council established conditions pertaining to environmental issues that need to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the Preliminary Plan are addressed below.

#### **BASIC PLAN, A-9956 (Zoning Ordinance No. 16-2002)**

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

The Forest Stand Delineation submitted with the Conceptual Site Plan CSP-03001 application was reviewed and was found to address the requirements for a Detailed Forest Stand Delineation by the Environmental Review Section. The Type I Tree Conservation Plan submitted with that application generally provided for the protection of the woodlands in the vicinity of the streams on the property.

- 8. At the time of Conceptual Site Plan, TCPI/05/97 shall be revised as required if areas along St. Josephs Drive and Campus Way North are not proposed for woodland reforestation or preservation.**

The Type I Tree Conservation Plan, TCPI/19/03, approved in conjunction with Conceptual Site Plan, CSP-03001, overlaps a portion of TCPI/05/97 that was previously approved in conjunction with the Balk Hill Subdivision, 4-02016. Because the woodland conservation requirements on the portion of the property covered by TCPI/05/97 are being satisfied by TCPI/19/03, it will not be necessary to revise TCPI/05/97. For the record, areas along St. Josephs Drive and Campus Way



North are not proposed for woodland reforestation or preservation due to necessary site grading and proposed landscaped open space.

**CONCEPTUAL SITE PLAN, CSP-03001 (PGCPB No. 03-176)**

11. **The Type I Tree Conservation Plan shall be modified to incorporate any design changes made subsequent to the Environmental Planning Section memo dated June 25, 2003.**

The preliminary plan proposes some changes to the overall development scheme that have required revisions to the TCP I.

**Woodland Preservation**

The Detailed Forest Stand Delineation (FSD) submitted with this application was previously reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Tree Conservation Plan for the property, TCPI/19/03. Because this application proposes changes to the overall development of this site, a revised Type I Tree Conservation Plan, TCPI/19/03-01, was submitted for review on November 7, 2003.

The Type I Tree Conservation Plan, TCPI/19/03-01, has been found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance. This 125.4-acre site has a 41.27-acre woodland conservation requirement that includes the 15 percent or 18.8-acre woodland conservation threshold requirement and the 22.47-acre replacement requirements. The 41.27-acre requirement is proposed to be satisfied by 10.3 acres of on-site preservation in priority retention areas, 0.95 acre of on-site reforestation, and 30.04 acres of off-site mitigation at a location to be determined. TCPI/19/03-01 is recommended for approval subject to minor revisions addressed in the staff-recommended conditions included in this report.

**Noise**

MD 202 is classified as an expressway with a noise impact zone (65 dBA Ldn noise contour) extending approximately 373 feet from the centerline of the roadway based on the Environmental Planning Section noise model. Because this application does not propose residential development within the noise impact zone along MD 202, it will not be necessary to address any noise impacts associated with MD 202.

Campus Way North is classified as an arterial roadway for that portion adjacent to the residential portions of this application. Specific traffic data is not available for this segment of the roadway because the roadway construction has not yet been completed. At the time of review of the Balk Hill Subdivision located across the street, the impacts associated with Campus Way North were determined resulting in the need for the placement of units away from the roadway and the

provision of noise mitigation measures. The setback reflected for the lots backing up to Campus Way North on the subject application will ensure that all lots are located outside the 65 dBA Ldn noise contour.

### **Patuxent River Primary Management Area**

Section 24-101(b)(10) defines the Patuxent River Primary Management Area (PMA) as including streams, a 50-foot stream buffer, the 100-year floodplain, adjacent wetlands, a 25-foot wetland buffer, adjacent slopes in excess of 25 percent, and adjacent slopes between 15 and 25 percent with highly erodible soils (soils having a K-factor greater than 0.35). The plans as submitted accurately show the various components and the ultimate limit of the PMA. However, the labeling on the plan for the PMA is incorrect. Prior to signature approval, the Preliminary Plan of Subdivision and the Type I Tree Conservation Plan need to be revised to correctly label the Patuxent River Primary Management Area as PMA, not SVB or stream valley buffer.

The application proposes impacts to the PMA for the construction of a stormwater management pond, a stormwater management pond outfall, and two road crossings. The letter of justification has clearly identified each of the proposed impacts and the Environmental Planning Section is in general agreement with the type and extent of those proposed impacts because they have been limited to those necessary for the construction of public roads and utilities. However, it must be noted that proposed impact "A" as reflected on the Type I Tree Conservation Plan is not consistent with that shown by the letter of justification. The Environmental Planning Section supports proposed PMA impacts "B," "C," and "D" and supports proposed PMA impact "A" as shown on the letter of justification and subject to the staff recommended conditions included in this report.

### **Water and Sewer Categories**

According to water and sewer maps obtained from the Department of Environmental Resources dated September 2002, the water and sewer service categories are W-4 and S-4, respectively. The property will be served by public systems.

5. **Community Planning**—The property is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable. The proposed subdivision is indicative of a moderate density suburban residential community. The application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The proposed mixed-use development is permitted in Employment Area 3 of the *Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73* through the District Council approval of the M-X-T Zone for this site in 2002. Employment land use is the preferred use in this area per the Largo-Lottsford master plan; however, the plan does address a residential development alternative for most of the site. The subdivision can be considered in conformance with the land use recommendations of the master plan.

This property was the subject of a Conceptual Site Plan (CSP-03001) approved by the Planning Board in September 2003. Master plan issues were presented in the referral for the CSP. (See the attached referral for those comments.) These issues have been, for the most part, addressed through the approval of the CSP.

Staff highlighted the master plan concern regarding the separation of residential and nonresidential uses on adjoining properties. The one area where a strong separation is not apparent is the southeastern portion of the property where residential lots on Street F and Street J abut the adjoining I-3 zoned parcel.

6. **Parks and Recreation**—In accordance with Section 24-135(b) of the Subdivision Regulations and approved Conceptual Site Plan CSP-03001, the Park Planning and Development Division of the Department of Parks and Recreation recommends that the Planning Board require the applicant to provide private recreational facilities on-site in lieu of mandatory park dedication.

Recreational facilities proposed by the applicant are:

- A. A community building that can accommodate community theatrical productions.
- B. The circle will generally reflect a suitable cultural activity such as fountains or artwork.
- C. Trails.

No tot lots are proposed. At the time of detailed site plan, adequate provisions for outdoor play areas should be examined

A final location for the community building was discussed at the hearing. A potential location would be above the retail component on Lots 1 – 9, Block D, where parking could be potentially shared among retail, office and the community building. This location would be more desirable than the open space location within the residential area because of potential conflicts with residences. There are many benefits to having a community building with a theater above the retail; it provides for a second story over the retail; it locates the use in the center of activity; it increases pedestrian activity in the village core area; and it allows for the sharing of parking spaces among the various uses. The kinds of relationships with regard to ownership or leasing should be discussed at the time of Detailed Site Plan review.

7. **Trails**—One master plan trail impacts the subject site. The adopted and approved Largo-Lottsford master plan recommends that a Class II trail be constructed along Campus Way North extended. As required in Condition I.h. of approved CDP-0201 (Balk Hill north of Campus Way North), this trail will be constructed along the east side of Campus Way North extended, which is off of the subject site. However, a standard sidewalk is recommended along the subject property's frontage along the east side of Campus Way North.

In keeping with the condition 1.1. of approved CDP-0201, standard sidewalks are recommended along both sides of all internal roads. Wide sidewalks (6 to 8 feet in width) are recommended along both sides of St. Josephs Drive. This will safely accommodate pedestrians within the subject site and will link to the master plan trail approved along St. Josephs Drive on the east side of Campus Way North (Condition 1 i., CDP-0201).

Additional pedestrian safety measures and amenities are also encouraged on the subject site, particularly along St. Josephs Drive. These can include benches, pedestrian-scale lighting, well-marked or contrasting crosswalks, and curb extensions at cross walk locations. These features can be determined at the time of detailed site plan.

8. **Transportation**—The applicant submitted a traffic impact study dated November 2003 that was generally prepared in accordance with the methodologies in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” The study has been referred to the county’s Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). The Transportation Planning Section has reviewed the application and the study, and the findings and recommendations outlined below are based upon a review of these materials.

#### **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.

#### **Staff Analysis of Traffic Impacts**

The traffic impact study prepared and submitted on behalf of the applicant reviews the following intersections:

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

MD 202/Lake Arbor Way/Arena Drive  
Lottsford Road/Campus Way  
Lottsford Road/Lottsford Vista Road

This area was studied extensively by transportation planning staff during the MD 202 Corridor Study. This study was a part of the Planning Department's FY 1997 work program, and was completed in 1997. The study originally began as a study in support of a sectional map amendment generally including properties within an area bounded by MD 202, the Capital Beltway, Lake Arbor Way, and the proposed alignment of Campus Way. During the course of the study, it evolved into a visioning and implementation study. Much of the direction of the study during its duration was the result of collaborative discussions within a series of study group meetings, with the study group composed of technical staff, citizen representatives, and development interests. From a transportation perspective, the MD 202 Corridor Study involved a comprehensive study of transportation in the MD 202 corridor. This comprehensive study included:

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

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

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

1. Four lanes (each direction) along MD 202

2. Extension of Campus Way over the Beltway to Brightseat Road
3. Full-time operations at I-95/Arena Drive interchange
4. Overpass and partial interchange at MD 202 and St. Josephs Drive/McCormick Drive

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

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

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
	MD 202/I-95 SB on-ramp	888	1,607	A
MD 202/I-95 NB on-ramp	34.5*	15.4*	--	--
MD 202/McCormick Drive/St. Josephs Drive	1,475	1,565	E	E
MD 202/Lottsford Road	1,362	1,218	D	C
MD 202/Technology Way	1,001	1,242	B	C
MD 202/Lake Arbor Way/Arena Drive	1,215	974	C	A
Lottsford Road/Campus Way	+999*	+999	--	--
Lottsford Road/Lottsford Vista Road	+999*	691.9	--	--

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

A review of background operating conditions in the area was conducted by the applicant. The list of approved developments is accurate. Background traffic includes a two percent per year growth rate for through traffic along MD 202. Background traffic conditions are summarized below:

BACKGROUND CONDITIONS				
Intersection	Critical Lane Volume		Level of Service	
	(AM & PM)		(AM & PM)	
MD 202/I-95 SB on-ramp	1,330	2,398	C	F
MD 202/I-95 NB on-ramp	79.1*	72.3*	--	--
MD 202/McCormick Drive/St. Josephs Drive	1,922	1,930		F
MD 202/Lottsford Road	2,220	2,111	F	F
MD 202/Technology Way	1,314	1,717	D	F
MD 202/Lake Arbor Way/Arena Drive	1,517	1,298	E	C
Lottsford Road/Campus Way	+999*	+999*	--	--
Lottsford Road/Lottsford Vista Road	+999*	+999*	--	--

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

According to the traffic study, the subject property is proposed to contain up to 261,360 square feet of R&D space and 833 single-family detached residences. This is very different from the current proposal for the rezoning and the subdivision plans, as is shown in the following table:

Use	Site Trip Generation		
	Quantity	AM Trips	PM Trips
Residential—Single-Family Detached	333	250	300
Residential—Townhouse	60	42	48
Specialty Retail	20,000 sq feet	0	52
General Retail	328,480 sq feet	325	2102
Retail Internal Trips	10% AM/20% PM	-34	-420
Retail Pass-By Trips	50%	-109	-946
<b>TOTAL</b>		<b>474</b>	<b>1,136</b>

With the proposal, the following results are obtained:

TOTAL TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 202/I-95 SB on-ramp	1,408	2,502	D F
MD 202/I-95 NB on-ramp	97.1*	102.2*	-- --
MD 202/McCormick Drive/St. Josephs Drive	2,240	2,282	F F
MD 202/Lottsford Road	2,234	2,262	F F
MD 202/Technology Way	1,333	1,783	D F
MD 202/Lake Arbor Way/Arena Drive	1,537	1,364	E D
Lottsford Road/Campus Way	+999*	+999*	-- --
Lottsford Road/Lottsford Vista Road	+999*	+999*	-- --

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

Several inadequacies are noted in the traffic study and the table above:

**MD 202/I-95 SB On-Ramp:** The traffic study recommends the addition of an eastbound through lane along MD 202. This improvement would result in the following operating conditions: AM, CLV of 1,104 (LOS B); PM, CLV of 1,956 (LOS F). This is **not** acceptable for adequacy, and this requires further discussion below in consideration of the MD 202 corridor study.

**MD 202/McCormick Drive/St. Josephs Drive:** The traffic study recommends the addition of an additional through lane each way along MD 202 and a second eastbound left-turn lane. This improvement would result in the following operating conditions: AM, CLV of 1,818 (LOS F); PM, CLV of 1,941 (LOS F). This is **not** acceptable for adequacy, and this requires further discussion below in consideration of the MD 202 corridor study.

**Lottsford Road/Campus Way:** Other parties have bonded a traffic signal at this location, but it has not yet been installed. Also, the county is constructing the second half of the planned arterial facility at this location. Both improvements should be considered part of the background for the purpose of analyzing the subject development. With a signal in place and the lane configuration under construction, the intersection would operate as follows: AM, CLV of 1,037 (LOS B); PM, CLV of 1,275 (LOS C). This is acceptable for adequacy.

**Lottsford Road/Lottsford Vista Road:** The applicant proposes performing a signal warrant study at this location, with installation if warranted. With a signal in place and the current lane configuration, the intersection would operate as follows: AM, CLV of 1,084 (LOS B); PM, CLV of 1,148 (LOS B). This is acceptable for adequacy.



The traffic study includes a recommendation to pay a pro-rata share for improvements along MD 202. This has arisen from a conclusion of the MD 202 corridor study, which indicated the appropriateness of a cost-sharing methodology for the purpose of funding regional improvements needed for the whole area. The MD 202 corridor study determined that a number of improvements were needed in the area. This was further substantiated with the District Council's approval of A-9956, which approved the zoning for the subject property.

In that approval, the following cost information was presented:

- A. Four lanes (each direction) along MD 202: Needed widening within I-95/MD 202 interchange estimated at \$375,000. Along MD 202 between Arena Drive and I-95, at \$500 per linear foot and 7,500 feet, cost is estimated at \$3,750,000. Total cost: \$4.125 million.
- B. Extension of Campus Way over the Beltway to Brightseat Road: New road construction over 7,000 feet at \$900 per linear foot, or \$6,300,000. Beltway overpass estimated at \$6,700,000. Total cost: \$13 million.
- C. Full-time operations at I-95/Arena Drive interchange: State's Option 1 has an estimated cost of \$18 million. It was determined that FHWA will not approve low-cost improvements (i.e., less than \$1 million) for opening the interchange to full-time traffic.
- D. Overpass and partial interchange at MD 202 and St. Josephs Drive/McCormick Drive: Estimated in traffic study at \$10 million.

All four major improvements have a total cost of \$45.1 million.

In order to fund this amount, it was determined under the review of A-9956 that the applicant should pay \$928.20 per peak-hour trip (the average of AM and PM peak-hour trips) in addition to constructing the extension of Campus Way and St. Josephs Drive. By type of development, this would be:

Residential: \$765.75 per residence  
General office: \$1.79 per square foot  
Retail: \$3.64 per square foot

In accordance with the District Council order approving the zoning, the total fee to be paid by the applicant would not exceed \$1.24 million (in 2002 dollars). In reviewing A-9956, the District Council determined that this amount would constitute a fair share toward the future improvements needed to achieve transportation adequacy.

The current plan addresses the future right-of-way needs identified in Condition 3 of the District Council order. Condition 4 requires that the applicant study traffic controls at the Campus Way/St. Joseph's Drive intersection. The needed studies have been provided to DPW&T; they

have been fully reviewed, and no new conditions are required at this time.

**Plan Issues**

In addition, the plan proposes parking along St. Joseph's Drive and uses streets with curve radii of less than 300 feet. The Department of Public Works (DPW&T) initially raised these as issues. However, DPW&T has informed staff that they may allow these designs for this property, but DPW&T could not guarantee written confirmation of this prior to the Planning Board hearing. Prior to signature approval of the preliminary plan, the plan will need to be revised to eliminate on-street parking on St. Joseph's Drive and to increase the curve radii of the streets to a minimum of 300 feet, unless the Department of Public Works and Transportation waives these requirements in writing.

**Transportation Conclusions**

Based on these findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with two transportation-related conditions included in this report.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following.

**Impact on Affected Public School Clusters**

Affected School Clusters #	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	393 sfd	393 sfd	393 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	94.32	23.58	47.16
Actual Enrollment	5,623	5,131	10,098
Completion Enrollment	327.84	217.62	398.97
Cumulative Enrollment	49.44	46.80	93.60
Total Enrollment	6,094.60	5,419.00	10,637.73
State Rated Capacity	5,892	4,688	8,770
Percent Capacity	103.44%	115.59%	121.30%

Source: Prince George's County Planning Department, M-NCPPC, December 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of: \$7,000 per dwelling if a building is located between Interstate Highway 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

The project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.

**Commercial**

- a. The existing fire engine service at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 3.25 minutes, which is within the 3.25-minute travel time guideline for Parcel 2. Parcel 1 is beyond.
- b. The existing ambulance service at Kentland Fire Station, Company 46, has a service travel time of 3.58 minutes, which is within the 4.25-minute travel time guideline.
- c. The existing paramedic service Kentland Fire Station, Company 46, has a service travel time of 3.58 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service Kentland Fire Station, Company 33, located at 7701 Landover Road has a service travel time of 3.58 minutes, which is within the 4.25-minute travel time guideline.

To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

**Residential**

- a. The existing fire engine service at Kentland Fire Station, Company 46, has a service travel time of 4.92 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance service at Kentland Fire Station, Company 46, has a service travel time of 4.92 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic service Kentland Fire Station, Company 46, has a service travel

time of 4.92 minutes, which is within the 7.25-minute travel time guideline.

The residential portion of the proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic services.

These findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Balk Hill Village development.
12. **Health Department**—The Health Department noted that numerous discarded tires were found on the property. "Several piles of collected old tires numbering in the total range of 40 to 80 pieces were observed along the dirt drive that roughly follows the route of proposed St. Josephs Drive and lie approximately 500 yards from the rear of St. Josephs Drive." The tires must be hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt for the tire disposal must be submitted to the Health Department prior to issuance of building permits.
13. **Stormwater Management**— The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #4981-2002-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through December 19, 2005. Development must be in accordance with this approved plan, or any revisions thereto.
14. **Cemeteries and Possible Items of Historical Significance**—This developing property includes some of the acreage of the Rose Mount plantation, the home of Joseph Kent (Governor of Maryland, 1826-29). Kent is known to have been buried at Rose Mount at the time of his death in 1837, but the location of his grave is unknown. Family cemeteries are traditionally fairly close to their main residences, and others who lived and worked at Rose Mount would likely have been interred in the same general area as the family cemetery. Developers should, therefore, be alert to the possibility of disturbing burials during their work and should know that if burials are found, work must be stopped immediately.

As a plantation, it is likely that slaves lived on the property. A Phase I archeological study should be performed to locate any slave housing or burial sites. If these are found, adequate measures should be taken to preserve artifacts or sites, including the loss of lots if necessary.

15. **Public Utility Easement**—The proposed preliminary plan includes the required ten-foot-wide public utility easement. This easement will be shown on the final plat.
16. **Private Alleys**—The preliminary plan includes the use of private alleys as a means of alternative access to individual single-family lots. While this is permissible in the M-X-T Zone, the alleys must be labeled as separate parcels to be conveyed to and maintained by the homeowners association. Prior to signature approval, the plan must be amended accordingly.

The plan proposes the use of private alleys to serve many of the proposed homes. These are not yet permitted in the M-X-T Zone. However, a text amendment is before the County Council to allow alleys in the M-X-T Zone. If this amendment fails, the use of alleys will not be permitted. The issue should be determined at the detailed site plan stage.

17. **Commercial Parcels**—The plan proposes two parcels for commercial development. Parcel 1 (8.9 acres) is located at the northeast corner of the proposed St. Josephs Drive/Ruby Lockhart Boulevard intersection; Parcel 2 (8.6 acres) is located on the southeast corner of that same intersection, extending down to Landover Road. Both parcels are identified with the following note:

“To be conveyed to private entity to be established for development of employment center”

This plan is subject to the requirements set forth in Zoning Map Amendment A-9956-C. Condition 10 of the District Council’s approval reads:

**An Advisory Planning Committee, consisting of the Applicant and representatives from St. Josephs Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

Although the total acreage of the two parcels is less than 20 acres, Parcels 1 and 2 are the area identified in Condition 10. There is no timing trigger in the zoning condition. A letter from the County Executive, dated February 12, 2004 (Johnson to Hewlett), requests that in accordance with the applicant’s proffer at the time of the zoning map amendment, both Parcels 1 and 2 be conveyed to the Revenue Authority. The note that the property is to be conveyed to a private entity should be removed and substituted with a note stating that the property is to be conveyed to the Revenue Authority. To further the applicant’s contention that the conveyance of the land will “...most likely ‘jump start’ employment development in the area...” (ZHE decision on A-9956), and to help foster the “...24-hour environment [that] is encouraged on the site...” (ZHE decision

on A-0056), the employment parcels should be platted in conjunction with the first final plats for the entire development and conveyed immediately thereafter. Appropriate conditions are included in the staff recommendation.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 19 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of March 2004.

Trudye Morgan Johnson  
Executive Director

By *Frances J. Guertin*  
Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JD:meg

APPROVED AS TO LEGAL SUFFICIENCY.

*George Johnson*  
M-NCP&P Legal Department

Date 3/3/04

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 29, 2006 regarding Detailed Site Plan DSP-04067 for Balk Hill Village, the Planning Board finds:

1. **Request:** The Detailed Site Plan is for Phase I of the development, consisting of 168 single-family dwelling units and 24 "manor house" dwelling units for a total of 192 units. The application also includes 16,500 square feet of commercial retail/office space and 3,300 square feet of community room space. A Conceptual Site Plan and Preliminary Plan have been approved by the Planning Board for up to 393 dwelling units, 20,000 square feet of retail and 328,000 square feet of office.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	M-X-T	M-X-T
Use(s)	Vacant	Residential, Commercial
Acreage (Total Site)	125.4	125.4
Lots (Phase I)	0	192
Parcels (Phase I)	0	3
Square Footage/GFA (Phase I)	0	16,500 SF Commercial; 3,300 Community Space
Dwelling Units:		192
Attached (Manor House)	0	24
Detached	0	168
Multifamily	0	0

**Floor Area Ratio (FAR) in the M-X-T Zone**

FAR Permitted: (For Entire Development)  
 Base Density 0.4 FAR  
 Residential 1.0 FAR  
 Total Permitted 1.4 FAR (permitted under the Optional Method of Development, 27-545(b)(4), for provision of more than 20 dwelling units)  
 (1.4 x 5,462,424 sf (gross site area)=7,647,394 sq. ft. permitted)

FAR Proposed (Phase I):  
     Residential 559,768 sq. ft.  
     Retail 7,700 sq. ft.  
     Office 8,800 sq. ft.

	Community Bldg. 3,300 sq. ft.
Total FAR (Phase I)	579,568 sq. ft. (0.106 FAR)
Parking Required (in conformance with Section 27-574 for the M-X-T Zone):	81 spaces
Parking Provided:	83 spaces

3. **Location:** The subject property consists of 125.4 acres in the M-X-T Zone and is located on the north side of MD 202 at its intersection with St. Joseph's Drive. The site is approximately 1,000 feet southeast of the interchange of the Capital Beltway (I-95) and MD 202.
4. **Surroundings:** To the southeast of the site is vacant land in the I-3 and C-O Zones; to the northeast is land in the R-S Zone, currently under development (Balk Hill); to the northwest is vacant land in the M-X-T Zone and to the southeast, across MD 202 is land in the I-3 Zone, currently under development. St. Joseph's parish is to the southeast of the site on the west side of St. Joseph's Drive.
5. **Design Features:** Phase I of Balk Hill Village consists of 192 dwelling units, 16,500 square feet of retail/office and 3,300 square feet of community space. Three separate two-story brick commercial buildings are proposed, with retail on the first floor of the buildings and office and community space above.

**Required Findings in the M-X-T Zone**

6. The proposed development is in conformance with the purposes and other provisions of this Division.

**Section 27-542. Purposes of the M-X-T Zone**

**(a) The purposes of the M-X-T Zone are:**

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**
- (2) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;**
- (3) To promote the effective and optimum use of transit and other major transportation systems;**



- (4) **To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**
- (5) **To encourage diverse land uses which blend together harmoniously;**
- (6) **To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**
- (7) **To promote optimum land planning with greater efficiency through the use of economies of scale and savings in energy beyond the scope of single-purpose projects;**
- (8) **To permit a flexible response to the market; and**
- (9) **To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The Detailed Site Plan provides for a development that meets the above purposes of the M-X-T Zone. In general, the same finding can be made that was made by the Planning Board for the Conceptual Site Plan. Some portions of that finding that are applicable to the Detailed Site Plan are as follows:

“The plan proposes a mix of uses including a variety of residential types, retail and office in a village pattern utilizing a grid street system. The proposed development is located at a major intersection in the county where the office and retail will provide for an expanding source of desirable employment while also providing for an assortment of living opportunities for its citizens. A mixed-use development at this location maximizes the development potential inherent in the location of the zone and promotes the effective use of major transportation systems. The retail and office components have the ability to facilitate and encourage a 24-hour environment.

“The plan provides for a variety of residential opportunities in different settings that offer choices for the consumer. Three residential types are to be provided: single-family detached lots, manor homes, and triplex and quadplex units. The manor homes are multifamily units constructed to look like large single-family homes. The triplex and quadplex units are models that are designed to look more like townhouse units and will be interspersed with the single-family detached lots. A grid street pattern with a hierarchy of street widths, buildings sited close to the street, pedestrian sidewalks, and street trees will provide for animated streetscapes throughout the development. An open space system is evenly dispersed throughout the development, consisting of a centrally located 8- to 10-acre public open space with a stormwater management (SWM) pond on the west side of Saint Joseph’s Drive and a one-acre pocket park on the east side of Saint Joseph’s Drive.

“These features, connected together with a grid street pattern, create dynamic, functional relationships among individual uses within a distinctive visual character and identity. The Conceptual Site Plan for Balk Hill Village, with its mix of uses on a grid street pattern, promotes optimum land planning at this location with greater efficiency through the use of economies of scale and savings in energy beyond the scope of a single-purpose project. People who live and work in the community will also be able to shop, eat or work in a community that is walkable. The layout, with its diversity of uses and building types, will permit a flexible response to the market and freedom of architectural design has been allowed within the framework of the Detailed Site Plan.”

7. The proposed development has an outward orientation, which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation.

In general, the same finding can be made that was made by the Planning Board for the Conceptual Site Plan. Some portions of that finding that are applicable to the Detailed Site Plan are as follows:

“Along the frontage with future Campus Way North, the plan proposes to provide manor homes, which are multifamily units constructed to look like large single-family homes. The homes will be set back from the right-of-way by 50 feet. Within the 50-foot-wide bufferyard will be landscaping. Private pedestrian access to the front of the buildings has been provided in this location. The private pedestrian access periodically connects to the public sidewalk along the right-of-way. Along this most publicly visible edge of the development, the fronts of the manor homes will face Campus Way North, which will lend the development an impressive outward orientation.

“Along the western property line a wooded tributary will be preserved, screening the development from the adjacent vacant property in the M-X-T Zone (for Phase II of the development).

“Along the northeastern property line, the residential portion of the development will be screened from vacant property in the C-O and I-3 Zones by a small wooded tributary and by the employment of a landscape bufferyard in compliance with the requirements of the *Landscape Manual*.

“Along the southeastern property line, the proposed commercial development is deemed to be compatible with the adjacent property in the I-3 Zone.” This is in reference to the future office development on Lots 1 and 2 that are to be conveyed to the Revenue Authority.

Therefore, it can be concluded that the proposed development has an outward orientation that is physically and visually integrated with existing and future adjacent development.

8. The proposed development is compatible with existing and proposed development in the vicinity.

The same finding can be made that was made by the Planning Board for the Conceptual Site Plan, which is as follows:

“As explained in Finding 5 above, the proposed development will be compatible with existing and future adjacent development in the vicinity, either by virtue of the intrinsic compatibility of the adjacent land uses or by the existence of wooded areas and/or landscape buffers.”

9. The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability.

The same finding can be made that was made, in part, by the Planning Board for the Conceptual Site Plan, which is as follows:

The Detailed Site Plan “meets the above requirement by providing for a development with a mixture of residential units, commercial retail and office, and an open space system that is interconnected with a grid street pattern. The village development pattern creates dynamic, functional relationships among individual uses within a distinctive visual character and identity. The applicant proposes to provide a high-quality development of continuing quality and stability.”

10. If the development is staged, each building phase is designed as a self-sufficient entity while allowing for effective integration of subsequent phases.

The Conceptual Site Plan showed the development broken into five stages. The Detailed Site Plan incorporates several of the stages into one larger phase. This phase incorporates all of the unit types anticipated in the Conceptual Site Plan and several of the major amenities, such as the community building, fountain and pocket park. As such, the phasing of this portion of the development has been designed as a self-sufficient entity and allows for the effective integration of subsequent phases.

11. The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development.

The same finding can be made that was made, in part, by the Planning Board for the Conceptual Site Plan, which is as follows:

“The grid street pattern will provide for a comprehensive pedestrian system. Sidewalks are proposed to be on both sides of all streets. The pedestrian system is convenient in that there will be easy access to the open space areas and to the village center where the Balk Hill Circle is located.”

12. On a Conceptual Site Plan for property placed in the M-X-T Zone by a sectional map amendment, transportation facilities that are existing; that are under construction; or for which 100 percent of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, or will be provided by the applicant, will be

adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.

The property was placed in the M-X-T Zone by Zoning Map Amendment (Case No. A-9956-C), approved by the District Council on July 23, 2002. A finding of adequate public facilities was made with the approval of the Preliminary Plan, 4-03094.

13. Section 27-548.25 (a) of the Zoning Ordinance requires that a Detailed Site Plan be approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance. The detailed site plan submitted has been reviewed in accordance with those provisions and it can be found that the plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
14. The Detailed Site Plan is in conformance with the requirements of the *Landscape Manual*.
15. The Detailed Site Plan is in conformance with signage regulations of Part 12 of the Zoning Ordinance. Gateway entrance signage is provided at the entrance to the subdivision consisting of a low brick wall, brick columns and wrought iron fence. Metal letters will be mounted to a recessed brick panel on the corner brick columns indicating the initials RP for Regency Park.  
Signage for the retail will be located above doorways of individual tenants as shown on the architectural elevations. The applicant should indicate the type, size and style of lettering to be provided on the architectural elevations.
16. **Zoning Map Amendment A-9956-C:** The Conceptual Site Plan is in general conformance to Zoning Map Amendment A-9956-C. The following conditions warrant discussion:
  10. **An Advisory Planning Committee, consisting of the applicant and representatives from St. Joseph's Parish and the Lake Arbor, Fox Lake, Largo, and Kettering Civic Associations, shall be established to advise the Revenue Authority, a community development corporation, or another nonprofit entity about the development, use, and disposition of the 20-acre employment parcel.**

By letters dated July 21, 2005, and September 7, 2005, (Arrington to Wagner) the applicant has provided documentation that an Advisory Planning Committee has been established and officers have been elected to advise the Revenue Authority on the development and use of the 20-acre employment parcel. The letter indicates that the Committee will hold monthly meetings on the second Tuesday of each month for 2005 and if necessary, revise the schedule for 2006.
  11. **The open area designated on the Basic Plan as the Balk Hill Circle shall include an amphitheater or other suitable facility that may be used for outdoor cultural activities.**

To meet the above requirement, the applicant has provided a large fountain in the center of the traffic circle with low, decorative fencing, landscaping and special paving. Since the traffic circle is too small to include an amphitheater, and to encourage pedestrians to cross St. Josephs Drive to use such a facility would be a safety hazard, an amphitheater is not recommended. The applicant has also provided a village green in front of the retail space with benches, special paving, landscaping and pedestrian-scaled lighting that is oriented to the circle and provides views to the water feature.

**12. The community building shall be designed with an area suitable for community theatrical productions.**

The community building is to be located on the second floor of one of the three retail buildings located at the traffic circle on Saint Joseph's Drive and consist of approximately 3,300 square feet of space. The space has been designed to accommodate theatrical productions with the provision of a collapsible stage with approximately 48 moveable seats, suitable for theatrical productions. The facility will also have the ability to be used for other functions when it is not in use for theatrical productions. The facility will also include a warming kitchen, large screen television, internet connections, room dividers and a storage area.

17. **Conceptual Site Plan, CSP-03001:** The Detailed Site Plan is in general conformance to the Conceptual Site Plan. For information regarding transportation issues, see Finding 19 below. For information regarding environmental issues, see Finding 20 below.

18. **Preliminary Plan, 4-03094:** The Detailed Site Plan is in general conformance with the Preliminary Plan. The following conditions warrant discussion:

**6. At the appropriate state of development, the applicant, his heirs, successors, and/or assignees shall provide the following:**

**c. Provide standard sidewalks along both sides of all other internal roads, per the concurrence with DPW&T.**

Sidewalks have been provided on both sides of all streets; however, dimensions should be provided for all sidewalks.

**8. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.**

Adequate recreational facilities have been provided for Phase I of the development. A 30,000± square-foot central recreation open space has been provided that contains a tot lot, benches, an open grass play area, a walking trail and landscaping. The community has requested that the play

area be provided with a rubberized safety surface and that activity stations be provided around the trail. The applicant has also provided a large fountain in the traffic circle and benches, lighting, special paving and landscaping in the village green area in front of the retail buildings.

- 16. A Phase I archeology study shall be performed prior to the approval of the Detailed Site Plan. The study shall pay particular attention to possible burials, including slave burials, and possible slave quarters.**

See Finding 21 below for information regarding this condition.

- 21. The relationship of the community building, the retail commercial buildings on Lots 1-9, Block D, and the office use on Parcels 1 and 2 shall be determined at the time of the first Detailed Site Plan submitted for any portion of the entire site.**

As mentioned above, the community building is to be located on the second floor of one of the three retail buildings located at the traffic circle on Saint Joseph's Drive and consist of approximately 3,300 square feet of space. The retail/office buildings are designed to have pedestrian connections between the buildings to be able to access the parking to the rear of the buildings. The pedestrian connections will also serve as access to the retail space from the future office development on Parcels 1 and 2.

- 23. At the submission of the first Detailed Site Plan, the applicant shall submit documentation on the structure of the Advisory Planning Committee and how it will function to advise the Revenue Authority on the development of Parcels 1 and 2 pursuant to Condition 10 of Zoning Map Amendment A-9956-C. As part of the documentation noted above, it shall include confirmation that the representatives from the required membership have been duly chosen by their respective organizations.**

See discussion under Finding 16 above.

#### **Referrals**

19. In a memorandum dated September 2, 2005 (Masog to Wagner), the Transportation Planning Division offered the following comments:

The Transportation Planning Section has reviewed the application referenced above. The application involves construction of residential units on a portion of a mixed-use development. The entire Balk Hill Village development consists of approximately 125.4 acres of land in the M-X-T Zone. The property is located north and east of MD 202; it straddles the proposed alignment for St. Joseph's Drive and is south and west of the proposed alignment for Campus Way. The application proposes the development of 192 residences and 9 triplex retail units.

Prior applications A-9956, CSP-03001, and 4-03094 contain a number of transportation-related conditions. The status of the transportation-related conditions is summarized below:

A-9956:

Condition 1: Requires construction of Campus Way and St. Joseph's Drive within the limits of the subject property. These facilities are reflected on the plans and will be constructed as overall construction progresses.

Condition 2: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro rata basis. This was reiterated at the time of preliminary plan, and is addressed through conditions on that plan.

Condition 3: Requires that adequate right-of-way for needed master plan facilities is provided. This was confirmed during review of the preliminary plan, and submitted plans show adequate right-of-way where needed.

Condition 4: Requires further study at Campus Way/St. Joseph's Drive. This condition was enforceable at the time of preliminary plan, and this intersection was studied further at that time.

Condition 5: Caps development of the property. The development proposed under this site plan is estimated to generate 158 AM and 188 PM peak-hour vehicle trips. This is well within the overall trip cap indicated by this condition.

CSP-03001:

Condition 3: Requires an extension of Ruby Lockhart Boulevard to the west property line as a 70-foot right-of-way. This was done at the time of preliminary plan and is reflected on this plan.

4-03094:

Condition 1d: Requires the elimination of on-street parking along St. Joseph's Drive. Also requires that curve radii along all streets be increased to a minimum of 300 feet. The on-street parking is a permitting issue under the authority of the county Department of Public Works and Transportation (DPW&T) and is not reviewable under this plan. All streets shown on the plan conform to the 300-foot minimum for curvature.

Condition 18: Requires dedication along proposed Campus Way and St. Joseph's Drive within the limits of the subject property. This is reflected on the plans, and these roadways will be constructed within the dedicated rights-of-way.

Condition 19: Requires off-site road improvements in the area, either directly by the applicant or through payment of a fee on a pro rata basis. This condition will be enforced at the time of building permit.

Access and circulation within the area of plan is acceptable.

The subject property is required to make roadway improvements in the area pursuant to a finding of adequate public facilities made in 2004 for Preliminary Plan of Subdivision 4-03094. These

findings were supported by a traffic study submitted in 2003. Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the transportation staff can make a finding that the subject property will be served by adequate transportation facilities within a reasonable period of time.

20. In a memorandum dated August 31, 2005 (Shirley to Wagner), the Environmental Planning Section offered the following comments:

The Environmental Planning Section has reviewed the revised TCPII/82/05 for the above referenced property, stamped as received by the Environmental Planning Section on August 16, 2005. The Environmental Planning Section recommends approval of DSP-04067 and TCPII/82/05, subject to the conditions in the Recommendations Section.

### **Background**

The Environmental Planning Section previously reviewed applications for this site including the approvals of Basic Plan, A-9956; Conceptual Site Plan, CSP-03001 and Type I Tree Conservation Plan, TCPI/19/03. In 2003, Preliminary Plan of Subdivision 4-03094 was submitted and was approved with an 01 revision to the TCPI. The Planning Board's action regarding the preliminary plan is found in Planning Board Resolution No. 04-33. The Board's approval was for a total of 393 lots.

The scope of this review is for the first phase of 201 lots at the central and northeast portions of the overall 125.4-acre Balk Hill Village site.

### **Site Description**

The 125.4-acre property in the M-X-T Zone is located on the east side of MD 202 approximately 1,600 feet north of its intersection with Lottsford Road. Approximately 60 percent of this site has existing forest cover. Streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. MD 202 and Campus Way North have been identified as transportation-related noise generators. The soils found to occur according to the Prince George's County Soil Survey include Collington fine sandy loam, Ochlockonee sandy loam, Shrewsbury fine sandy loam and Westphalia fine sandy loam. Although some of these soils have limitations with respect to drainage and infiltration those limitations will have the greatest significance during the construction phase of any development of this property. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled, "Ecologically Significant Areas of Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The site is located in the headwaters of Western Branch, Bald Hill Branch and Southwestern Branch watersheds of the Patuxent River basin and in the Developing Tier as reflected in the approved General Plan.



### **Summary Of Prior Environmental Conditions Of Approval**

During the approval of the previous Preliminary Plans of Subdivision and Specific Design Plans by the Planning Board and/or District Council, numerous conditions were placed on the approvals, several of which dealt with environmental issues to be addressed during subsequent reviews.

#### **Conceptual Site Plan, CSP-03001 (PGCPB No. 03-176)**

- 8. At time of Detailed Site Plan submission, the TCPII shall contain details and a narrative regarding the proposed preservation measures for all specimen trees to be preserved on site. These measures shall include treatments to occur prior to, during, and after construction.**

Sheet 15 contains a note that reads: "Specimen tree preservation note per Condition 8 of CSP-03001:

Specimen trees to be preserved as part of this DSP shall be protected by a blaze orange plastic mesh fence around the perimeter of their branches. Installation of the blaze orange fence shall be in accordance with the detail provided on this detail sheet. Specimen trees located 75 feet outside the limits of disturbance shall be exempt from this requirement. Fencing shall be installed prior to the start of construction activity."

There are a total of 69 specimen trees that have been located at the overall site. There is a note on sheet 1 below the Significant Tree Table that states: "□ Indicates specimen trees that are currently being saved, and whose final disposition will be determined during a future phase of development." The square symbol in front of the note is in the table beside the applicable trees. Thirty-four specimen trees have this symbol beside them in the table. This note on the plan does not sufficiently address this condition because specific details, including a narrative about the proposed specimen tree treatments has not been provided. Remove this note below the table on sheet 1 and show the future disposition of all trees in the table as either removed or saved. Replace the third sentence in the note on sheet 15 to address Condition #8 so the third sentence reads: "All specimen trees within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." Sheet 15 has a root pruning detail; however, none of the specimen trees have been shown in the table or on the plan as having this treatment used as a preservation measure. The TCPII must graphically show each specimen tree within 100 feet of the limits of disturbance (LOD) and each tree's critical root zone in relation to the LOD and provide the critical root zone detail on the plan.

It should be noted, many specimen trees at the overall site are located on the west portion not included in the subject DSP. However, when the second phase undergoes DSP review, orange blaze fencing will not be sufficient to protect the specimen trees. In the future review for the second phase, the use of nonmoveable fencing such as installed in place 2 x 4 fencing or chain link a minimum of six feet in height must be shown on the TCPII.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during, and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.

**10. At time of submission of the Detailed Site Plan, the technical stormwater management plans shall be submitted.**

The DSP submittal included only a copy of the Stormwater Management Concept Plan Approval letter for Case # 4981-2002 that was issued by DER on January 19, 2003. The concept approval has an expiration date of December 19, 2005.

**Recommended Condition:** Prior to certificate approval of DSP-04067, a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.

**Preliminary Plan of Subdivision, 4-03094 Conditions to be addressed at DSP**

The approval of the Preliminary Plan of Subdivision included 23 conditions, two of which are associated with environmental issues to be addressed during DSP review. The two environmental conditions to be addressed during the review of the Detailed Site Plan are provided below.

- 1. Prior to signature approval of the Preliminary Plan:**
  - b. The Preliminary Plan and the Type I Tree Conservation Plan shall be revised:**
- 2. To eliminate proposed PMA impacts associated with clearing of Lots 8-10, Block A in order to further minimize the extent of the proposed PMA impacts. The extent of proposed impact "A" shall be further evaluated and minimized to the extent possible prior to the submittal of the Detailed Site Plan.**

The submittal of DSP-04067 does not include the portion of the site where impact "A" is located. Therefore, this condition will be reviewed with the future submittal of a revised TCPII for the second phase of the development.

**3. A Type II Tree Conservation Plan shall be approved concurrently with the Detailed Site Plan.**

The submittal of DSP-04067 included a Type II Tree Conservation Plan to address this condition. See the Environmental Review part of this memo for specific comments about the TCPII.

**Environmental Review**

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

- a. The Detailed Forest Stand Delineation (FSD) submitted with Preliminary Plan 4-03094 was previously reviewed and was found to meet the requirements of the Woodland Conservation Ordinance.

**Discussion:** No additional information is required with respect to the FSD.

- b. The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there is a previously approved Tree Conservation Plan for the property, TCPI/19/03. A Type II Tree Conservation Plan, TCPII/82/05, has been submitted and reviewed.

The site contains 75.24 acres of existing woodland, of which 0.06 acres are within the 100-year floodplain. The site has a Woodland Conservation Threshold of 15 percent or 17.68 acres. The site has an overall woodland conservation requirement of 26.14 acres. The TCPII proposes to meet this requirement through the preservation of 10.39 acres of on-site preservation, 0.69 acres of reforestation and 15.05 acres of off-site mitigation on another property.

The TCPII submitted has been reviewed and revisions are required. The worksheet on the current plan has a shortage of 0.01 acres of required woodland conservation. The previous plan submittal showed the worksheet with a different total acreage for the gross tract (125.4). The current plan shows the computed figure of 117.89 acres as the gross tract. This represents a difference of 7.51 acres. The total area in this phase of the development appears to be inaccurate at 117.89 acres as now shown in the worksheet. If this acreage is correct, then the remaining 192 lots of the total 393 lots are proposed on the balance of the 7.51 acres. Use a phased worksheet to reflect the accurate acreage in this phase of the development and adjust the worksheet accordingly.

Sheets 13 and 14 previously showed an unlabeled pattern behind Lots 22-24. The revised plan no longer shows the pattern behind Lot 24 on sheet 13; however, it is still shown on sheet 14 in relation to Lots 22 and 23 and is identified as a future access road in relation to Parcel D where a

stormwater management pond is proposed. Put the pattern on sheet 13, and add it to the legend on these sheets with a corresponding symbol.

The standard TCPII notes need several revisions. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase that should be removed from the plan. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.

On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland treatment area to the closest one-hundredth of an acre.

The Specimen Tree table needs several revisions. Specimen tree #200 is shown in the table to be removed; however, on the plan it is shown as saved and has a specimen tree sign associated with it. Reflect on the plan and the table the actual disposition of this tree. Specimen tree #226 is shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table this tree is shown to be removed. Specimen tree #261 is shown on sheet 14 as having a specimen tree sign in relation to it; however, on the plan it is more than 100 feet from the proposed limits of disturbance. Remove the specimen tree symbol from the plan in relation to specimen tree #261.

A total of 0.69 acres of reforestation is proposed. However, not all of the required information regarding the reforestation details has been shown on sheet 15. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.

Two retaining walls are proposed on sheet 14 in the rear yards of Lots 19-21 of Block O. Provide the profiles on the plan for each retaining wall because the walls will be located in front of a woodland conservation treatment area, and the required signage may not be visible depending on the height of the walls.

The Edge Management notes on sheet 15 are outdated. Replace these notes with the current Edge Management notes used by the Environmental Planning staff.

Sheet 14 shows Reforestation Area 1 located behind Lots 16-20 of Block O. In order to protect the reforestation area after planting, so that the area may mature into perpetual woodlands, the reforestation area must be completed prior to the issuance of building permits for Lots 16-20 of Block O. The reforestation area must be placed in a conservation easement.

After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:

- a. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.
- b. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
- c. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.
- d. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
- e. Reflect on the plan and the table the actual disposition of Specimen tree #200. It is shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
- f. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.
- g. Provide the profiles on the plan for each retaining wall.
- h. Replace the Edge Management notes on sheet 15 with the notes currently in use.
- i. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
- j. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.

**Recommended Condition:** The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

- c. The current TCPII shows the 65-dBA (Ldn) noise contour in relation to Campus Way North on sheets 11 and 13. However, Sheet 12 also has lots in relation to this traffic-noise generating road. Show the location of the 65-dBA (Ldn) noise contour on sheet 12. It appears that lots in proximity to Campus Way North are outside of this noise contour and no noise impacts are anticipated. In relation to MD 202, the site has lots located approximately 1400 feet set back from the road. It is anticipated that these lots are also outside of the 65-dBA (Ldn) noise contour.

**Recommended Condition:** Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.

21. In a memorandum dated April 29, 2005 (Bienenfeld to Wagner), the Historic Preservation Section offered the following comments with regard to archeology:

Phase I archeological survey is recommended by the county on the above-referenced property. Remains of the historic house, Rose Mount, are located in the northern portion of the property. The parcel was the subject of a Phase IA-type reconnaissance completed in September 2004 (*Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County, R. Christopher Goodwin & Associates, Inc., 2004*). That report consisted of results of an archival study, history of land ownership and land use of the property, and a pedestrian walkover of the parcel. No subsurface archeological testing was done for that study. A Phase I archeological field investigation, discussed below, was recommended in that report.

The reconnaissance study divided the subject parcel into five areas, A through E. Ruins and remains of agricultural outbuildings, most dating to the 20<sup>th</sup> century, were identified in the walkover of the property. Area A included main historic house complex, including the L-shaped foundation of the main residence, with bricks dating the structure to the early- to mid-19<sup>th</sup> century. Remains of two 20<sup>th</sup>-century structures were identified in Area B, and disturbed remains of three 20<sup>th</sup>-century structures were found in Area D. There were no structural remains in Areas C or E.

The reconnaissance report recommended the following for the Phase I investigation:

**Area A** (the main plantation complex): clearing activities, Phase I shovel testing and retesting, with testing at 20-meter intervals and retesting at 10-meter intervals, and limited test excavations,

if artifacts are found. The report also recommends mapping to locate and document the historic terrace system.

**Area B** (possible location for slave quarters, slave burials, and potential prehistoric activity loci): clearing of vegetation, and Phase I testing and retesting, using a minimal testing interval of 10 meters.

**Areas C, D, and E:** standard Phase I shovel testing at 20-meter intervals, with retesting at 10-meter intervals if artifacts are found.

Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the *American Antiquity* or *Society of Historical Archaeology* style guide. Archeological excavations shall be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.

22. In a memorandum dated April 8, 2005 (Rea to Wagner), the Department of Environmental Resources/Concept has indicated that the site plan is consistent with the approved stormwater concept plan #315-2005.
23. In a memorandum dated April 6, 2005 from the City Manager of the City of Glenarden, the city was concerned with the amount of retail space offered by the development; that additional recreational facilities should be provided; that adequate roads are provided to serve the community; about a proposed connection of Campus Way over the Beltway to Brightseat Road.

With regard to retail space, the applicant is bound by the conditions of ZMA-A-9956-C. With regard to additional recreational facilities, additional facilities will be provided in Phase II of the development.

With regard to adequate roads to serve the community, a finding of adequate public facilities was made with the approval of Preliminary Plan 4-03094.

With regard to the extension of Campus Way North over the Beltway to Brightseat Road, there are no plans to extend Campus Way North at this time beyond the boundaries of the subject property. However, the extension of Campus Way North is shown on the approved Largo-Lottsford master plan.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCP/II/82/05) and further APPROVED Detailed Site Plan, Balk Hill for the above-described land, subject to the following conditions:

1. Prior to certification of the Detailed Site Plan, the following shall be provided:
  - a. Dimensions shall be provided for all sidewalks.
  - b. The tot lot shall be designed with high-quality play equipment and a rubberized safety surface.
  - c. Decorative lighting, to match the lighting in the retail area shall be provided in the central recreational open space area.
  - d. Architectural models shall be revised to provide a minimum of two standard architectural features, such as a door, window or masonry fireplace on the side elevations of all models.
  - e. Lot numbers and square footage shall be provided for all lots.
  - f. A note shall be added to the plan indicating that the lot coverage for single-family detached lots is 80 percent.
  - g. A note shall be added to the plan that all decks shall meet all building restriction lines.
  - h. Fencing details shall be provided. A maximum of three fencing styles shall be permitted.
  - i. All building, deck and fencing standards shall be entered into the Homeowners Association covenants. A copy of the covenants shall be provided to the Urban Design Section for review.
  - j. A note shall be added to the plan that porches may extend into the front building restriction line, but that chimneys and bay windows may not extend into the side yard.
  - k. The type, size, and style of lettering for the retail tenants shall be indicated on the architectural plan elevations.
  - l. Side and rear architectural elevations shall be provided for the retail buildings. The retail buildings shall be brick on all four sides.
2. At the time of Detailed Site plan for Phase II, recreational facilities worth no less than \$100,000 shall be provided, based on a total of 201 dwelling units in Phase II. If the number of dwelling unites in Phase II is reduced, the amount of recreational facilities may be reduced accordingly.
3. Prior to issuance of Final Plats, the applicant shall enter into a private Recreational Facilities Agreement with the Urban Design Review Section. The private Recreational Facilities Agreement shall include the construction phasing of the various recreational facilities.



4. On corner lots where the sides of single-family detached homes are exposed to public streets, a brick watertable shall be provided along the entire length of the side elevations and windows and doors shall be provided with a minimum four-inch trim.
5. A minimum of 60 percent of the approved dwelling units shall have brick or stone front facades as shown on the approved architectural elevations. A tracking chart shall be provided on the coversheet of the Detailed Site Plan to account for the brick facades at the time of building permit.
6. No two identical facades may be located next to or across from one another.
7. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to include detailed information regarding specimen trees #71, 93, 202-218, 227-239, 258, 259, 261-263 in the subject phase within 100 feet of the site's limits of disturbance and the preservation measures including treatments to occur prior to, during and after construction in relation to these trees. The note regarding specimen trees below the table on sheet 1 shall be removed and the note on sheet 15 shall be revised to remove the third sentence and replaced with a new sentence to read: "Specimen trees #71, 93, 202-218, 227-239, 258, 259, and 261-263 within 100 feet of the limits of disturbance shall be identified in the specimen tree table as to each tree's disposition before signature approval of the TCPII." In addition, the TCPII shall graphically show each specimen tree within 100 feet of the limits of disturbance and each tree's critical root zone in relation to the limits. Provide a column in the specimen tree table to indicate which trees in this phase of the development will have root pruning as a method of preservation and what other specific treatment methods such as pruning, fertilization, and supplemental watering are to be provided.
8. Prior to certificate approval of DSP-04067 a copy of the Technical Stormwater Management Plans shall be submitted. The limits of disturbance on the Technical Plans shall conform to those shown on the TCPII.
9. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised as follows:
10. In the worksheet provide an additional 0.01 acres of woodland conservation to eliminate a shortage in the site's requirement. Adjust the gross acreage in the worksheet for this portion of the development. Show the accurate acreage in the worksheet for this phase of the development. Use a phased worksheet because the site will be developed in more than one phase.
11. Put the pattern on sheet 13 for the future access road behind Lot 24 of Block O, and add it to the legend on sheets 13 and 14 with a corresponding symbol.
12. Standard note #5 has an extra phrase at the end that should be removed. Optional note #6 is incorrectly shown as #5 and should be renumbered accordingly. Below Optional note #6 is a phrase to a sentence that should be removed. Optional note #7 has a phrase at the end of it that is not part of the language in this note. Revise optional note #7 to contain the correct language.

13. On sheet 14 regarding Preservation Area A, indicate the amount of acreage in this woodland conservation area to the closest one-hundredth of an acre.
14. Reflect on the plan and the table the actual disposition of Specimen tree #200 shown on sheet 11 as being saved with a specimen tree sign symbol on the plan; however, in the table the tree is shown to be removed. Show the disposition of Specimen tree #226 so that the two points of reference do not conflict. Remove the specimen tree sign symbol from the plan in relation to specimen tree #261.
15. Provide the Reforestation Inspection and Planting Narrative and 5-Year Management Plan for Re/Afforestation information.
16. Provide the profiles on the plan for each retaining wall.
17. Replace the Edge Management notes on sheet 15 with the notes currently in use.
18. Add the following note to the TCPII: The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
19. After these revisions have been made to the plan, have the qualified professional who prepared the plan sign and date it.
20. The reforestation and associated fencing shall be installed prior to the issuance of building permits for Lots 16-20 of Block O. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It must include, at a minimum, photos of the reforestation area and the associated fencing in relation to each lot (Lots 16-20 of Block O), with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
21. Prior to certificate approval of DSP-04067, TCPII/82/05 shall be revised to locate the unmitigated 65-dBA (Ldn) noise contour on sheet 12 in relation to Campus Way North.
22. Prior to the issuance of any permits, a Phase I archeological investigation shall be conducted, pursuant to the findings of Historical and Archeological Reconnaissance of the Proposed Balk Hill Village Development, Prince George's County, by R. Christopher Goodwin & Associates, Inc., 2004.
23. Phase I archeological investigations should be conducted according to Maryland Historical Trust (MHT) guidelines, Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1994) and report preparation should follow MHT guidelines and the American

Antiquity or Society of Historical Archaeology style guide. Archeological excavations should be spaced along a regular 20-meter or 50-foot grid, at minimum, and excavations should be clearly identified on a map to be submitted as part of the report. Section 106 review may require archeological survey for state or federal agencies.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 29, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of October 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:GW:rmk



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council  
301-952-3600

November 19, 2020

**RE: DSP-04067-09 Woodmore Commons  
Balk Hill Ventures, LLC, Applicant**

## ***NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL***

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on November 10, 2020.

### ***CERTIFICATE OF SERVICE***

This is to certify that on November 19, 2020, this notice and attached Council Order was mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Donna J. Brown".

---

Donna J. Brown  
Clerk of the Council

County Administration Building  
14741 Governor Oden Bowie Drive, Upper Marlboro, Maryland 20772

Case No.: DSP-04067-09  
Woodmore Commons

Applicant: Balk Hill Ventures, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL

FINAL DECISION — APPROVAL OF DETAILED SITE PLAN

IT IS HEREBY ORDERED, after election to review Planning Board's decision and oral argument, that Detailed Site Plan Application Number 04067-09 (DSP-04067-09), is APPROVED.

DSP-04067-09 includes two parcels, which are located on Tax Map 60 in Grid E3, and are known as part of Parcel 1, recorded in Liber 33973 folio 99, and a plat for Balk Hill Village Subdivision recorded in Plat Book PM 217-92 on March 2, 2007. Parcel 1 is proposed to be subdivided with the approval of Preliminary Plan of Subdivision (PPS) 4-18024 into Parcels 10 and 11, which are the subject of this application.<sup>1</sup>

Upon careful consideration of opposition testimony concerning prior transactional events not germane to the requirements to approve a Detailed Site Plan, Council finds that Planning Board's approval of DSP-04067-09 and Type II Tree Conservation Plan 082-05-05 (TCPII-082-05-05), for development of five multifamily residential buildings, including 268 dwelling units, a 5,000-square-foot clubhouse, and surface parking, for property located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive, Planning Area 73, Council District 5, was supported by substantial evidence of record, not arbitrary, capricious, or

---

<sup>1</sup> In conjunction with DSP-04067-09 and TCPII-082-05-05, the District Council affirmed Planning Board's approval of Departure from Design Standards 669 (DDS-669), to reduce the standard parking space size to 9 feet by 18 feet, for property located at the northeast quadrant of the intersection of Ruby Lockhart Boulevard and Saint Joseph's Drive. District Council's Order, 11/9/2020, PGCPB 2020-77.

otherwise illegal. (10/26/2020, Tr.). Except as otherwise stated herein, Council adopts the findings and conclusions set forth by Planning Board in Resolution No. 2020-76 or PGCPB No. 2020-76.

DSP-04067-09 and TCPII-082-05-05 are hereby approved, subject to the following conditions:

1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made to the plans:
  - a. Show bike lanes along Ruby Lockhart Boulevard, in compliance with the approved plans per the Prince George's County Department of Public Works and Transportation.
  - b. Provide a continental style crosswalk crossing the subject site's entrance at Ruby Lockhart Boulevard, unless modified by the Prince George's County Department of Permits, Inspections and Enforcement.
  - c. Provide a standard crosswalk crossing the access road at the intersection southwest of the clubhouse.
  - d. Provide inverted-U style bicycle racks to replace the proposed wave-style bicycle racks.
  - e. Include landscaping at its base of the freestanding sign to provide for seasonal interest.
  - f. Provide a list of cost estimates, a floorplan, and a spreadsheet, in accordance with the values of the proposed private recreational facilities proposed with the DSP, in accordance with the Prince George's County *Parks and Recreation Facilities Guidelines*.
  - g. Provide a General Note showing the proposed and allowed floor area ratio relative to all development within the total area of the conceptual site plan.
  - h. Provide the appropriate landscape treatment between the parking lot and Tulson Lane, in conformance with Section 4.3-1 of the 2010 *Prince George's County Landscape Manual*.

- i. Provide enclosures for the dumpster facilities constructed with materials to compliment the proposed buildings, such as masonry or composite-wood, or screen these facilities with the appropriate amount of landscaping, in conformance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
2. Prior to certification of the detailed site plan, the Type II tree conservation plan (TCPII) shall be revised, as follows:
  - a. Type in all previous TCPII approval information in the TCPII approval block.
  - b. Revise the TCPII so that the phasing boundary is consistent with the detailed site plan (DSP). Revise the limits of disturbance to highlight the grading associated with implementing this DSP. Update the site statistics tables and the woodland conservation worksheet accordingly to reflect each of the new phases.
  - c. Remove all proposed fee-in-lieu from Phases 3 and 4. Indicate that all remaining woodland conservation required will be met on-site or through off-site mitigation on the worksheet and TCPI plan.
3. Prior to issuance of the final certificate of occupancy for the fourth multifamily building, all on-site recreational facilities and amenities shall be completed and verified by the Maryland-National Capital Park and Planning Commission.
4. Prior to issuance of fine grading permit, the applicant shall process an amendment to the approved Site Development Concept plan which will propose an increase in the size of the proposed underground vault from 8,200 cf. to 9,800 cf. The requirement to install a larger vault is expressly contingent upon the approval by the Department of Permits, Inspections and Enforcement (DPIE) as part of the approval of a revision to the Site Development Concept plan and to be incorporated in the final Stormwater Management Plan.

ORDERED this 10<sup>th</sup> day of November, 2020, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Franklin, Glaros, Harrison, Hawkins, Streeter, Taveras, and Turner.


Opposed:

Abstained: Council Member Dernoga.

Absent: Council Member Ivey.

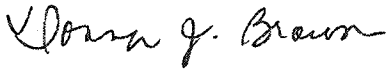
Vote: 9-0-1.

COUNTY COUNCIL OF PRINCE GEORGE'S  
COUNTY, MARYLAND, SITTING AS THE  
DISTRICT COUNCIL FOR THAT PART OF  
THE MARYLAND-WASHINGTON REGIONAL  
DISTRICT IN PRINCE GEORGE'S COUNTY,  
MARYLAND

By: 

\_\_\_\_\_  
Todd M. Turner, Council Chair

ATTEST:



\_\_\_\_\_  
Donna J. Brown  
Clerk of the Council



February 4, 2021  
Via Hand Delivery

M-NCPPC  
Development Review Division  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

Attention: Jeremy Hurlbutt

Re: Alternative Compliance  
DSP# 04067-10  
Woodmore Commons  
Ruby Lockhart Blvd. & St. Josephs Dr.  
Forestville, MD  
MB182008

To: Mr. Hurlbutt:

To whom it may concern,

We are formally requesting an alternative compliance for the proposed Commercial site (parcel 2) that is part of the Woodmore Commons project in Upper Marlboro, Maryland, DSP# 04067-10. The site is located at the corner of St. Joseph's Drive and Ruby Lockhart Boulevard. The site has 3 proposed restaurants, a bank, retail commercial, medical spaces. The site also includes above ground and underground Stormwater Management facilities, one entrance, bike racks, parking lots and dumpsters required for typical site development.

The requested relief is for Section 4.3-2 Interior Planting for Parking Lots 7,000 s.f. or Larger. Per the Landscape Plan submitted with this application. Planting for Parking Lots 7,000 s.f. or larger are parking lots greater than 50,000 s.f.(1 per 200 s.f. of interior planting area provided) The sites interior green space for parking compound 1 is 26,615 s.f. The interior shade trees required are  $26,615/200 = 133$  shade trees. The interior shade trees provided are 86 shade trees. The shortage equates to 47 Shade trees.

Per the Prince George's County Landscape Manual, Section 1.3 - Alternative Compliance, (2) *Space limitations, unusually shaped lots, prevailing practices in the surrounding neighborhood, in-fill sites, and improvements and redevelopment in older communities.*, section 1.3. (4) Safety considerations make alternative compliance necessary and section 1.3 (5) *An alternative compliance proposal is equal or better than normal compliance in its ability to fulfill the design criteria in Section 3, Landscape Elements and Design Criteria.*, our proposal meets these requirements and should therefore be considered for the above mentioned relief.

The stormwater management design for this site utilized many interior parking islands to meet ESD to the MEP. In order to maximize treatment, the engineer needed to utilize planter boxes within these islands. The County does not permit trees to be placed in the bioretention facilities. Therefore, an

Alternative Compliance is required to place the plant material in alternative locations in lieu of the interior green space per the Landscape Manual.

As mitigation, we propose to add twelve (12) additional shade trees, 58 (2:1) ornamental trees, and 50 (10:1) shrubs on the perimeter of the site. In accordance with section 1.3. (5). The additional trees and shrubs will be equal to normal compliance in its ability to fulfill the design criteria. In summary, the additional plant material as shown in red on the attached exhibit will provide the same landscape aesthetic as the initial requirement.

We ask that this proposal be accepted as satisfying the criteria of the alternative compliance requirements. Please do not hesitate to call us with any questions.

Sincerely,  
**Bohler Engineering VA, LLC**



Eric McWilliams P.L.A.  
*Sr. Landscape Architect*

/ma

H:\18\MB182008\Administrative\Letters\200923 - Landscape Alternative Compliance Request.doc

STATEMENT OF JUSTIFICATION

DEPARTURE FROM DESIGN STANDARDS DDS-672

WOODMORE COMMONS

APPLICANT: BALK HILL VENTURES, LLC

Edward C. Gibbs, Jr., Esquire

Gibbs and Haller  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033  
*egibbs@gibbshaller.com*  
Attorney for the Applicant

STATEMENT OF JUSTIFICATION IN SUPPORT OF DEPARTURE FROM DESIGN  
STANDARDS DDS-672

**APPLICANT**

The Applicant for this Departure from Design Standards application is Balk Hill Ventures, LLC. Balk Hill Ventures is a Maryland limited liability company formed and wholly owned by the principals of Petrie Richardson Ventures LLC (“Petrie Richardson”). Petrie Richardson was the original developer of Woodmore Town Centre, a major mixed use commercial and residential development located contiguous to the property forming the subject matter of this application. Petrie Richardson has substantial experience both locally and nationally in the development, construction and operation of mixed use development projects. Woodmore Towne Centre is a prime example of Petrie Richardson’s efforts. Woodmore Towne Centre is an approximately 274 acre project zoned M-X-T (Mixed Use Transportation Oriented). It includes a mix of commercial retail, commercial office and residential units of all types. To date, Woodmore Towne Centre has been developed with approximately 750,000 square feet of commercial retail uses, a hotel, a medical office building, and over 600 residential units. The development is ongoing.

Balk Hill Ventures is the contract purchaser of two parcels of land, one of which forms the subject matter of the instant application. The property is presently owned by the Revenue Authority of Prince George’s County, Maryland. (“Revenue Authority”).

**THE PROPERTY**

Balk Hill Ventures, LLC is the assignee of a contract of sale entered into between Petrie Richardson and the Revenue Authority to acquire Parcels 1 and 2. Parcels 1 and 2 are part of a larger project known as Balk Hill, which is zoned M-X-T. Parcels 1 and 2 are presently unimproved and wooded. They comprise 9.24 and 8.6 acres respectively and are recorded among the Land Records of Prince George’s County, Maryland in Plat Book REP 217, Plat No. 92. In addition to Parcels 1 and 2, Balk Hill also includes up to 393 residential uses of varying types as well as a small commercial office component within structures designed as townhomes. That portion of the development is under the ownership and project control of D.R. Horton, Inc. The entire project included approximately 125.4 acres. The development of Parcels 1 and 2 is to be known as Woodmore Commons.<sup>1</sup>

**NEIGHBORHOOD AND SURROUNDING USES**

---

<sup>1</sup>Originally, the entire 125.4 acre development was known as Balk Hill. At the time of processing Preliminary Subdivision Plan 4-1802, the Applicant decided to name the development of Parcels 1 and 2 “Woodmore Commons”.

Parcels 1 and 2 are located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St. Joseph's Drive. Parcel 1 has frontage on St. Joseph's Drive. Parcel 2 has frontage on both St. Joseph's Drive and MD 202. Both parcels will ultimately have frontage on an extension of Ruby Lochart Boulevard which will run generally in an east/west direction and connect Lottsford Road and St. Joseph's Drive. The majority of the 393 residential units within Balk Hill have been constructed and are occupied. Balk Hill is strategically located within the central portion of Prince George's County. It is proximate to the intersection of MD 202 and the Capital Beltway (I-495). Immediately west across St. Joseph's Drive is the St. Joseph's Church and Parish Center. Farther west and northwest is Woodmore Towne Centre, a mixed use commercial and residential development situated on approximately 274 acres of land zoned M-X-T. Woodmore Town Centre is approved to include up to 1,100 residential units of varying types, up to 1,000,000 square feet of commercial retail space, up to 1,000,000 square feet of commercial office space, hotel uses consisting of 360 rooms and a conference center between 6,000 and 45,000 square feet. To the south and across MD 202 is the Inglewood Business Community. It is home to a number of commercial office buildings and four hotels. Prince George's County has all of its permitting offices within Inglewood Business Community. Further, the Wayne K. Curry Administration Building has recently opened and is presently home to the offices of the Prince George's County Executive. In the near future, it is anticipated that the Prince George's County Council as well as MNCPPC will each relocate from Upper Marlboro to the Curry Administration Building. Farther to the south and across Arena Drive is a Metro Station and the Prince George's County Hospital which is currently under construction. In short, this area is quickly becoming the nerve center and development hub of Prince George's County.

## **DEVELOPMENT PROPOSAL**

### **Design Features/Parcel 2**

The applicant has filed a Detailed Site Plan application (DSP-04067-10) which deals with the full commercial component of the Woodmore Commons development. It includes all of Parcel 2 and part of Parcel 1. While Parcels 1 and 2 are presently the subject of approved Record Plats of Subdivision, Preliminary Subdivision Plan 4-18024 proposed the division of Parcel 2 into seven individual lots (Parcels 3 through 9 inclusive) and the division of Parcel 1 into two individual lots, (Parcels 10 and 11). Parcel 11 is the subject of a multifamily development proposal which is currently pending as DSP-04067-09.

As noted earlier, DSP-04067-10 involves all of Parcel 2 and part of Parcel 1. Parcel 2 will be devoted exclusively to commercial office and retail uses. Parcel 2 has frontage on Landover Road (MD 202), St. Joseph's Drive and Ruby Lockhart Boulevard. Access, however, will be restricted to a full turning movement access point on Ruby Lockhart Boulevard. As depicted on the Site Plan, this access point occurs at roughly the center of the Parcel 2 Ruby Lockhart Boulevard frontage. It occurs as an entrance with a single ingress lane of 14 feet in width and two egress lanes of 11 feet in width each. Access to the individual parcels and uses will be achieved through a series of private drives. All uses will have access to all driveway connections on Parcel 2 via private access easements. As noted previously, Parcel 2 is the

subject of an approved Preliminary Subdivision Plan which will result in dividing Parcel 2 into seven individual recorded lots. These are designated Parcels 3 through 9 inclusive.

Upon entering into the project from Ruby Lockhart Boulevard, three individual pad sites will be the subject of three separate commercial uses running along and adjoining the northwest property boundary. Immediately upon entering the project, the private access driveway will allow motorists to turn right to gain entry to the three pad developments. The first commercial use will be a Chase Bank with a drive-thru window. The bank will comprise 3,470± square feet. Parking will be located along the east and south sides of the building. The drive-thru lane is entered along the north side of the building. From there, cars will proceed to the west side of the building where the drive-thru windows will be located. After transacting business, cars will proceed to the south side of the building where they can exit into the private driveway to either visit other commercial uses on site or to exit the site. The Chase Bank proposes to have a double drive-thru.

The second commercial pad site, also located along the north/northwest side of the project, is proposed to be devoted to an Arby's restaurant comprising approximately 2,400 square feet of floor area. Parking is located along the east and west sides of the building. A driveway also is located along the east side of the building and connects the third retail pad site which will be discussed infra. The Arby's restaurant will also have a drive-thru lane with the same orientation as the Chase Bank. Cars will enter along the north side of the building where orders will be placed. They will then proceed to the west side of the building where orders will be paid for and picked up. After pickup, vehicles circulate to the south side of the building where they can again exit the site through the internal private driveway system or visit other commercial uses within the development.

The third commercial pad use proposed along the northern side of the project will be a Chick-Fil-A restaurant comprising approximately 4,945 square feet of floor area. Parking spaces will be located to the north and east of the Chick-Fil-A building. Again, a drive-thru lane will be offered with the same circulation as will exist for the Chase Bank and the Arby's restaurant. Cars will once again enter the drive-thru lane to the north of the parking compound associated with the Chick-Fil-A restaurant. Cars will circulate to the west side of the building where a double drive-thru lane will be located. Orders will be placed and paid for before proceeding to the south side of the building where once again, cars can utilize the private driveway system to either exit the site or visit other commercial uses.

The three commercial pad sites located along the north/west boundary of the project will be effectively separated from the balance of the development by surface parking spaces. The remainder of the commercial development will be oriented to the south/east side of the property. In the extreme southeast corner there will be a commercial office building comprising approximately 20,000 square feet of floor area. This will be the future home of the Prince George's County Revenue Authority.

Immediately abutting the Revenue Authority office building will be a rectangular shaped building which will be divided into a series of lease bays. These will range in size from 1,971 square feet to a maximum of 4,974 square feet. These individual commercial bays will include commercial retail uses, including restaurants. In addition, potentially three of the bays will be devoted to medical office uses. At this time, it is envisioned that the Children's Hospital clinic which is located within Woodmore Town Centre will lease these three medical office bays.

The final commercial pad site proposed to be developed on what is now Parcel 2 will be located in the extreme northeast corner of the site abutting Ruby Lochart Boulevard. This is proposed to be a retail drive-thru use comprising approximately 4,000 square feet. This restaurant use is also proposed to have a drive-thru lane which will originate along the east side of the building. At that point, orders will be placed. Cars will then proceed around to the north side of the building where orders will be paid for and picked up. From that point, cars can leave the site via the private parking driveways. As is the case with all uses, parking stalls will be located immediately abutting this proposed restaurant use.



In addition to generous onsite parking, loading spaces will be strategically located throughout the project. The parking compound and spaces will be delineated and buffered by generous landscape islands which will also serve as microbioretention facilities.

### **Design Features/Part of Parcel 1**

Parcel 1 in total comprises approximately 9.3± acres. Of this amount, approximately 7.2 acres is proposed to be devoted to the multifamily residential component of Woodmore Commons. The balance of Parcel 1, which coincides with Parcel 10 on the approved Preliminary Subdivision Plan, consists of approximately 2.1± acres which is located in the southeast quadrant of the intersection of Ruby Lockhart Boulevard and St. Joseph's Drive. This portion of the development will again be accessed by a private driveway. While the driveway provides access to the multifamily development, the totality of the driveway is located on Parcel 10. Full turning movements will exist onto Ruby Lockhart Boulevard. In addition, a single right-in/right-out driveway will provide access into this portion of the project from St. Joseph's Drive. This portion of the development is proposed to be devoted to a convenience store of approximately 4,000 square feet of floor area with gasoline service. The gasoline service is proposed to consist of six multiproduct dispensers located beneath a canopy. The pumps will be located to the south of the convenience store building. Two-way access will be provided around the pump islands. Parking spaces will be located along the perimeter of the site and on both sides of the convenience store. A substantial green area which will include bioretention islands and will serve as a buffer to the south of the gasoline pumps.

### **NATURE OF REQUEST**

Within the M-X-T Zone, required parking is to be determined by the Planning Board at the time of Detailed Site Plan approval. This Departure from Design Standards request deals with the size of the parking spaces which are proposed for the portion of DSP-04067-10 to be developed on what is now Parcel 2. In general, the size of parking spaces is determined based upon the provisions of Section 27-558 of the Zoning Ordinance. Specifically, non parallel parking spaces are generally required to be dimensioned at 9.5 feet x 19 feet. In this instance, the applicant is requesting authorization and approval to provide perpendicular parking spaces which are dimensioned at 9 feet x 18 feet.

### **CONFORMANCE WITH ZONING ORDINANCE STANDARDS**

Departures from Design Standards for parking compounds and parking spaces within those compounds are authorized pursuant to the provisions of Section 27-587 of the Zoning

Ordinance. That section provides as follows:

**Sec. 27-587. Departures from Design Standards.**

**(a) Authorization.**

- (1) In order to accomplish the purposes of this part, the Design Standards (Division 2, Subdivision 2; and Division 3, Subdivision 2) shall normally be complied with. A departure from these Design Standards may be permitted by the Planning Board or Planning Director, or by a municipality if this authority has been delegated by the District Council to a Municipal Corporation or through the establishment of a Revitalization Overlay District.**

The property is not within the limits of a municipal corporation. Therefore, the Departure in this instance must be granted by either the Planning Board or the Planning Director.

- (2) The Planning Board is authorized to approve departures from Design Standards in this Part, under procedures and requirements in Part 3, Division 5.**

This will be addressed hereinafter.

- (3) The Planning Director is authorized to approve administratively, without public hearing, limited departures from Design Standards, for a maximum of ten percent (10%) of standard requirements. The Director shall follow procedures and make the findings required in Part 3, Division 5.**

Pursuant to this provision, the Planning Director is authorized to approve administratively and without a public hearing, limited Departures from Design Standards up to a maximum of ten percent (10%) of standard requirements. The applicant submits that from a technical standpoint, in this instance the departure being requested could be approved by the Planning Director administratively and without a public hearing. As noted, the normal dimensions for parking spaces are 9.5 feet x 19 feet. A reduction of ten percent of the width of a normal space would allow a space 8.55 feet in width. Similarly, a reduction of ten percent of the length of a normal 19 foot long space would allow for a space of 17.1 feet in length. Clearly, the departure being requested by the applicant in this instance (9 feet x 18 feet) is substantially less than ten percent of the maximum standard. However, given that this departure is being requested within the context of a pending Detailed Site Plan, the applicant believes that it would be appropriate for the Departure to be considered by the Planning Board at the time of its review and approval of the Detailed Site Plan.

The Planning Board is authorized to consider and approve Departures from Design

Standards in accord with the procedures and requirements as set forth in Part 3, Division 5 of the Zoning Ordinance. Therein, Section 27-239.01 sets forth the procedures and criteria for the approval of a Departure from Design Standards. The required findings for an approval of a Departure from Design Standards are set forth in Section 27-239.01(b)(7). That section provides as follows:

**(A) In order for the Planning Board to grant the departure, it shall make the following findings:**

**(I) The purposes of this Subtitle will be equally well or better served by the applicant's proposal;**

The purposes of the Zoning Ordinance are set forth in Section 27-102(a). An analysis of each of those purposes follows:

**(a) The purposes of the Zoning Ordinance are:**

**(1) To protect and promote the health, safety, morals comfort, convenience, and welfare of the present and future inhabitants of the County;**

The parking proposal will provide allow the applicant to provide a greater number of spaces. Granting this minimal Departure from the dimensions of parking spaces will assist in providing those spaces. Accordingly, granting the Departure will in fact protect the health, safety, morals, comfort, convenience and welfare of present and future inhabitants of the County. In addition, as will be discussed infra, spaces which are dimensioned at 9 feet x 18 feet will be more than sufficient in size to park cars. This too will contribute to health, safety and welfare.

**(2) To implement the General Plan, Areas Master Plans and Functional Master Plans.**

The 1990 Largo-Lottsford Master Plan and Sectional Map Amendment recommended Employment land uses for the property and Land Use Alternatives. However, subsequent to the adoption of the Largo-Lottsford Master Plan, the District Council, in 2002 rezoned the property to the M-X-T Zone (ZMA A-9965-C). Subsequent thereto, the Planning Board approved Conceptual Site Plan 03001, and more recently a revision to that Conceptual Site Plan, CSP-03001-01, to allow the specific uses being proposed for the property, including commercial development as permitted in the M-X-T Zone. Further, the Plan Prince George's 2035 General Plan places the property in the Established Communities Area. The vision for the Established Communities Area is to accommodate context-sensitive infill and low to medium density development. The property was the subject of Preliminary Subdivision Plan 4-18024. Within that Preliminary Plan approval, the Planning Board found that the development proposal for Parcel 1 and Parcel 2, including the commercial uses proposed to be constructed on Parcel 2, were in conformance with the recommendations of both the Master Plan and the General Plan.

- (3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;**

Development of the property with commercial uses is subject to a trip cap established by condition of the District Council in the approval of ZMA A-9965-C. The development being proposed has been found to be within that trip cap and therefore adequate transportation facilities will be provided. Public safety services are also adequate and school adequacy is determined based upon payment of a school facility surcharge. Water and sewer is available to the subject property.

- (4) To guide orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry and business;**

The development being proposed is in strict conformance with the approval of CSP-03001-01 and Preliminary Plan 4-18024.

- (5) To provide adequate light, air, and privacy.**

The Detailed Site Plan which has been filed seeking approval of various commercial uses provides for a layout which ensures adequate spacing between buildings and thus will provide adequate light, air and privacy.

- (6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development.**

The proposed layout of the commercial uses provides for adequate space between buildings. Buffers will be provided in accord with the Landscape Manual and Green Area will be provided on site thus ensuring no adverse impact on adjoining development.

- (7) To protect the County from fire, flood, panic, and other dangers;**

This purpose is inapplicable.

- (8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;**

This purpose is inapplicable.

- (9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;**

The proposed commercial uses, once completed, will provide both shopping and dining opportunities as well as jobs for residents and workers in the area. In addition, the construction of the project will encourage economic development as it will provide jobs for the construction industry. The project as completed will enhance the tax base.

- (10) To prevent the overcrowding of land;**

The proposed development is in conformance with the Conceptual Site Plan and the Preliminary Subdivision Plan. It will not result in the overcrowding of land.

- (11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;**

As noted above, the development being proposed will be well within the trip cap established by the District Council for the development of the Balk Hill project. Transportation adequacy was also found at the time of the approval of the Preliminary Subdivision Plan 4-18024 in 2019.

- (12) To insure the social and economic stability of all parts of the County;**

This project will provide shopping, dining and employment opportunities for residents of the County. This will contribute to the social and economic stability of the County in general.

- (13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;**

Development of the property includes an approved Stormwater management plan as well as a

Tree Conservation Plan and Natural Resources Inventory. All of these will encourage appropriate preservation of natural resources.

**(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and**

Adequate green area is being proposed within the project.

**(15) To protect and conserve agricultural industry and natural resources.**

This provision is inapplicable.

**(ii) The departure is the minimum necessary, given the specific circumstances of the request;**

As has been described above, pursuant to the provisions of Section 27-558 of the Zoning Ordinance, normally the dimensions of non parallel parking spaces are required to be 9.5 feet x 19 feet. The applicant is requesting to reduce the size of the spaces to 9 feet x 18 feet. The effect of this reduction is to allow the applicant to provide more parking spaces. The applicant submits spaces that are 9 feet x 18 feet are more than sufficient in size.

It should be noted that virtually every jurisdiction within reasonable proximity of Prince George's County allows perpendicular/non parallel parking spaces to be provided at dimensions which are not as onerous as those in Prince George's County. The following jurisdictions are noted:

- A. Montgomery County Zoning Ordinance, Section 5-E-2.22(b) provides for perpendicular spaces to be dimensioned at 8.5 feet x 18 feet
- B. The Frederick County Zoning Ordinance, Section 1-19-6.220 allows for perpendicular parking spaces to be dimensioned at 9 feet x 18 feet
- C. The Charles County Zoning Ordinance, Section 297-336(A) allows for perpendicular parking spaces to be dimensioned at 9 feet x 18 feet
- D. The Calvert County Zoning Ordinance, Section 6-3.01.C allows for perpendicular parking spaces to be dimensioned at 9 feet x 18 feet;
- E. The St. Mary's County Zoning Ordinance, at Section 64.7 allows for perpendicular parking spaces to be dimensioned at 9 feet x 18 feet;
- F. The Anne Arundel County Zoning Ordinance, at Section 17-6-602 allows for standard perpendicular parking spaces to be dimensioned at 9 feet x 16 feet

The applicant's proposal to provide parking spaces dimensioned at 9 feet x 18 feet is consistent with all of the surrounding Maryland jurisdictions and as such certainly represents the minimum departure necessary in this instance. Further, allowing this departure will afford the applicant the opportunity to provide additional spaces for this development. The M-X-T Zone is unique in that parking is to be determined by the Planning Board based upon a review of the parking deemed to be necessary as part of the approval of the Detailed Site Plan. In this instance, the applicant believes the number of spaces it is proposing as well as the size of those spaces, is appropriate for this commercial development. Allowing this Departure assists the applicant in achieving a higher parking space yield.

- (iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949;**

There are circumstances which are unique to this site and which bear upon this Departure request. As noted above, the recent Conceptual Site Plan revision (CSP-03001-01) authorized the development of commercial uses on the property. When the Preliminary Subdivision Plan was approved, commercial uses were designated for Parcel 2. Parcel 2 is roughly rectangular in shape. It is long but somewhat narrow. The Preliminary Subdivision Plan approved a total of seven (7) lots for Parcel 2 with the lots being served by private drives. Development of Parcel 2 is accomplished by proposing buildings along the east and west sides (the perimeter) with drive aisles and parking located in the center. In addition, Parcel 2 has frontage on three (3) public roads (Landover Road, St. Joseph's Drive and Ruby Lockhart Boulevard) which necessitates setbacks and landscaping along each road. In short, while the Preliminary Subdivision Plan approved up to 88,000 sq. feet of commercial space, physical constraints including the shape of Parcel 2 and road frontages allow only a proposed total of 67,996 sq. feet with surface parking. Allowing the applicant to provide spaces which are 9 feet x 18 feet, as is prevalent in most other neighboring jurisdictions, affords the applicant an opportunity to provide a greater number of spaces in a smaller land area. The applicant submits these are in fact circumstances which are unique to this site, especially given its M-X-T zoning classification and recent plan approvals.

- (iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.**

This is a minimal departure request which is being proposed by the applicant. The applicant submits it is not perceptible to the naked eye to discern the difference between a space which is 9.5 feet x 19 feet and a space which is 9 feet x 18 feet. The size of the spaces look the same. In addition, as can be seen from a review of the site plan filed with DSP-04067-10, there is adequate spacing between buildings. In addition, there is substantial landscaping within the project. Finally, the architecture being proposed is of high quality and design. The net effect is to produce a proposed development which is visually and functionally attractive. Since all environmental regulations are being observed as set forth in approved plans including the Natural Resources Inventory, Tree Conservation Plan and Concept Stormwater Management Plan, there will be no adverse impact on the environmental quality or function of the site. Given these facts, the applicant submits this standard is also met and satisfied.

### **CONCLUSION**

In view of the above, the applicant respectfully submits that all articulated standards for the grant of this Departure from Design Standards are met and satisfied. Given this fact, the applicant requests that the Departure to allow spaces to be provided with dimensions of 9 feet x 18 feet should be approved.



---

Edward C. Gibbs, Jr., Esquire  
Gibbs and Haller  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033  
*egibbs@gibbshaller.com*  
Attorney for the Applicant

S:\Petrie ELG\BALK HILL\Justification Statement DDS-672.wpd

STATEMENT OF JUSTIFICATION

DETAILED SITE PLAN, DSP-04067-10

WOODMORE COMMONS

APPLICANT: BALK HILL VENTURES, LLC

Edward C. Gibbs, Jr., Esquire  
Gibbs and Haller  
1300 Caraway Court, Suite 102

Largo, Maryland 20774  
(301) 306-0033  
*egibbs@gibbshaller.com*  
Attorney for the Applicant

**STATEMENT OF JUSTIFICATION**  
**IN SUPPORT OF DETAILED SITE PLAN DSP-04067-10**

**APPLICANT**

The Applicant for this Detailed Site Plan application is Balk Hill Ventures, LLC. Balk Hill Ventures is a Maryland limited liability company formed and wholly owned by the principals of Petrie Richardson Ventures LLC (“Petrie Richardson”). Petrie Richardson was the original developer of Woodmore Town Centre, a major mixed use commercial and residential development located contiguous to the property forming the subject matter of this application. Petrie Richardson has substantial experience both locally and nationally in the development, construction and operation of mixed use development projects. Woodmore Towne Centre is a prime example of Petrie Richardson’s efforts. Woodmore Towne Centre is an approximately 274 acre project zoned M-X-T (Mixed Use Transportation Oriented). It includes a mix of commercial retail, commercial office and residential units of all types. To date, Woodmore Towne Centre has been developed with approximately 750,000 square feet of commercial retail uses, a hotel, a medical office building, and over 600 residential units. The development is ongoing.

Balk Hill Ventures is the contract purchaser of two parcels of land which form the subject matter of the instant application. The property is presently owned by the Revenue Authority of Prince George’s County, Maryland. (“Revenue Authority”).

**THE PROPERTY**

Balk Hill Ventures, LLC is the assignee of a contract of sale entered into between Petrie Richardson and the Revenue Authority to acquire Parcels 1 and 2. Parcels 1 and 2 are part of a larger project known as Balk Hill, which is zoned M-X-T. Parcels 1 and 2 are presently unimproved and wooded. They comprise 9.34 and 8.6 acres respectively and are recorded among the Land Records of Prince George’s County, Maryland in Plat Book REP 217, Plat No. 92. In addition to Parcels 1 and 2, Balk Hill also includes up to 393 residential uses of varying types as well as a small commercial office component within structures designed as townhomes. That portion of the development is under the ownership and project control of D.R. Horton, Inc. The entire project included approximately 125.4 acres. The development of Parcels 1 and 2 is to be known as Woodmore Commons. Within Woodmore Commons, this Detailed Site Plan will include commercial office, retail and service uses.<sup>1</sup>

**DEVELOPMENT HISTORY OF BALK HILL**

The Balk Hill/Woodmore Commons project is zoned M-X-T. It was rezoned in 2002 pursuant to the approval by the District Council of Zoning Map Amendment Application A-9956-C.

---

<sup>1</sup>Originally, the entire 125.4 acre development was known as Balk Hill. At the time of processing Preliminary Subdivision Plan 4-1802, the Applicant decided to name the development of Parcels 1 and 2 “Woodmore Commons”.

The applicant in that case was Rocky Gorge Homes. The application was approved subject to a number of conditions, all of which were accepted by Rocky Gorge. Rocky Gorge is primarily a residential home builder. However, the M-X-T Zone requires a mix of uses. A solely residential development is not authorized in the M-X-T Zone. Accordingly, the application as approved by the District Council authorized a total of 393 residential units, 20,000 square feet of retail space and 328,000 square feet of general office space, or other uses which generate no more than 1,013 AM and 1,058 PM peak hour vehicle trips.<sup>2</sup>

The M-X-T Zone requires a multi-phased approval process. Once the basic rezoning has been approved, before development may occur an applicant must obtain approval of a Conceptual Site Plan, a Preliminary Subdivision Plan, a Detailed Site Plan and Final Plats of Subdivision.

### **Conceptual Site Plan**

In the case of Balk Hill, a Conceptual Site Plan was filed and processed in 2003. The original Conceptual Site Plan was assigned the application number CSP-03001. The Prince George's County Planning Board ("Planning Board") of the Maryland-National Capital Park and Planning Commission ("MNCPPC") approved the Conceptual Site Plan for Balk Hill on September 11, 2003 pursuant to the adoption of Planning Board Resolution PGCPB No. 03-176. The District Council did not elect to review the Conceptual Site Plan and therefore the Planning Board's decision became the final approval. The Conceptual Site Plan (CSP-03001) covered and included the entire 125.4 acres which were the subject of the original Balk Hill rezoning. In conformance with the rezoning, the Planning Board Resolution included the approval of 393 residential units, 20,000 square feet of commercial retail space and 328,480 square feet of "commercial" space. The commercial space was to be developed within a 20 acre employment parcel consisting of two individual lots. These lots were to be located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St. Joseph's Drive. (See Planning Board Approval Resolution of CSP-03001, Page 5) The Conceptual Site Plan drawing depicted the location of these two employment development parcels, now known as Parcels 1 and 2.

### **Preliminary Subdivision Plan**

The original Preliminary Subdivision Plan for Balk Hill (4-03094) was approved by the Planning Board on February 19, 2004. By that time, Rocky Gorge Homes was no longer the proposed developer. The applicant for the approved Preliminary Subdivision Plan was D.R. Horton, also a residential developer and builder. The Planning Board's approval was set forth in Resolution PGCPB No. 04-33. The transportation findings indicate that the site traffic generation was analyzed for 393 residential units, 20,000 square feet of specialty commercial retail and 328,480 square feet of general commercial retail. The commercial uses were designated to be developed on Parcels 1 and 2. It was further provided in the conditions of approval of the preliminary subdivision plan that Parcels 1 and 2 were to be conveyed to the Revenue Authority. (See Condition 1(c)(2)). Condition 17 of the Preliminary Subdivision Plan approval provided that the use of Parcels 1 and 2 should be determined at the time of approval of the Detailed Site Plan. Condition 22 provided that Parcels 1 and 2 were to be platted with the first final plats for the entire project and to be conveyed to the Revenue Authority immediately after recordation.

---

<sup>2</sup>All of the approval orders and resolutions have been filed with this Application. The limitation on development as set forth in the original rezoning appears in Condition 5 of the District Council Order granting final conditional zoning to the Balk Hill project.

### **Detailed Site Plan**

The initial Detailed Site Plan for Balk Hill (DSP-04067) was approved by the Planning Board on September 29, 2005. There have been a number of revisions to DSP-04067 but these revisions deal with the residential component of Balk Hill. The Planning Board's Resolution evidencing this approval bears the number PGCPB No. 05-202. The Detailed Site Plan referenced future commercial development to occur on Parcels 1 and 2 as comprising 20,000 square feet of commercial retail space and 325,000 +/- square feet of commercial office use.<sup>3</sup> Parcels 1 and 2 were referenced to be conveyed to the Revenue Authority. However, no details for any development on Parcels 1 or 2 were included within the approval of DSP-04067. Ultimately, the Detailed Site Plan was reviewed by the District Council and remanded to the Planning Board. Thereafter, the Planning Board reapproved DSP-04067 on June 1, 2006 as evidenced in Planning Board Resolution PGCPB No. 05-202(A). Finally, after the remand the Detailed Site Plan was reviewed and approved by the District Council on July 25, 2006. A copy of the District Council Order of Approval has been filed with this application.

### **Revenue Authority Ownership of Parcels 1 and 2**

On June 20, 2012, D.R. Horton, Inc. conveyed Parcels 1 and 2 to the Revenue Authority of Prince George's County. The Deed was recorded in the Land Records of Prince George's County, Maryland in Liber 33973, Folio 099. The Revenue Authority never pursued any development of Parcels 1 and 2. Ultimately, the Revenue Authority determined to dispose of Parcels 1 and 2. Accordingly, on October 20, 2014 the Revenue Authority issued a Request For Qualifications ("RFQ") soliciting interested purchasers of both Parcels. Petrie Richardson was the only potential purchaser to file a response. Subsequent thereto, Petrie Richardson and the Revenue Authority entered into negotiations which led to the execution of a contract of sale.

### **Amendment of Zoning Conditions**

Subsequent to entering into the contract of sale with the Revenue Authority, Petrie Richardson commenced its due diligence process. Petrie Richardson determined that its proposed development of Parcels 1 and 2 would include commercial uses of varying types and multi-family residential uses. Accordingly, due to the ambiguous wording of Condition 5, as attached to the original rezoning of the Balk Hill project, Petrie Richardson notified the Revenue Authority that Condition 5 would need to be revised in order to ensure that any uses permitted in the M-X-T Zone could be developed on Parcels 1 and 2. Petrie Richardson also requested that Condition 10 attached to the original Zoning be revised. Condition 10 required the establishment of an advisory planning committee to advise the Revenue Authority on the ultimate use and disposition of Parcels 1 and 2.

Petrie Richardson and the Revenue Authority both took part in the process to amend Conditions 5 and 10. After review by staff of MNCPPC and a hearing before the Zoning Hearing

---

<sup>3</sup>The commercial component is referred to as both general commercial and office commercial in different approvals.

Examiner, the District Council on March 22, 2018 adopted an Ordinance of Final Conditional Zoning Approval amending both Condition 5 and Condition 10. In particular, Condition 5 was amended to provide as follows:

**The development of the subject Property shall be limited to the prior M-X-T approved 393 residences plus additional permitted uses under the MXT Zone which generate no more than 1,013 am and 1,058 pm peak hour trips.**

### **Revision to Conceptual Site Plan**

The Applicant filed a Revision to the Conceptual Site Plan (CSP-03001-01). This Revision dealt with Parcels 1 and 2. Parcel 1 was proposed to be developed with approximately 6,000 square feet of retail/service commercial uses and 284 multifamily residential units. Parcel 2 was proposed to be developed with approximately 70,000 square feet of commercial retail and/or office uses. This Revision to the Conceptual Site Plan was reviewed and approved by the Planning Board on May 30, 2019 (PGCPB No. 19-71). This Conceptual Site Plan Revision was approved by the District Council on October 15, 2019.

### **Preliminary Subdivision Plan**

A new Preliminary Subdivision Plan was filed for Parcels 1 and 2 (4-18024). This Plan proposed dividing Parcel 1 into two individual lots (Parcels 10 and 11) and Parcel 2 into seven individual lots (Parcels 3 thru 9 inclusive). Parcel 2 is to be accessed exclusively from Ruby Lockhart Boulevard. A private road/access easement which was approved pursuant to Section 24-128(b)(1) will provide access from Ruby Lockhart Boulevard into the seven individual parcels. Parcel 1 will also be accessed by a private road/access easement from Ruby Lockhart Boulevard, again pursuant to Section 24-128(b)(1). In addition, Parcel 1 will have access via a right-in/right-out turning movement directly from St. Joseph's Drive. Preliminary Subdivision Plan 4-18024 was approved by the Planning Board on September 26, 2019. The multifamily residential units will be constructed on Parcel 11. They are the subject of a Detailed Site Plan (DSP-04067-09) which was approved by the Planning Board on May 14, 2020. A Departure from Design Standards (DDS-669) was approved at the same time.

### **NEIGHBORHOOD AND SURROUNDING USES**

Parcels 1 and 2 are located in the northeast quadrant of the intersection of MD 202 (Landover Road) and St. Joseph's Drive. Parcel 1 has frontage on St. Joseph's Drive. Parcel 2 has frontage on both St. Joseph's Drive and MD 202. Both parcels will ultimately have frontage on an extension of Ruby Lochart Boulevard which will run generally in an east/west direction and connect Lottsford Road and St. Joseph's Drive. The majority of the 393 residential units within Balk Hill have been constructed and are occupied. Balk Hill is strategically located within the central portion of Prince George's County. It is proximate to the intersection of MD 202 and the Capital Beltway (I-495). Immediately west across St. Joseph's Drive is the St. Joseph's Church and Parish Center. Farther west and northwest is Woodmore Towne Centre, a mixed use commercial and residential development situated on approximately 274 acres of land zoned M-X-T. Woodmore Town Centre is approved to include up to 1,100 residential units of varying types, up to 1,000,000 square feet of commercial retail space, up to 1,000,000 square feet of commercial office space, hotel uses consisting of 360 rooms and a conference center between 6,000 and 45,000 square feet. To the south and across MD 202 is the Inglewood Business Community. It is home to a number of commercial office buildings and three hotels. Prince George's County has all of its permitting offices within Inglewood Business Community. Further, the Wayne K. Curry Administration Building has recently opened and is presently home to the offices of the Prince George's County Executive. In the near future, it is anticipated that the Prince George's County Council as well as MNCPPC will each relocate from Upper Marlboro to the Curry Administration Building. Farther to the south and across Arena Drive is a Metro Station and the Prince George's County Hospital which is currently under construction. In short, this area is quickly becoming the nerve center and development hub



of Prince George's County.

## **DEVELOPMENT PROPOSAL**

### **Design Features/Parcel 2**

This Detailed Site Plan application deals with the full commercial component of the Woodmore Commons development. It includes all of Parcel 2 and the development which is proposed on part of Parcel 1. While Parcels 1 and 2 are presently the subject of approved Record Plats of Subdivision, Preliminary Subdivision Plan 4-18024 proposed the division of Parcel 2 into seven individual lots (Parcels 3 through 9 inclusive) and the division of Parcel 1 into two individual lots, (Parcels 10 and 11). Parcel 11 is the subject of the multifamily development proposal which is currently pending as DSP-04067-09.

Parcel 2 will be devoted exclusively to commercial office and retail uses. Parcel 2 has frontage on Landover Road (MD 202), St. Joseph's Drive and Ruby Lockhart Boulevard. Access, however, will be restricted to a full turning movement access point on Ruby Lockhart Boulevard. As depicted on the Site Plan, this access point occurs at roughly the center of the Parcel 2 Ruby Lockhart Boulevard frontage. It occurs as an entrance with a single ingress lane of 14 feet in width and two egress lanes of 11 feet in width each. Access to the individual parcels and uses will be achieved through a series of private drives. All uses will have access to all driveway connections on Parcel 2 via private access easements. As noted previously, Parcel 2 is the subject of an approved Preliminary Subdivision Plan which will result in dividing Parcel 2 into seven individual recorded lots. These are designated Parcels 3 through 9 inclusive.

Upon entering into the project from Ruby Lockhart Boulevard, three individual pad sites will be the subject of three separate commercial uses running along and adjoining the northwest property boundary. Immediately upon entering the project, the private access driveway will allow motorists to turn right to gain entry to the three pad developments. The first commercial use will be a Chase Bank with a drive-thru window. The bank will comprise 2,865± square feet. Parking will be located along the east and south sides of the building. The drive-thru lane is entered along the north side of the building. From there, cars will proceed to the west side of the building where the drive-thru windows will be located. After transacting business, cars will proceed to the south side of the building where they can exit into the private driveway to either visit other commercial uses on site or to exit the site. The Chase Bank proposes to have a double drive-thru.

The second commercial pad site, also located along the north/northwest side of the project, is proposed to be devoted to an Arby's restaurant comprising approximately 2,400 square feet of floor area. Parking is located along the east and west sides of the building. A driveway also is located along the east side of the building and connects the third retail pad site which will be discussed infra. The Arby's restaurant will also have a drive-thru lane with the same orientation as the Chase Bank. Cars will enter along the north side of the building where orders will be placed. They will then proceed to the west side of the building where orders will be paid for and picked up.

After pickup, vehicles circulate to the south side of the building where they can again exit the site through the internal private driveway system or visit other commercial uses within the development.

The third commercial pad use proposed along the northern side of the project will be a Chick-Fil-A restaurant comprising approximately 4,945 square feet of floor area. Parking spaces will be located to the north and east of the Chick-Fil-A building. Again, a drive-thru lane will be offered with the same circulation as will exist for the Chase Bank and the Arby's restaurant. Chick-Fil-A will offer a double drive-thru. Cars will once again enter the drive-thru lane to the north of the parking compound associated with the Chick-Fil-A restaurant. Cars will circulate to the west side of the building where a double drive-thru lane will be located. Orders will be placed and paid for before proceeding to the south side of the building where once again, cars can utilize the private driveway system to either exit the site or visit other commercial uses.

The three commercial pad sites located along the north/west boundary of the project will be effectively separated from the balance of the development by surface parking spaces. The balance of the commercial development will be oriented to the south/east side of the property. In the extreme southeast corner there will be a commercial office building comprising approximately 20,000 square feet of floor area.

Immediately abutting the office building will be a rectangular shaped building which will be divided into a series of lease bays. These will range in size from 1,971 square feet to a maximum of 4,974 square feet. These individual commercial bays will include commercial retail uses, including restaurants. In addition, potentially four of the bays will be devoted to medical office uses. At this time, it is envisioned that the Children's Hospital clinic which is located within Woodmore Town Centre will lease at least some of these medical office bays.

The final commercial pad site proposed to be developed on what is now Parcel 2 will be located in the extreme northeast corner of the site abutting Ruby Lochart Boulevard. This is proposed to be a retail drive-thru use comprising approximately 4,000 square feet. This use is also proposed to have a drive-thru lane which will originate along the east side of the building. Cars will then proceed around to the north side of the building. From that point, cars can leave the site via the private parking driveways. As is the case with all uses, parking stalls will be located immediately abutting this proposed building.

In addition to generous onsite parking, loading spaces will be strategically located throughout the project. The parking compound and spaces will be delineated and buffered by generous landscape islands which will also serve as microbioretention facilities.

### **Design Features/Part of Parcel 1**

Parcel 1 in total comprises approximately 9.3± acres. Of this amount, approximately 7.2 acres is proposed to be devoted to the multifamily residential component of Woodmore Commons. The balance of Parcel 1, which coincides with Parcel 10 on the approved Preliminary Subdivision Plan, consists of approximately 2.1± acres which is located in the southeast quadrant of the intersection of Ruby Lockhart Boulevard and St. Joseph's Drive. This portion of the development will again be accessed by a private driveway. While the driveway provides access to the multifamily development, the totality of the driveway is located on Parcel 10. Full turning movements will exist onto Ruby Lockhart Boulevard. In addition, a single right-in/right-out

driveway will provide access into this portion of the project from St. Joseph's Drive. This portion of the development is proposed to be devoted to a 7-Eleven convenience store of approximately 4,000 square feet of floor area with gasoline service. The gasoline service is proposed to consist of six multiproduct dispensers located beneath a canopy. The pumps will be located to the south of the convenience store building. Two-way access will be provided around the pump islands. Parking spaces will be located along the perimeter of the site and on both sides of the convenience store. A substantial green area which will include bioretention islands and will serve as a buffer to the south of the gasoline pumps.

### **Landscaping**

A generous and attractive landscaping proposal is shown on the Landscape Plans attached to the submittal on Sheets DSP-11 and DSP-12. In particular, shade trees are proposed to be located across the perimeter of Parcel 2 abutting MD 202, St. Joseph's Drive and Ruby Lockhart Boulevard. In addition, shade trees are interspersed in landscaped areas throughout the shopping center including around the individual buildings and surrounding the parking compound. This presents a green viewshed. A similar planting plan is proposed on Parcel 1 where substantial landscaping and shade trees are also shown around the perimeter of the site abutting Ruby Lockhart Boulevard, St. Joseph's Drive and Tolson Lane.

### **Architecture/Elevations**

Detailed architectural elevations for all of the improvements for all of the improvements which are proposed on both Parcel 2 and Parcel 1 have been filed with this application. The elevations of the various buildings appear on Sheets DSP-22 thru 25, DSP-30 thru DSP-32, DSP-35 and 36 and DSP-38 and 39. In each instance, the architecture incorporates masonry, brick and/or stone in attractive earthtone colors. Metal coping of a complementary color as well as EFIS are also added at places on the architecture of the various buildings.

### **Signage**

Signage for all of the proposed buildings is also enclosed with the DSP package. Signage for the Inline Retail building appears on Sheets DSP-22 and 23. Given that these tenants have not been identified at this time, individual plates with the word "SIGNAGE" appears along the top of the front of the inline building beneath the roofline. Chick-Fil-A's trademark red signage and logo is displayed on Sheets DSP-27 thru DSP-30. The Arby's proposed signage and drive-thru details appear on Sheets DSP-33 and DSP-34. Similarly, details for the Chase Bank sign package appear on the elevation drawings on Sheets DSP-35 and 36. The ATM elevations for the Chase Bank and drive-thru lane appear on Sheet DSP-37. Finally, the proposed signage for the 7-Eleven appears on Sheet DSP-41. In addition to building signage, the 7-Eleven proposes a pole mounted sign which is 25 feet in height. It displays the 7-Eleven logo at the top with space beneath that logo for listing of gasoline prices as required by state law.

In addition to the tenant signage described above, a freestanding sign proposed as a monument feature identifying the project is proposed to be located along the property's MD 202 frontage near its intersection with St. Joseph's Drive. That sign is also proposed to be 25 feet in height. It has attractive stone on the base and on each of the two piers up to an elevation of up to approximately six feet from grade. The balance of the sign is proposed to include a composite

treatment with arched coping at the top. Inside of the piers and beneath the coping will be the name of the development "Woodmore Commons". Beneath that will be individual tenant signage panels. The sign is proposed to be located between 25 and 30 feet behind the right-of-way line of MD 210. The closest building to MD 210 is approximately 65 feet from the right-of-way line. Similarly, the closest building to the St. Joseph's Drive right-of-way line is approximately 43 feet.

In the M-X-T Zone, building or canopy signage is governed by the provisions of Section 27-613. Freestanding signs are governed by the provisions of Section 27-614. Pursuant to Section 27-613(f) and Section 27-614(e), in the M-X-T Zone, the allowable signage is determined by the Planning Board based upon its approval of the Detailed Site Plan. The applicant submits that the signage being proposed in this instance is attractive and serves to promote traffic safety by allowing the project to be identified and by allowing the individual tenants to be identified. Building signage is appropriately located on the face of the buildings near the eave or roofline. For the 7-Eleven, additional signage which includes the 7-Eleven logo, is placed along the top band of the canopy covering the pump islands. This band incorporates a color combination of horizontal stripes which are orange, green and red.

## Lighting

A series of photometric drawings have been filed with this application. They may be found on Sheets DSP-14 thru DSP-19 inclusive. These photometric drawings depict the lighting situation on both Parcel 2 (the shopping center) and that part of Parcel 1 being developed with the 7-Eleven. Building signage is depicted on the elevation drawings for the individual uses. In addition, details for parking lot light standards are also enclosed in the Detailed Site Plan package.

## CONFORMANCE WITH ZONING ORDINANCE STANDARDS

### CRITERIA FOR DETAILED SITE PLAN APPROVAL

The subject application is in conformance with the requirements of Section 27-547, which governs uses in mixed-use zones. Specifically, the proposed multifamily residential use is a permitted use in the M-X-T Zone.

Section 27-547(d) provides standards for the required mix of uses for sites in the M-X-T Zone, as follows:

- (d) At least two (2) of the following three (3) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. In a Transit District Overlay Zone, a Conceptual Site Plan may include only one of the following categories, provided that, in conjunction with an existing use on abutting property in the M-X-T Zone, the requirement for two (2) out of three (3) categories is fulfilled. The Site Plan shall show the location of the existing use and the way that it will be integrated in terms of access and design with the proposed development. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone:**

- (1) Retail businesses;**
- (2) Office, research, or industrial uses;**
- (3) Dwellings, hotel, or motel.**

COMMENT: This DSP is for commercial uses. However, the retail and office uses satisfy this requirement as they constitute two of the three categories. Also, the overall development includes the residential units which are the subject of DSP-04067-09. Further, the entire Balk Hill development also includes DR Horton's 393 residential units. Therefore, this Detailed Site Plan is in conformance with this requirement.

Section 27-548, M-X-T Zone regulations, establishes additional standards for development in this zone. The DSP's conformance with the applicable provisions is discussed, as follows:

- (a) Maximum floor area ratio (FAR):**
- (1) Without the use of the optional method of development—0.40 FAR**

**(2) With the use of the optional method of development—8.0 FAR**

COMMENT: The entire Woodmore Commons development will use the optional method of development, and specifically utilizes one bonus incentive in Section 27-545(b), as follows:

- (b) Bonus incentives.**
  - (4) Residential use.**
    - (A) Additional gross floor area equal to a floor area ratio (FAR) of one (1.0) shall be permitted where twenty (20) or more dwelling units are provided.**

COMMENT: DSP-04067-09 proposes a total of 268 multifamily residential dwellings, allowing for a maximum allowed FAR of 1.40. The FAR for this Detailed Site Plan is .51. The FAR for the entire Balk Hill project, including Woodmore Commons is 0.44.

- (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building, and on more than one (1) lot.**

COMMENT: The DSP shows that the uses included in this DSP will be located in more than one building and on more than one lot as permitted under this section.

- (c) Except as provided for in this Division, the dimensions for the location, coverage, and height of all improvements shown on an approved Detailed Site Plan shall constitute the regulations for these improvements for a specific development in the M-X-T Zone.**

COMMENT: The detailed site plan is approved with appropriate bulk requirements including the location, coverage, and height of all improvements, as permitted under this regulation.

- (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be provided pursuant to the provisions of the Landscape Manual. Additional buffering and screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character of the M-X-T Zone from adjoining or interior incompatible land uses.**

COMMENT: The development is subject to the requirements of the 2010 Prince George's County Landscape Manual (Landscape Manual), which is being complied with.

- (e) In addition to those areas of a building included in the computation of gross floor area (without the use of the optional method of development), the floor area of the following improvements (using the optional method of development) shall be included in computing the gross floor area of the of building of which they are a part: enclosed pedestrian spaces, theaters, and residential uses. Floor area ratios shall exclude from gross floor area that area in a building or structure devoted to vehicular parking and parking access areas (notwithstanding the provisions of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the subject of the**

### **Conceptual Site Plan.**

COMMENT: The FAR for the overall development of project applied to the entire Conceptual Site Plan site is 0.44 which is calculated in accordance with this requirement.

- (f) Private structures may be located within the air space above, or in the ground below, public rights-of-way.**

COMMENT: There are no private structures within the air space above, or in the ground below, public rights-of-way as part of this project. Therefore, the DSP is in conformance with this requirement.

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

COMMENT: Preliminary Plan 4-18024 has been approved for the property that is the subject of this application. All uses have frontage on a public street. Access will be provided for all uses on Parcel 2 from a private easement which will connect to Ruby Lockhart Boulevard. The use proposed on Parcel 1 will use direct access to both Ruby Lockhart Boulevard and St. Joseph's Drive. Access via the private easement was approved pursuant to Section 24-128(b)(1) of the Subdivision Ordinance.

- (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand two hundred (1,200) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than eight (8) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. The minimum lot size, maximum number of units per building group and percentages of such building groups, and building width requirements and restrictions shall not apply to townhouses on land any portion which lies within one-half (½) mile of an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and initially opened after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building group and no more than two (2) building groups containing ten (10) dwelling units. For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls**

of two (2) adjoining rows of units is greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned Community, there shall be no more than eight (8) townhouses per building group, except when the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than eight (8) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development. The minimum building width in any continuous, attached group shall be eighteen (18) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area. Garages may not dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set back a minimum of four (4) feet from the front facade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front facade of any individual unit. Garages may be incorporated into the rear of the building or freestanding in the rear yard and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council may approve a request to substitute townhouses, proposed for development as condominiums, in place of multifamily dwellings that were approved in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, at the time of Detailed Site Plan for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to these regulations so long as the modifications conform to the applicable regulations for the particular development.

COMMENT: This Detailed Site Plan is not subject to this requirement because there are no townhouses proposed.

- (i) **The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone, designated General Plan Metropolitan or Regional Centers, or a Mixed-Use Planned Community.**

COMMENT: This Detailed Site Plan is not subject to this requirement because it does not include multifamily buildings.

- (j) **As noted in Section 27-544(b), which references property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, and for which a comprehensive land use planning**



**study was conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks, buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal circulation) should be based on the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change and any referenced exhibit of record for the property. This regulation also applies to property readopted in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006 and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector Plan (see Section 27-226(f)(3) of the Zoning Ordinance).**

COMMENT: In 2002, the subject property was rezoned from the Planned Industrial/Employment Park Zone to the M-X-T Zone by the District Council through Zoning Map Amendment (ZMA) A-9956-C. The Prince George's County Planning Board approved CSP-03001, which included 393 residential units, 20,000 square feet of commercial/retail space, and 329,480 square feet of commercial/office space. On March 22, 2018, the District Council adopted an ordinance to amend conditions 5 and 10 of A-9956-C. On May 30, 2019, the Planning Board approved CSP-03001-01 amendment for Balk Hill Centre to revise the uses on Parcels 1 and 2 to reduce the commercial square footage to 65,000 to 100,000 square feet and add 284 multifamily dwelling units. The District Council approved CSP-03001-01 on October 15, 2019.

In accordance with Section 27-546(d), in addition to the findings required to approve a DSP, the Planning Board shall make the following findings for projects in the M-X-T Zone:

**(1) The proposed development is in conformance with the purposes and other provisions of this Division:**

COMMENT: As noted above, the Property is zoned M-X-T. The purposes of the M-X-T Zone are set forth in Section 27-542 of the Zoning Ordinance as follows:

- (1) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, major transit stops, and designated General Plan Centers so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;**
- (2) To implement recommendations in the approved General Plan, Master Plans, and Sector Plans, by creating compact, mixed-use, walkable communities enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses;**
- (3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered**

**throughout and outside the County, to its detriment;**

- (4) To promote the effective and optimum use of transit and reduce automobile use by locating a mix of residential and non-residential uses in proximity to one another and to transit facilities to facilitate walking, bicycle, and transit use;**
- (5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and the interaction between the uses and those who live, work in, or visit the area;**
- (6) To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;**
- (7) To create dynamic, functional relationships among individual uses within a distinctive visual character and identity;**
- (8) To promote optimum land planning with greater efficiency through the use of economies of scale, savings in energy, innovative stormwater management techniques, and provision of public facilities and infrastructure beyond the scope of single-purpose projects;**
- (9) To permit a flexible response to the market and promote economic vitality and investment; and**
- (10) To allow freedom of architectural design in order to provide an opportunity and incentive to the developer to achieve excellence in physical, social, and economic planning.**

The instant proposed Detailed Site Plan must be viewed in conjunction with the overall development which has been approved for Balk Hill/Woodmore Commons. The existing single family residential development involves primarily residential development at suburban densities. The proposal to add retail, office and service commercial uses as well as a multi-family component also satisfies the purposes of the M-X-T Zone. Balk Hill represents an opportunity to develop land in the vicinity of a major interchange, (Capital Beltway (I-495) and MD 202 (Landover Road)). It is also in close proximity to a major Metro transit station located just to the southwest. The development being proposed within Woodmore Commons, which includes a mix of uses, will enhance the economic status of the County by providing both housing and shopping opportunities for residents. The proposed commercial uses will also present employment opportunities. The proposed development, as explained above, is in conformance with the Master Plan. The interaction of the existing residentially developed portion of Balk Hill with the proposed multifamily residential, retail and service uses within Woodmore Commons will provide and create a mixed use walkable community. Recreational space is already provided within the existing Balk Hill residential component. The mix of uses being proposed in DSP-04067-10 and DSP-04067-09 also provides for the maximization of private development potential. The retail commercial development being proposed will provide shopping, employment and dining opportunities for residents. The development provides for commercial and residential uses within a single

development thus discouraging scattered development of the uses throughout the County. Since the residential and non-residential uses will be in close proximity to one another, use of automobiles will be reduced. Residents of Balk Hill and Woodmore Commons can easily walk to various retail uses which will be proposed. These retail uses will also promote and encourage a 24-hour environment. It is anticipated that the retail commercial uses will be open for use after normal workday hours allowing residents of Balk Hill and Woodmore Commons to shop and eat in close proximity to their homes. Further, by use of sensitive land planning, including pedestrian connections, the mix of uses will blend together harmoniously and will create a distinct identity for the overall community. Stormwater management will utilize bioretention facilities. Public facilities have been provided by improvements to Landover Road and the construction of various connector facilities, including Ruby Lochard Boulevard and the extension of Campus Way North. Overall, the development being proposed will indeed represent a flexible response to the market and will promote economic vitality as well as private investment for the betterment of the community. Architectural design will be exciting and will be compatible with the standards set by the nearby and very successful Woodmore Towne Centre development. The Woodmore Commons commercial component will promote economic growth and vitality. Finally, it must be remembered that conformance with the purposes of the M-X-T Zone was also found with the approval of CSP-03001-01.

**(2) For property placed in the M-X-T Zone through a Sectional Map Amendment approved after October 1, 2006, the proposed development is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;**

COMMENT: In 2002, the overall project was rezoned from the Planned Industrial/Employment Park Zone to the M-X-T Zone by the District Council through Zoning Map Amendment (ZMA) A-9956-C. As such, the development proposed in this DSP is subject to the applicable requirements of the M-X-T Zone, the conditions of prior approvals, and the required findings for approval of a DSP in the Zoning Ordinance, all of which have been met.

**(3) The proposed development has an outward orientation which either is physically and visually integrated with existing adjacent development or catalyzes adjacent community improvement and rejuvenation;**

COMMENT: The proposed commercial development to be located on Parcel 2 and part of Parcel 1 has an outward orientation toward St. Joseph's Drive and Ruby Lockhart Boulevard. It will also integrate well with the existing and adjacent Woodmore Towne Centre development. In fact, the 24-Hour Fitness facility is directly across St. Joseph's Drive at a 45 degree angle. In addition, the proposed commercial development will also be compatible with the adjoining Woodmore Overlook commercial development which is proposed on property located immediately east of Parcel 2 and Parcel 1. Finally, the proposed commercial development will provide shopping, dining and employment opportunities for residents in both the proposed multifamily units to be constructed on the balance of Parcel 1 and for the greater Balk Hill residential community.

**(4) The proposed development is compatible with existing and proposed development in the vicinity;**

COMMENT: As noted directly above, the proposed commercial uses will be compatible with existing commercial uses located in Woodmore Towne Centre. They will also be compatible with commercial uses proposed on the Woodmore Overlook project to be built on property east of and

contiguous to Parcel 2. Finally, the commercial uses to be developed within Woodmore Commons will provide shopping, dining and employment opportunities for the residents of the multifamily component of Woodmore Commons and for the residents of the larger Balk Hill community.

- (5) The mix of uses, and the arrangement and design of buildings and other improvements, reflect a cohesive development capable of sustaining an independent environment of continuing quality and stability;**

COMMENT: The design scheme provided with this DSP reflects a cohesive development in and among the existing and approved residential and commercial uses in the overall Balk Hill and Woodmore Commons development and surrounding vicinity. The development of the Woodmore Commons commercial component will incorporate safe and well marked pedestrian and vehicular connections. It is capable of sustaining an independent environment of quality and stability, as conditioned in this approval.

- (6) If the development is staged, each building phase is designed as a self-sufficient entity, while allowing for effective integration of subsequent phases;**

COMMENT: The Woodmore Commons commercial component is planned and proposed to be developed in a single phase.

- (7) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development;**

COMMENT: A comprehensive sidewalk network has been proposed and is generally shown on both sides of all roadways. Sidewalks will be installed along Landover Road, St. Joseph's Drive and Ruby Lockhart Boulevard. In addition, a pedestrian crosswalk will be installed across Ruby Lockhart Boulevard at its intersection with St. Joseph's Drive and across Ruby Lockhart Boulevard adjacent to the private driveway entering Parcel 2. This sidewalk circulation system will encourage safe pedestrian activity within the development.

- (8) On the Detailed Site Plan, in areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, high quality urban design, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial); and**

COMMENT: The applicant is proposing pedestrian sidewalks throughout the site providing safe access to commercial areas. These have been designed with attention to human scale and high-quality urban design.

- (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated**

**Transportation Program, or will be provided by the applicant, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.**

COMMENT: This application is not a conceptual site plan; therefore, this finding is not applicable.

- (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be approved by the applicant.**

COMMENT: Preliminary Plan 4-18024 was approved on September 26, 2019. Transportation adequacy findings were made and approved by the Planning Board based upon the trip cap established by Condition 5, as amended, in ZMA-A-9956-C..

- (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of residential, employment, commercial and institutional uses may be approved in accordance with the provisions set forth in this Section and Section 27-548.**

COMMENT: Woodmore Commons is not being developed as a mixed-use planned community. It also does not include 250 acres. Therefore, this provision does not apply.

In accordance with Section 27-574, the number of parking spaces required in the M-X-T Zone is to be calculated by the applicant and submitted for Planning Board approval at the time of DSP. Detailed information regarding the methodology and procedures to be used in determining the parking ratio is outlined in Section 27-574(b).

A parking analysis has been prepared by Bohler. It appears at the bottom of Sheet DSP-5. It calculates required spaces based upon the parking tables in Section 27-568 of the Zoning Ordinance and concludes that a total of 243 spaces will be required. Since the project proposes a total of 328 parking spaces, there will be more than sufficient parking provided on site to accommodate all parking needs.

Section 27-285. Planning Board Procedures.

**(a) Required findings.**

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting**

**substantially from the utility of the proposed development for its intended use;**

COMMENT: The Applicant submits that this Detailed Site Plan conforms to all design requirements of the M-X-T Zone and the Landscape Manual. In particular, setbacks and green areas are all met and satisfied. Access proposed is as approved in Preliminary Plan 4-18024. Cross sections have been provided illustrating that access and on site circulation will be safe and efficient. As can be seen from the elevations filed with this application, the buildings present an attractive and aesthetically pleasing design incorporating high architectural standards. The construction will utilize durable and attractive building materials. The proposed buildings do not exceed established height requirements. In short, the proposal does in fact represent a reasonable and viable alternative for satisfying site design guidelines while allowing for the construction of a development which will serve its intended purpose and use.

**(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).**

COMMENT: On May 30, 2019, the Planning Board approved CSP-03001-01 (PGCPB No. 19-71), which, among other things, amended the original Conceptual Site Plan for Balk Hill Centre to revise the uses on Parcels 1 and 2 to reduce the commercial square footage to a range of 65,000 to 100,000 square feet and add 284 multifamily dwelling units. The District Council approved CSP-03001-01 on October 15, 2019. This Detailed Site Plan is in general conformance with the approved Conceptual Site Plan Revision. Specifically, the revised Conceptual Site Plan proposed access would occur from Ruby Lockhart Boulevard via a private road which would be shared with the various commercial uses and the multifamily component. The access as approved by the Conceptual Site Plan has been incorporated into the Detailed Site Plan. In addition, the approved Preliminary Subdivision Plan will divide Parcel 1 into two individual parcels. In view of the above, the Applicant submits that this Detailed Site Plan conforms to the approved revised Conceptual Site Plan (CSP-03001-01).

**(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

COMMENT: Since DSP-04069-10 is not a DSP for Infrastructure, this finding does not apply.

**(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

COMMENT: Natural Resources Inventory NRI-151-2018 was approved for this property on November 13, 2018, and is still valid. The NRI shows no streams, wetlands, or floodplain are found

to occur on the subject property, and there are no specimen trees. DSP-04069-10 conforms to this requirement.

## **PRIOR CONDITIONS OF APPROVAL**

There have been several prior approvals and each contain conditions. However, due to the fact that the DR Horton residential component is virtually completed, most of the conditions are no longer relevant. A discussion of those conditions which remain relevant follows.

### **Zoning Map Amendment Application A-9956-C**

**Condition 5. The development of the subject property shall be limited to the prior approved 393 residences plus additional permitted uses under the M-X-T Zone which generate no more than 1,013am and 1,058pm peak hour vehicle trips.**

This Condition was revised and amended by the District Council in its Ordinance of March 28, 2018. As amended, Condition 5 now makes it clear the Applicant can develop any uses permitted in the M-X-T Zone on Parcel 1 and Parcel 2 as long as the proposed development does not exceed the established trip caps.

An analysis of transportation needs in this area occurred pursuant to the provisions of the MD 202 Corridor Study and the Road Club which resulted from that study. There were over 500 acres in the study area and an overall density and overall trip cap were approved based upon providing identified major road improvements which no single project could bear financially. Prince George's County was also to contribute to the improvements.

When Balk Hill was initially rezoned to the M-X-T Zone, a transportation adequacy finding was required pursuant to Section 27-213 of the Zoning Ordinance. The Traffic Group, as traffic engineer for the applicant at that time, filed a traffic study in 2001. The Transportation Section undertook a thorough analysis which resulted in a lengthy referral memorandum dated April 19, 2007. The referral was attached to the Staff Report in the zoning case (A-9956) and the analysis was included in the body of the staff report. The referral analyzed the 202 Corridor Study including its recommendation for road improvements. It noted that the rezoning application proposed 328,480 sq. ft. of general office, 20,000 sq. ft. of retail and 393 residences. It set out the AM and PM trips which that development would generate and the resulting number was 1,013 AM peak hour trips and 1,058 peak hour trips (see p. 12 of referral). Based upon the findings, 5 conditions were recommended. The first 4 conditions were road improvements and the 5<sup>th</sup> was a trip cap of 1,013 AM and 1,058 PM peak hour trips for the uses which the applicant proposed and which was included in proposed Condition 5 of the staff report. The conditions were incorporated into the Order approving A-9956. That Order is filed with this application.

When the property went through preliminary subdivision plan approval in 2004 (4-03094), another traffic study was prepared, presumably to confirm the established trip cap was not exceeded. For some reason, that study analyzed the 328,480 sq. ft. as retail and not office. This resulted in a lower AM trip generation due to the fact that retail would not generally be open for business in the AM peak hour. There were no conditions attached to the approval of 4-03094 relating to limiting trips or changing in any way the previously established trip cap.

In 2018 the Applicant, in conjunction with the Revenue Authority (the present owner of Parcels 1 and 2), processed a revision to Condition 5 to allow 393 residential units and any other uses



permitted in the M-X-T Zone provided the trip cap of 1,013 AM and 1,058 PM peak hours was not exceeded. That request was granted by the District Council and a copy is attached to this application.

Based on the above, it is the Applicant's understanding that in rezoning the property in 2002, the Council was required to find transportation adequacy. It did so and put in place a trip cap of 1,013 AM and 1,058 PM peak hour trips. That trip cap never changed when Preliminary Plan 4-03094 as approved. Further, the District Council's recent decision amending Condition 5 reaffirms and clarifies that the trip cap governs. It represents a subsequent act taken by the District Council after approval of the Preliminary Subdivision Plan and makes clear that any transportation finding in the original Preliminary Plan is subordinate to the Condition 5 trip cap. The trip cap remains in effect today and as long as the applicant's proposed new development does not exceed that trip cap, no new transportation adequacy test is required.

The applicant's transportation engineer prepared a trip generation analysis for Preliminary Subdivision Plan 4-18024 which confirmed that the development proposed therein did not exceed the approved trip cap.

**Condition 10. Prior to the acceptance of a Detailed Site Plan for development of the twenty (20) acres (Parcels 1 and 2), the Applicant shall provide written confirmation that it has held a community meeting with stakeholders which shall include an invitation to at least representatives from St. Joseph's parish and Balk Hill Homeowners association.**

As part of its request to revise conditions attached to the rezoning the Applicant also sought clarification and revision to Condition 10. Condition 10 as set forth above was amended pursuant to the District Council's Ordinance which became effective March 27<sup>th</sup>, 2018. The Applicant has met with the interested citizens to discuss the revisions to Conditions, the revised Conceptual Site Plan and the new Preliminary Subdivision Plan. Further, meetings occurred with citizens prior to the acceptance of DSP-04067-09. A meeting has occurred with representatives of St. Joseph's parish and officers of Balk Hill Homeowners Association to discuss this Detailed Site Plan. Another meeting will be convened with other interested associations as well.

#### **Conceptual Site Plan CSP-03001**

**Condition 9. Development of this subdivision shall be in compliance with an approved type 1 tree conservation plan (PCP I/19/03).**

All development will be in accordance with the approved tree conservation plan as it may be amended.

#### **Preliminary Subdivision Plan 4-03094**

**Condition 6(b). Provide wide sidewalks (six to eight feet wide) along both sides of St. Joseph's Drive, per the concurrence of DPW and T.**

Required sidewalks are being provided.

**Condition 6(c). Provide standard sidewalks along both sides of all other internal roads per the concurrences of DPWT.**

This condition has been addressed on this Detailed Site Plan.

**Condition 15. Development must be in accordance with the approved stormwater management concept plan, Concept 4981-2002-00, or any approved revisions thereto.**

The Applicant intends to conform with all applicable stormwater management plans as approved by Prince George's County.

**Condition 17. The use and ownership disposition of Parcels 1 and 2 shall be determined at the Detailed Site Plan stage.**

This condition was previously satisfied at the time of the approval of DSP-04067. Parcels 1 and 2 were deeded to the Revenue Authority.

**Condition 18. At the time of final plan approval, the applicant shall dedicate a right of way along Campus Way and St. Joseph's Drive in accordance with the submitted plan.**

The final plats have been approved and recorded. Right of way required along the St. Joseph's Drive frontage of Parcel 1 and Parcel 2 has been dedicated.

**Condition 22. Parcels 1 and 2 shall be platted in conjunction with the first final plats for the entire development. The Parcels shall be conveyed to the Revenue Authority immediately upon recordation.**

Parcels 1 and 2 were in fact deeded to the Revenue Authority, by deed date June 20, 2012 and recorded in Liber 33973, Folio 099.

**Condition 23. At the submission of the first Detailed Site Plan, the Applicant shall submit documentation on the structure of the advisory planning committee and how it will function to advise the Revenue Authority. on the development of Parcels 1 and 2 pursuant to condition 10 of Zoning Map Amendment Application A-9956-C. As part of the documentation noted above, it shall include confirmation that the representatives from the required membership have been duly chastened by the respective organizations.**

As noted above, Condition 10 in Zoning Map Amendment Application A-9956-C has in fact been amended at the request of the Applicant and the Revenue Authority. The advisory planning committee no longer exists. That being said, Balk Hill Ventures intends to continue to interact with civic associations and other interested individuals and entities.

### **Detailed Site Plan DSP -04067.**

DSP-04067 included a number of conditions. However, those conditions related to the residential development of the 393 units within Balk Hill. None of the conditions attached to that approval impact the development of Parcel 1 and Parcel 2.

## **Conceptual Site Plan Revision CSP-03001-01**

The approval of the Conceptual Site Plan Revision contained one condition with several subparts. The condition required certain changes to be made to the Conceptual Site Plan prior to certification. None of those have been made since the Conceptual Site Plan was only approved by the District Council on October 15, 2019. None of the conditions attached to the Conceptual Site Plan revision have any application to this Detailed Site Plan.

## **Preliminary Subdivision Plan 4-18024**

- 1.b.(1) All cross sections shall include a sidewalk and green space abutting the drive aisles.**
- 1.b.(2) Consolidate the cross sections for 'C' through 'F', to provide a consistent cross section for the loop road showing a 22-24 -foot -wide drive aisle with a sidewalk on one side that is a minimum of five feet in width, and contiguous green space.**
- 1.b.(3) Revise the cross sections and preliminary plan of subdivision so that the easements shown are inclusive of the vehicular and pedestrian circulation.**

As required pursuant to these conditions, cross sections were provided to staff illustrating sidewalk and green space abutting the internal drive aisles. The cross sections for "C" through "F" provide a consistent cross section for the loop road on Parcel 2. Finally, all required private easements were shown on the Preliminary Subdivision Plan

- 2. Prior to acceptance of the detailed site plan, the applicant shall provide a cross section for the service road segment of the access easement.**

The required cross section for the service road was submitted as part of the review and approval of the Preliminary Subdivision Plan. It was found to be acceptable.

- 3. Prior to acceptance of a detailed site plan, the applicant shall provide an exhibit that indicates the location, limits and details of all pedestrian and bicycle facilities and illustrates how their interconnectivity and connectivity to adjacent properties encourages walkability and reduced automobile use.**

The Detailed Site Plan and Landscape Plan illustrate the proposed sidewalk system which will convey pedestrians across the site. Bicyclists will be able to also traverse the site through the private parking areas and drive aisles in order to obtain access to Ruby Lockhart Boulevard. Striping across Ruby Lockhart Boulevard will be in order to ensure safe pedestrian connections. In the alternative, pedestrians may walk Ruby Lockhart Boulevard to the light at the intersection of Ruby Lockhart Boulevard and St. Joseph's Drive. From there, pedestrians and bicyclists can cross Ruby Lockhart Boulevard and proceed in a southeasterly direction to obtain access to the balance of the Woodmore Commons site. Sidewalks along Ruby Lockhart Boulevard will be available for pedestrians.

## **CONCLUSION**

In view of all of the above, the applicant submits that all required criteria for the approval of this Detailed Site Plan are met and satisfied. The applicant therefore requests that this Detailed Site Plan be approved as requested.

---

Edward C. Gibbs, Jr., Esquire  
Gibbs and Haller  
1300 Caraway Court, Suite 102  
Largo, Maryland 20774  
(301) 306-0033  
*egibbs@gibbshaller.com*  
Attorney for the Applicant

*S:\Petrie ELG\BALK HILL\Justification Statement DSP-04067-10.wpd*



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**  
 14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772

**DATE:** March 3, 2021  
**TO:** Andree Green Checkley, Esq., Planning Director  
**VIA:** Henry Zhang, Co-Chair, Alternative Compliance Committee  
 Jill Kosack, Co-Chair, Alternative Compliance Committee  
**FROM:** Andrew Bishop, Alternative Compliance Committee Member  
**PROJECT NAME:** Woodmore Commons  
**PROJECT NUMBER:** Alternative Compliance AC-21005  
**COMPANION CASE:** Detailed Site Plan DSP-04067-10

<b>ALTERNATIVE COMPLIANCE</b>			
<b>Recommendation:</b>	<input checked="" type="checkbox"/>	<b>Approval</b>	<input type="checkbox"/> <b>Denial</b>
<b>Justification:</b> SEE ATTACHED			Andrew Bishop
			<i>N. Andrew Bishop</i> _____ Reviewer's Signature

<b>PLANNING DIRECTOR'S REVIEW</b>			
<input type="checkbox"/> <b>Final Decision</b>	<input type="checkbox"/>	<b>Approval</b>	<input type="checkbox"/> <b>Denial</b>
<input checked="" type="checkbox"/> <b>Recommendation</b>	<input checked="" type="checkbox"/>	<b>Approval</b>	<input type="checkbox"/> <b>Denial</b>
<input checked="" type="checkbox"/>	<b>To Planning Board</b>		
<input type="checkbox"/>	<b>To Zoning Hearing Examiner</b>		
	<b>Planning Director's Signature</b>	_____	<b>Date</b>

<b>APPEAL OF PLANNING DIRECTOR'S DECISION</b>			
<b>Appeal Filed:</b>			
<b>Planning Board Hearing Date:</b>			
<b>Planning Board Decision:</b>	<input type="checkbox"/>	<b>Approval</b>	<input type="checkbox"/> <b>Denial</b>
<b>Resolution Number:</b>			

Alternative Compliance: AC-21005  
Name of Project: Woodmore Commons  
Companion Case: DSP-04067-10  
Date: March 2, 2021

This alternative compliance application is for a portion of the larger 17.52-acre site, which is the subject of companion case DSP-04067-10, that proposes a mix of approximately 72,000 square feet of commercial/retail and office uses. Alternative compliance is requested from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) for Section 4.3(c)(2), Parking Lot Interior Planting Requirements.

**Location**

DSP-04067-10 covers two distinct parts, an eastern section and western section. Alternative compliance is requested for the eastern section, consisting of 2.04 acres (Parcel 10) that is located in the northeast quadrant of Ruby Lockhart Boulevard and St. Joseph's Drive, in Planning Area 3, Council District 5. The site is also within the geography previously designated as the Developing Tier, and reflected on Attachment H(5) of the *Plan Prince George's 2035 Approved General Plan*, as found in Prince George's County Planning Board Resolution No. 14-10 (see Prince George's County Council Resolution CR-26-2014, Revision No. 31).

**Background**

The application is proposing to develop a 4,000-square-foot food and beverage store and a gas station in the eastern section. The applicant has requested to provide an alternative design, to conform with the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements for parking lots 7,000 square feet or larger. The proposed commercial development is in the center of the parcel, due to the location of the site access. The entrance to the property had to be placed near the center of the site to allow for adequate stopping distance and to maintain a safe distance from the intersection. Further, it is noted that the east and west portions of the site are used for green space and micro-bioretention stormwater management facilities and cannot be developed. Those green spaces and the stormwater facilities create a wide buffer along Ruby Lockhart Boulevard, and provide more than 12,000 square feet of green space at the corner of Ruby Lockhart Boulevard and St. Joseph's Drive.

Due to space limitations, the parking compound cannot meet the total amount of interior green area required and an alternative site design is proposed. The applicant is seeking relief from the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements on the site. A comprehensive overview of the requirements for Section 4.3(c)(2) is provided below:

**REQUIRED: Section 4.3-2, Parking Lot Interior Planting Requirements for Parking Lots 7,000 Square Feet or Larger**

Parking Lot Area (square feet)	27,849
Interior landscaped area required (percent /square feet)	8/2,228
Minimum number of shade trees required (1 per 300 square feet of interior planting area provided)	8

**PROVIDED: Section 4.3-2, Parking Lot Interior Planting Requirements for Parking Lots 7,000 Square Feet or Larger**

Parking Lot Area (square feet)	27,849
Interior landscaped area provided (percent /square feet)	5.4/1,492
Number of shade trees provided	5

**Justification of Recommendation**

The applicant is seeking relief from the provisions of Sections 4.3 of the Landscape Manual. Specifically, Section 4.3(c)(2), Parking Lot Interior Planting Requirements for a reduction in the amount of green area in the parking lot.

Section 4.3(c)(2), Parking Lot Interior Planting Requirements, requires that parking lots larger than 7,000 square feet shall include landscape areas with shade trees. The purposes of these requirements are to enhance the appearance of parking lots, help delineate vehicular and pedestrian travel-ways within parking facilities, provide shade and visual relief, and reduce heat island effects created by large expanses of pavement. The applicant is required to provide 8 percent of the total green area in the parking compound, or 2,228 square feet. The site plan proposes 1,492 square feet of green area, or 5.4 percent, which is two-thirds of the required area.

The applicant is proposing to provide one additional shade tree on the periphery of the commercial development to shade the parking area. Staff has concerns about the location of the three shade trees proposed on the periphery of the site, east of the convenience building, near the embankment of the bio-retention facility. If the placement for these trees is not allowed by the Prince George’s County Department of Permitting, Inspections and Enforcement, an alternative location should be provided on the property. In addition, it is recommended that the total number of shade trees be increased by one-third on the property, to supplement the reduction of the required green space. Specifically, two additional shade trees should be provided on-site in an appropriate location on top of the one additional shade tree that is currently proposed by this application.

The Alternative Compliance Committee finds that the applicant’s proposals are equally effective as normal compliance with respect to Section 4.3 (c)(2) of the Landscape Manual, if revised as conditioned. The additional plant materials and green areas on the east and west sides of the development enhance the appearance of surface parking facilities from the streets. The interior planting area and shade trees clearly delineate vehicular and pedestrian travel-ways within the eastern section.

**Recommendation**

The Alternative Compliance Committee recommends APPROVAL of Alternative Compliance AC-21005 for Woodmore Commons from the requirements of Section 4.3(c)(2), Parking Lot Interior Planting Requirements of the 2010 *Prince George’s County Landscape Manual*, subject to the following conditions:

1. Prior to certification of Detailed Site Plan DSP-04067-10, the applicant shall:
  - a. Provide confirmation from the Prince George’s County Department of Permitting, Inspections and Enforcement that the location of the proposed three shade trees is feasible, or relocate them from the embankment of the bioretention facility.

- b. Provide two additional shade trees adjacent to the parking compound, in an appropriate location to be approved by the Urban Design Section, as the designee of the Planning Board.



**Additional Back-up**

**For**

**DSP-04067-10 & DDS-672**

**Woodmore Commons**

**Applicant's Proposed Revision to Conditions**  
**Woodmore Commons DSP-04067-10**

**RECOMMENDATION**

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and:

- A. APPROVE Departure from Design Standards DDS-672, to allow all the standard parking spaces to be 9 feet wide by 18 feet long.
- B. APPROVE Detailed Site Plan DSP-04067-10, Alternative Compliance AC-21005, and Type 2 Tree Conservation Plan TCP2-082-05-06, for Woodmore Commons, subject to the following conditions:
  - 1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made to the plans or additional information provided:
    - a. Revise the plans to provide:
      - (1) A detailed exhibit of the proposed bicycle racks throughout the site, which shall be an inverted U-style, or a similar style that allows two points of secure contact.
      - (2) ADA-compliant perpendicular and parallel curb ramps throughout the site and labeled on all site plan sheets.
      - (3) An eight-foot-wide shared-use side path or wide sidewalk/~~pedestrian path~~ along the property frontage of MD 202 (Landover Road), unless modified by the Maryland State Highway Administration with written correspondence.
    - b. Revise the Tree Canopy Coverage schedule so that the tree count matches the plant list.
    - c. Provide a general note showing the proposed and allowed floor area ratio, relative to all development within the total area of the conceptual site plan.
    - d. Either redesign the seven northernmost parking spaces on proposed Parcel 10 (Eastern Section) to meet the standard of 9.5 feet by 19 feet or be considered to be compact spaces, with signage provided to mark them as such.
    - e. Show the right-of-way (ROW) dedication area using the same line weight and line type for the existing and ultimate ROW lines. Add labels which mark the ROW dedication area as such, including acreage.
    - f. Revise General Notes 2 and 5 to provide the correct total acreage and number of parcels under this DSP.

- g. Show the existing sidewalk along the north side of Ruby Lockhart Boulevard.
- h. Provide landscaping at the base of the gateway sign to provide for seasonal interest.
- i. Revise the elevations of the office building to incorporate shadow rock as the finish material for the entire watertable and two tower elements, to be reviewed and approved by the Urban Design Section as the designee of the Prince George's County Planning Board.
- j. Screen the loading space on proposed Parcel 10 from the residential uses on Parcel 11 and the one on Parcel 9 from the public right-of-way, in conformance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
- k. Provide confirmation from the Prince George's County Department of Permitting, Inspections and Enforcement that the location of the proposed three shade trees is feasible, or relocate them away from the embankment of the bioretention facility on Parcel 10.
- l. Provide two additional shade trees adjacent to the parking compound on Parcel 10, in an appropriate location to be approved by the Urban Design Section, as the designee of the Planning Board.

2. The architectural elevations as approved shall constitute the established design and review parameters that will serve as the basis for the architecture to be employed for the final pad site. The architecture for that use as well as the site layout may be approved by the Planning Director as designee of the Planning Board.

LAW OFFICES  
**GIBBS AND HALLER**  
1300 CARAWAY COURT, SUITE 102  
LARGO, MARYLAND 20774

EDWARD C. GIBBS, JR.  
THOMAS H. HALLER  
JUSTIN S. KORENBLATT

(301) 306-0033  
FAX (301) 306-0037  
gibbshaller.com

March 16, 2021

The Honorable Elizabeth M. Hewlett  
Chair  
Prince George's County Planning Board  
of the Maryland-National Capital  
Park and Planning Commission  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

Re: Woodmore Commons/DSP-04067-10

Dear Chair Hewlett:

I would like to provide some further explanation with regard to the proposed changes to the Conditions as contained in the staff report. We propose a slight revision to Condition 1(a)(3). The Condition, as we have proposed to revise, would read as follows:

1. Prior to certification of the detailed site plan (DSP), the following revisions shall be made to the plans or additional information provided:
  - a. Revise the plans to provide:
    - (3) As eight-foot side shared-use side path or wide sidewalk/~~pedestrian path~~ along the property frontage of MD 202 (Landover Road), unless modified by the Maryland State Highway Administration with written correspondence.

This Condition has its genesis in the Preliminary Subdivision Plan approval for this project (4-18024). I am attaching, marked as Exhibit "A", a copy of the approved Conditions in that case. The Condition in question appeared in the Preliminary Subdivision Plan Resolution as Condition 4(a). I have marked it on the copy which is attached. As you can see, the wording was slightly different with regard to the side path or sidewalk from that now suggested by staff. The Condition required an 8-foot wide shared use sidepath or wide sidewalk along the MD 202 frontage. I would read that to allow a sidewalk that was not 8 feet in

The Honorable Elizabeth M. Hewlett  
March 16, 2021  
Page 2

width. The proposed amendment to Condition 1(a)(3) incorporates the language from the Preliminary Plan Condition. The change may seem subtle but is important. In this instance, the applicant does not believe there is sufficient room for an 8 foot wide sidewalk or side path along the entire MD 202 frontage. It may be possible to provide an 8 foot wide side path or sidewalk in many locations. However, there is simply not enough room behind the curb of MD 202 and the property boundary to accommodate both an 8 foot wide sidewalk and any type of green area. In addition, there are telephone poles and an electric box in the area which would also prevent the full 8 feet from being provided. This situation is illustrated on a drawing prepared by Bohler Engineering which is attached as Exhibit "B". Accordingly, we are requesting that the Condition be modified to conform to the Preliminary Plan condition.

We have also requested that a Condition 2 be added to the approval in this instance. There is one pad side which does not yet have proposed architecture. When the Planning Board approved the Detailed Site Plan for Woodmore Towne Centre (DSP-02022/01), a similar situation existed in that all architectural elevations for commercial components were not available. In that instance, the Planning Board agreed to a Condition which would allow for staff approval of the remaining commercial architecture without the necessity of going back before the Planning Board. This was due to the fact that the architectural style had been set and established for the commercial component. Similarly, the architectural style for all of the commercial buildings has been established in this case. There are common architectural elements and materials carried forth in all buildings. I think that a similar condition could be appropriate in this case.

I am enclosing, marked as Exhibit "C", page 52 from the Planning Board Resolution in DSP-07011/01 which approved the Detailed Site Plan for Woodmore Towne Centre. I would direct your attention to Condition 16 where staff level review of certain remaining elevations was approved. I would request that a slight modification to that condition could be appropriate to address the architecture for the final pad site. I therefore propose the following condition:

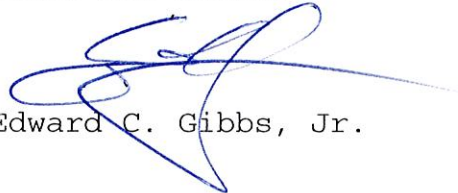
**The architectural elevations as approved shall constitute the established design and review parameters that will serve as the basis for the architecture to be employed for the final pad site. The architecture for that use as well as the site layout may be approved by the Planning Director as designee of the Planning Board.**

The Honorable Elizabeth M. Hewlett  
March 16, 2021  
Page 3

Thank you for your assistance.

Very truly yours,

GIBBS AND HALLER

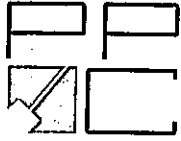
A handwritten signature in blue ink, appearing to be 'E.C. Gibbs, Jr.', written over the typed name.

Edward C. Gibbs, Jr.

Enclosure

S:\Heritage Partners\Woodmore Commons\Hewlett6.wpd

MN  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.mncppc.org/pgco

October 22, 2019

Balk Hill Ventures, LLC  
1919 West Street  
Annapolis, MD 21035

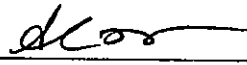
Re: Notification of Planning Board Action on  
**Preliminary Plan of Subdivision 4-18024**  
**Woodmore Commons**

Dear Applicant:

This is to advise you that, on **October 17, 2019**, the above-referenced Preliminary Plan of Subdivision was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

Pursuant to Article 28, Section 7-116(g), of the Maryland Annotated Code, an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within 30 calendar days after the date of the final notice **October 22, 2019**.

Sincerely,  
James R. Hunt, Chief  
Development Review Division

By:   
\_\_\_\_\_  
Reviewer

Attachment: PGCPB Resolution No. 19-109

cc: Persons of Record

  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.mncppc.org/pgco

PGCPB No. 19-109

File No. 4-18024

RESOLUTION

WHEREAS, Revenue Authority of Prince George's County is the owner of a 17.92-acre parcel of land known as Part of Parcel 1, recorded in Prince George's County Land Records, in Liber 33973 folio 99 and Parcel 2, Balk Hill Village recorded in Plat Book PM 217-92, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned Mixed Use-Transportation Oriented (M-X-T); and

WHEREAS, on June 21, 2019, Balk Hill Ventures, LLC filed an application for approval of a Preliminary Plan of Subdivision for nine parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-18024 for Woodmore Commons was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 26, 2019, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on September 26, 2019, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-019-03-03, and further APPROVED Preliminary Plan of Subdivision 4-18024 for nine parcels with the following conditions:

1. Prior to signature approval of this preliminary plan of subdivision, the following revisions shall be made to the plan:
  - a. Revise General Note 1 to provide the correct recording reference for Part of Parcel 1.
  - b. Revise and consolidate the cross sections provided on the plans to show the following:
    - (1) All cross sections shall include a sidewalk and green space abutting the drive aisles.
    - (2) Consolidate the cross sections for 'C' through 'F', to provide a consistent cross section for the loop road showing a 22-24-foot-wide drive aisle with a sidewalk on one side that is a minimum of five feet in width, and contiguous green space.





- b. All proposed stormwater management features shall be labeled on the plan.
  - c. The values in the Site Statistics table shall be revised to be consistent with the corresponding values in the woodland conservation worksheet for Phase 3.
  - d. Revise tree conservation plan Note#7 to correctly indicate that the site is in Environmental Strategy Area 2 (formerly the Developing Tier) rather than the Developed Tier.
  - e. The woodland conservation worksheet shall be revised as follows:
    - (1) Deduct the Phase 3 amount of "woodland on the net tract for this phase" from the Phase 1 value.
    - (2) Deduct the Phase 3 amount of "woodland cleared on net tract for this phase" from the Phase 1 value.
    - (3) Remove all proposed fee-in-lieu from Phase 3 and indicate that it is either going to be met on-site, or through off-site mitigation on the worksheet and TCP1 plan.
8. Prior to signature approval of the preliminary plan of subdivision (PPS) and Type 1 tree conservation plan (TCP1), an approved stormwater management concept plan and approval letter shall be submitted that are consistent with the limits of Phase 3 of the TCP1 and the PPS.
9. Substantial revision to the uses on the subject property that affect Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval of any permits.
10. Prior to approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall:
- a. Dedicate the public right-of-way of Saint Josephs Drive, in accordance with the approved preliminary plan of subdivision.
  - b. A draft Declaration of Restrictive Covenants and/or easement, per Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access for the subject property, shall be submitted to the Maryland-National Capital Park and Planning Commission for review and approval. The limits of the shared access shall be reflected on the final plat, consistent with the approved preliminary plan of subdivision and detailed site plan. Prior to recordation of the final plat, the Declaration of Restrictive Covenants and/or easement shall be recorded in Prince George's County Land Records, and the Liber/folio of the document shall be indicated on the final plat with the limits of the shared access.

- c. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
  - d. Grant 10-foot-wide public utility easements along the public rights-of-way of MD 202, Saint Josephs Drive, Tulson Lane, and Ruby Lockhart Boulevard.
11. The applicant shall provide private recreational facilities within the residential development parcel. The private recreational facilities shall be evaluated by the Urban Design Review Section of the Development Review Division, for adequacy and proper siting during the review of the detailed site plan.
  12. All on-site private recreational facilities shall be designed in accordance with the Parks and Recreation Facilities Guidelines.
  13. The applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of recreational facilities on-site, for approval prior to submission of final plats. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the liber folio indicated on the final plat, prior to recordation.
  14. The applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on-site, prior to issuance of building permits.
  15. Development of this site shall be in conformance with an approved stormwater management concept plan and any subsequent revisions.

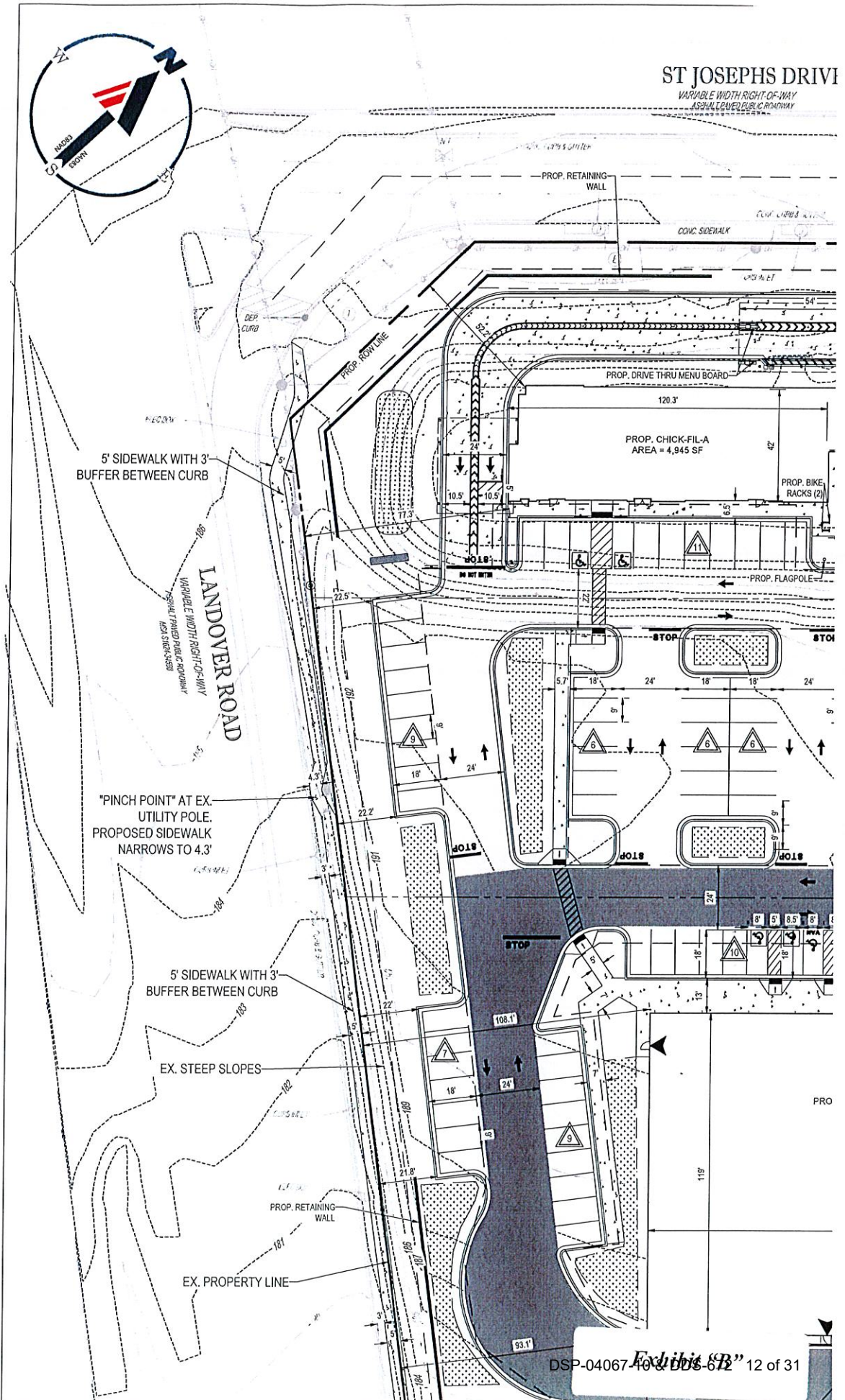
BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located in the northeast quadrant of the intersection of MD 202 (Landover Road) and Saint Josephs Drive. This preliminary plan of subdivision (PPS) includes Part of Parcel 1, recorded in Prince George's County Land Records in Liber 33973 folio 99 and Parcel 2, Balk Hill Village recorded in Plat Book PM 217-92.

The subject property is 17.92 acres and is zoned Mixed Use-Transportation Oriented (M-X-T). The application includes nine parcels for the development of 88,000 square feet of commercial and office development, and 284 multifamily dwelling units. The site is currently vacant.



# WOODMORE COMMONS SHA SIDEWALK EXHIBIT



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



14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco

February 2, 2009

Petrie/Elg Inglewood, LLC  
1919 West Street, Suite 100  
Annapolis, Maryland 21401

Re: Notification of Planning Board Action on  
**Detailed Site Plan – DSP-07011/01**  
**Woodmore Towne Centre at Glenarden (Commercial Section)**

Dear Applicant:

This is to advise you that on **January 29, 2009** the above-referenced Detailed Site Plan was acted upon by the Prince George's County Planning Board in accordance with the attached Resolution.

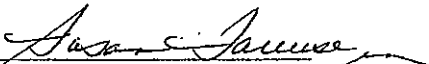
District Council review of this case is required by **A-9613-C**

The applicant or any Person of Record may file a written appeal of the Planning Board's decision with the District Council within 30 days after the date of the final notice **February 2, 2009** of the Planning Board's decision, pursuant to Section 27-280.

(You should be aware that you will have to reactivate any permits pending the outcome of this case. If the approved plans differ from the ones originally submitted with your permit, you are required to amend the permit by submitting copies of the approved plans. For information regarding reactivating permits, you should call the County's Permit Office at 301-883-5784.)

Please direct any future communication or inquiries regarding this matter to Ms. Redis C. Floyd, Clerk of the Council, at the above address.

Very truly yours,  
Arie Stouten, Chief  
Development Review Division

By:   
Reviewer

c: Redis C. Floyd, Clerk to the County Council  
Persons of Record

PGCPB No. 09-03

13. Construction of the park shall be completed prior to the issuance of building permits for 50 percent of residential dwelling units including single-family and multifamily dwelling units on the entire site.
14. Prior to signature approval, the elevations for the freestanding clock tower proposed to be located at the intersection of Ruby Lockhart Boulevard and campus Way North shall be revised to delete the self contained fountain.
15. Prior to signature approval, the plans shall be revised to provide the details and specifications of a fountain to be located at the intersection of Market Street and Towne Centre Boulevard for approval by the Urban Design Section and the Town of Glenarden.
16. The architectural elevations as approved shall constitute the established design and review parameters that will serve as the basis for review of subsequent revisions to the DSP for future retail buildings (including banks), but not including hotel or offices may be approved by the Planning Director as designee of the Planning Board. Revisions which result in a LEEDS certified building may also be approved by the Planning Director as designee of the Planning Board.
17. Prior to signature approval, the architectural plans shall be revised as follows:
  - a. **Building C** shall be revised to provide brick at the upper portion of the building to enhance that corner of the retail center. The south and north elevations shall be revised to substitute the stucco inset located at the pedestrian level with brick or spandrel windows.
  - b. **Building F**, the parking garage, shall be revised to incorporate an attractive finish material of stucco and brick or an aesthetically similar product to produce a brick-like appearance on the spandrels and columns of the parking garages in the areas of the structure that will be visible and not concealed by other buildings.
  - c. **Best Buy** - The elevation adjacent to Ruby Lockhart Boulevard shall be revised to indicate the addition of stone veneer on the most eastern panel of the building above the proposed brick area. Fire doors on these elevations shall be removed or the color should be adjusted to blend with the color of the surrounding brick. The plans shall be revised as above and as shown on Applicant's Exhibits. (get numbers from Joyce)
  - d. **Building K** shall be revised to indicate that the façade adjacent to Market Street shall include additional masonry up to the tenant signage demarcation. The south elevation shall substitute masonry where stucco is shown on the plan up to the tenant signage demarcation and above the tenant signage panel on the store front located centrally.
18. Prior to the issuance of the use and occupancy permit for Building K, either the architectural elevations for the adjacent building to the west shall have been approved by the Planning Board or it's designee, or the applicant shall have submitted elevations for the west façade for Building K that provides a comparable amount of attention to detail as the other facades.





ST. JOSEPH'S DRIVE

RUBY LOCKHART BOULEVARD

LANDOVER ROAD



WOODMORE COMMONS ILLUSTRATIVE PLAN

MB182008

03-16-2021







WOODMORE COMMONS ILLUSTRATIVE PLAN

MB182008 03-16-2021

2020 ST. JOSEPH'S DRIVE  
 UPTON MARLBORO, MARYLAND  
 PROJECT GEORGE'S COUNTY





**Edward C. Gibbs, Jr.**

---

**From:** Christian T. Duffy <cd@hp-llc.com>  
**Sent:** Tuesday, March 16, 2021 10:55 AM  
**To:** Edward C. Gibbs, Jr.  
**Subject:** FW: Support Letter for Woodmore Commons Shopping Center



**HERITAGE  
PARTNERS**  
Developers of Real Estate

**CHRISTIAN T. DUFFY**  
**PRESIDENT AND FOUNDER**  
**Heritage Partners, LLC**

1919 West Street, Suite 100  
Annapolis, MD 21401

410-353-4149  
[www.hp-llc.com](http://www.hp-llc.com)

Please take note of my new address  
cd@hp-llc.com

---

**From:** Jawanza Jones <jonesbalkhill@gmail.com>  
**Sent:** Tuesday, March 16, 2021 10:53 AM  
**To:** Christian T. Duffy <cd@hp-llc.com>  
**Subject:** Support Letter for Woodmore Commons Shopping Center

Dear Chris,

I am writing to lend Balk Hill's full support in favor of the proposed Woodmore Commons site plan. Balk Hill is a community of 324 single family homes (greater than >3000 sq.ft.) within 1mi. of the proposed site.

The Balk Hill Board of Directors has reviewed the detailed site plans for Woodmore Commons that includes the proposed 7-Eleven Gas Station, Chase Bank, Arby's, Chick-fil-a, and additional retail/office space. We believe Heritage Partners LLC has taken great care to seek the best future tenants based on unmet needs of the area (i.e. the immediate 2 mile radius of 202/St. Joseph interchange). We remain confident that H-P will pursue additional value adding merchants like a high-end grocery anchor in the large unassigned corner space (i.e. Aldi's, Lidl's, Whole Foods, or Trader Joe's).

In addition, we believe the elevation details will raised the value of both the immediate and surrounding area. Specifically, the detailed elevation includes low profile signage, uses modern design elements, and materials such as stone veneers, etc.

Thank you again for sharing your plans for the area and we look forward to more great things to come!

Sincerely,

Jawanza Jones  
President, Balk Hill HOA



**GLENN E. COOK**  
Senior Vice President



*Merging Innovation and Excellence*

**“A Leader in Sustainable Transportation Solutions”**

Glenn Cook is a Senior Vice President with The Traffic Group, Inc., responsible for conducting and overseeing the preparation of Traffic Impact Studies and the preparation of geometric design plans, parking lot layouts, highway lighting, traffic control and traffic signal plans. His projects have included the \$1 billion National Harbor project located in Prince George’s County, Maryland. Mr. Cook has also been extensively involved with Transit Oriented Developments (TOD). Mr. Cook has served as a Transportation Planner for the development of Master Plans for both private firms and government agencies.

Mr. Cook has over 48 years of experience in the traffic engineering and transportation planning field both in the public sector with the Maryland State Highway Administration and in the private sector. Mr. Cook’s experience in the public sector provides him with a wide range of knowledge to deal with the complex problems associated with receiving public agency approvals. Mr. Cook’s experience led to an appointment by the Governor of Maryland to serve on a task force whose mission was to streamline Maryland’s Highway Access Permit process. Mr. Cook has been accepted as an expert in the field of Traffic Engineering and Transportation Planning before numerous County and Municipal Boards in Maryland, Virginia, New Jersey, Delaware, and West Virginia among others..

**Job History**

- 2017 – Present**  
*Senior Vice President, The Traffic Group*
- 2004 – 2017**  
*Vice President, The Traffic Group, Inc.*
- 2003 - Present**  
*Traffic Engineering Consultant, The Traffic Group, Inc.*
- 2000 - 2003**  
*Director's Senior Engineering Staff*  
Maryland State Highway Administration
- 1985 - 1999**  
*Traffic Engineering Consultant, The Traffic Group, Inc.*
- 1983 - 1985**  
*Traffic Engineering Consultant*
- 1979 - 1983**  
*Chief, Office Engineering Section*  
Maryland State Highway Administration
- 1972 - 1979**  
*Traffic Signal Design Section*  
Maryland State Highway Administration

**Educational Background**

- **Civil Engineering Preparation**  
Community College of Baltimore

- **Traffic Engineering Courses**  
Northwestern University Traffic Institute  
University of Maryland

**Affiliations**

- Maryland Association of Engineers
- Institute of Transportation Engineers
- County Engineers Association of Maryland

**Examples of places where Mr. Cook has testified as an expert witness**

**MARYLAND**

- Anne Arundel County – Zoning Hearing Examiner, Board of Appeals
- Baltimore City – City Council, Planning Commission
- Baltimore County – County Review Group (CRG), Board of Appeals, Circuit Court, Hearing Officer
- Calvert County – County Commissioners, Planning Commission
- Carroll County – Board of Appeals, Planning Board
- Charles County – Board of Appeals, County Commissioners
- Chesapeake Beach – Special Board of Appeals, Planning Board
- City of Bowie – Planning Advisory Board, Mayor and City Council
- City of Easton – Board of Appeals
- City of Frederick – Planning Commission, City Council
- City of Greenbelt – Mayor and City Council
- City of Salisbury – Planning Commission
- City of Westminster – Mayor and City Council
- Frederick County – County Commissioners, Planning Board
- Garrett County – Planning Commission
- Hagerstown – Mayor and City Council
- Harford County – Zoning Hearing Examiner

The Traffic Group, Inc.    ☎    9900 Franklin Square Drive    ☎    Suite H    ☎    Baltimore, Maryland 21236  
410-931-6600    ☎    Fax: 410-931-6601    ☎    [www.trafficgroup.com](http://www.trafficgroup.com)

# GLENN E. COOK

## Senior Vice President

---

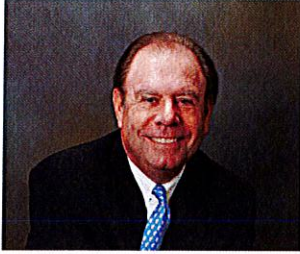
- Howard County – Planning Board, County Council
- Kent County – County Commissioners
- Montgomery County – Zoning Hearing Examiner, Board of Appeals, Planning Commission
- Prince George’s County – Zoning Hearing Examiner, County Council, Planning Board
- Town of Bel Air – Town Commissioners, Planning Board
- Town of Sykesville – Planning Board
- Washington County – Planning Board, County Commissioners
- Wicomico County – Planning Board, County Commission

### NEW JERSEY

- Atlantic County – Superior Court

### VIRGINIA

- City of Fairfax – Mayor and City Council
- Fairfax County – County Council
- Prince William County – Planning Board



**WES GUCKERT, PTP**  
**President & CEO**



*Merging Innovation and Excellence*

---

***“A Leader in Sustainable Transportation Solutions”***

---

Wes Guckert is a certified Professional Transportation Planner (PTP), a Fellow with the Institute of Transportation Engineers, and an Instructor in the Office of Executive Education at Harvard University. He served in a leadership position for a National Product Council with Urban Land Institute (ULI) and is a member of the Texas A&M Transportation Technology Advisory Council, whose purpose is to advise Texas A&M Engineering on connected and automated transportation research; RELLIS Campus development for transportation technology research and testing; and Texas A&M Campus Transportation Technology Initiative deployment.

Wes served in the United States Air Force where he had mastered Vietnamese, served on a flight crew, and as a defense intelligence officer, flew over 110 combat missions during an 18-month deployment in Southeast Asia.

Mr. Guckert is an expert in traffic engineering and transportation planning. He is a technical adviser in traffic impact analysis, traffic signal design, traffic circulation, access studies, and transit planning. He has played a major role in more than 9,000 projects in urban and suburban areas in the mid-Atlantic and has consulted on projects throughout the United States and internationally. As president of The Traffic Group, Inc. -- a traffic engineering and transportation planning specialty firm he founded in 1985 after working five years in the Maryland State Highway Administration's Traffic Division -- he has positioned his firm as a leading expert in automated parking and Bus Rapid Transit (BRT). The Traffic Group has conducted more than 200 miles of BRT concept plans for the public and private sectors in Maryland alone, while speaking on the topic and automated parking at numerous conferences and workshops nationally.

Mr. Guckert has provided consultation on projects throughout the United States and internationally, from Canada, Mexico, and the Bahamas, to Indonesia, Dubai, South Africa, Turkey, Saudi Arabia, and China.

Early in his career, Mr. Guckert served for five years with the Maryland State Highway Administration Traffic Division (OOTTS). Prior to founding The Traffic Group, Inc., Mr. Guckert served as a traffic engineering consultant for eight years.

Mr. Guckert has provided consultation on dozens of mixed-use projects and Transit Oriented Developments (TOD/TAD); each containing from one to four million square feet of development.

Since founding The Traffic Group, Inc., a Service Disabled Veteran-Owned Small Business, Mr. Guckert has been responsible for providing a variety of traffic planning and engineering services to both the public and private sector. In the Federal space, he has directed the design and implementation of traffic access systems for the National Security Agency, the Pentagon, Army National Guard Headquarters, Naval Support Activity (NSA) Bethesda, and Joint Base Andrews. On the private side, his regional projects include Principio Business Park Logistics Center, Tradepoint Atlantic Logistics Center, Ports America (Seagirt), Viva White Oak, the National Business Park, Konterra, Belcrest Center Metro Station, Woodmore Towne Centre at Glenarden, Maple Lawn Farms, Annapolis Town Center at Parole, Westphalia Town Center, Owings Mills Metro Station, Greenbelt Metro Station, and King Farm. Mr. Guckert has undertaken Traffic and Transportation Studies for national retailers including, Wal\*Mart, Sam's Club, Target, Lowe's, Best Buy, Costco, and Home Depot.

In addition to Mr. Guckert's technical expertise, as a renowned expert in the field, he is often asked to serve as an expert witness, testifying before County and Municipal Boards, Local and Federal District Courts, and Planning Commissions on traffic engineering and transportation planning issues.

Mr. Guckert is sought after to provide presentations to various community and government associations. He travels throughout the U.S. speaking on the topics of self-driving vehicles, Bus Rapid Transit (BRT) systems, traffic calming measures and automated/mechanical parking systems.



# WES GUCKERT, PTP

## President & CEO

---

### Job History

**1985 - Present**

*President, The Traffic Group, Inc.*

**1977-1985**

*Traffic and Transportation Planning Consultant*

**1972-1977**

*Assistant Regional Traffic Engineer*

Maryland State Highway Administration-Traffic Division

### Educational Background

- *Bachelor of Science*  
University of the State of New York
- *Civil Engineering Preparation*  
Johns Hopkins University  
Towson State University  
Essex Community College
- *Traffic Engineering Preparation*  
Northwestern University Traffic Institute  
University of Tennessee Transportation Center  
University of Maryland

### Certifications

- Professional Transportation Planner (PTP)

### Affiliations – Past & Present Membership

- American Planning Association (A.P.A.)
- Baltimore County Economic Development Commission (BCEDC) - Commissioner
- Essex Community College Foundation  
Former Board of Directors and President
- Carson Scholars Fund – Chairman, VP, Secretary
- Community Ambassadors' Program – Member
- Mad Hatter's Charity Foundation – Co-chair
- Wounded Warriors in Action Foundation – Member
- Maryland Building Industry Association (MBIA)
- Institute of Transportation Engineers (I.T.E.) - Fellow
- International Council of Shopping Centers (ICSC)
- Subcommittee on Planning of the Smart Growth Comm.  
appointed by Governor Parris N. Glendening
- Suburban Maryland Transportation Alliance (SMTA)
- The M.U.S.E. Foundation – Former Board Member
- Transportation Research Board (T.R.B.)
- Texas A&M Transportation Technology Advisory Council - Member
- Urban Land Institute (U.L.I.)
- U.L.I. Public Development & Infrastructure Council (PDIC) (a National Product Council) – Current Chair and immediate past Vice Chair
- U.L.I. Self-Driving Car Working Group – Member
- U.L.I. Technical Advisory Panels – Baltimore and Washington, DC

### I.T.E. Professional Committees

- Committee No. 5P-5 - Capacities of Multiple Left-Turn Lanes
- Committee No. 5P-07 - Traffic Counting Practices
- Committee No. 5S-1 - Capacities of Triple Left-Turn Lanes
- Internal Transportation Systems for Majority Activity Centers
- Parking Facilities for Industrial Plants
- Traffic Considerations for Special Events

### Publications

- *What is Really Going to Happen as a Result of Autonomous Vehicles and New Mobility? – A Look into Year 2050 – #talkITS*
- *Parking Generation Manual, 5<sup>th</sup> Edition – I.T.E.*
- *Freight Forces the Issues for City Authorities” – ITS International, NAFTA Edition*
- *Start Paying Attention Now – The 'Driverless' Car's Impact on Real Estate” – Parking Today*
- *Who – or What – Is Driving That 18-Wheeler? – Governing Magazine*
- *Bus Rapid Transit Systems: A Growing Transit Solution – Mass Transit Magazine*
- *The Impact of Driverless Cars on Real Estate – Mid Atlantic Real Estate Journal – DelMarVa*
- *Want to Save Land, Construction Costs in Building a Garage? Try Automated Parking – Parking Today*
- *Bus Rapid Transit Systems: a Viable Transit Solution – Government Technology*
- *Why Bus Rapid Transit Makes Sense for Baltimore – Baltimore Business Journal*
- *Baltimore Needs BRT – The Baltimore Sun*
- *If Purple Line Deal Collapses, There Is a Great Alternative – Washington Business Journal*
- *Autonomous Vehicle: Cities Must Prepare for New Mobility – American City & County*
- *Bus Rapid Transit Systems: A Viable Transit Solution – I.T.E. Journal*
- *The Evolution of Adequate Public Facilities and Their Effectiveness as Growth Management Tools in Maryland (Co-Author) - I.T.E. Annual Meeting*
- *Trip Generation Comparisons of Club Warehouse Stores – I.T.E.*
- *Value-Oriented Retail Centers - A Follow-Up Report – I.T.E.*

### White Papers

- *U.L.I. Member-Led Group Explores Autonomous Vehicles' Impact on Real Estate (Co-Author)*
- *Transportation for National Harbor – Year 2025*
- *SmartRoads™ - Dynamic Lane Markings Will Have an Increased Traffic Capacity Without Widening*
- *Use of Freeway Shoulders for Travel*

## WES GUCKERT, PTP President & CEO

- *Summary of Maryland as it Relates to the 22<sup>nd</sup> Annual Highway Report – The Performance of State Highway Systems, The Reason Foundation*
- *Can a Managed Lane System Work Along US 29 in Montgomery County?*
- *Connected and Autonomous Vehicles 101- From a Traffic Planner*
- *A Brief History of Origin and Destination Studies and Where We are Today - The Age of ALPR*
- *All About Transit - XRT™ (BRT)*
- *ALPR-ANPR Why ALPR is a Safety Technology*
- *TMP – Transportation Management Plan*

### **Mr. Guckert's Representative List of Presentations/Speaking Engagements**

- *What is Business Development's Secret Sauce? – SAME Federal Small Business Conference – Nashville, TN*
- *Don't Wait to Prepare: The Transportation Revolution is Happening NOW! – IBTTA Annual Meeting & Exhibition – Halifax, Nova Scotia*
- *The Impacts of a Driverless Future on Real Estate (in the capacity of "Instructor in the Office of Executive Education") – Harvard University Graduate School of Design – Cambridge, MA*
- *Design Challenges to Accommodate Multimodal Transportation – BSCES Bertram Berger Seminar*
- *Parking Disruptors (AVs/TNCs/New Mobility) – Invesco Real Estate – New York, NY*
- *The Impact of Driverless Cars and TNCs on Parking and Real Estate –*
  - ULI Washington Real Estate Trends Conference – Washington, DC
  - NAIOP National Forums (Keynote Speaker) – Indian Wells, CA
  - ICSC CenterBuild Conference – Phoenix, AZ
  - ULI Toronto Symposium – Toronto, CA
- *Self-Driving Vehicles: Ready or Not, Coming to Montgomery County – Makeover Montgomery 3 – Silver Spring, MD*
- *Developing for a Driverless World – U.L.I. Boston Chapter – Boston, MA*
- *The Impact of Automated & Connected Vehicles on Parking and the Urban Setting – ITS America Exposition & Conference – San Jose, CA*
- *Traffic Calming Do's and Don'ts – Maryland Municipal League (MML) Summer Conference – Ocean City, MD*
- *Self-Driving Vehicles: Ready or Not, Coming to a City Near You –*
  - I.T.E. Annual Meeting & Exhibit – Anaheim, CA
  - National Parking Association (NPA)
- *Automated Parking – Best Practices and Applications – PIE (Parking Institute Exhibition) – Chicago, IL*

- *Bridge Replacement and Associated Traffic Studies and Maintenance of Traffic - A Case Study – AASHTO – Sarasota Springs, NY*
- *Why Consider Bus Rapid Transit on Rockville Pike – BISNOW – Montgomery County, MD*
- *Assessing Current and Future Traffic Demand and Project Viability – SMTA Transportation Summit – Bethesda, MD*
- *The Benefits of a Semi-Automated/Mechanical Parking System – ICSC CenterBuild Conference – Phoenix, AZ*

### **Examples of places where Mr. Guckert has testified as an expert witness or simply testified**

#### **CALIFORNIA**

City of Milpitas - City Council, Planning Commission

#### **MARYLAND**

Allegany County - Planning Board, Board of Appeals

Anne Arundel County - Board of Appeals, Circuit Court, Zoning Hearing Examiner

City of Annapolis - City Council, Planning Commission, Board of Appeals

Baltimore City - Board of Zoning Appeals, City Council, Federal District Court, Planning Commission

Baltimore County - Board of Appeals, Circuit Court, County Council, Planning Board, Zoning Commissioner

Town of Bel Air - Board of Appeals, Planning Board, Town Commissioners

Calvert County - Board of Appeals

Carroll County - Board of Appeals, County Commissioners, Planning Board

Charles County Town of Indian Head - Mayor and City Council

Charles County - Board of Appeals, County Commissioners, Planning Board

City of Frederick - Board of Appeals, City Council, Planning Commission

Frederick County - Board of Appeals, County Commissioners, Planning Board

Harford County - Planning Commission, Zoning Hearing Examiner

Howard County - Board of Appeals Planning Board, Zoning Board

Montgomery County - Board of Appeals, County Council, Zoning Hearing Examiner, M-NCPPC (Planning Board)

Ocean City - Planning Commission, Board of Appeals

Prince George's County - Council, Zoning Hearing Examiner, M-NCPPC (Planning Board)

St. Mary's County - Planning Board

Washington County - Board of Appeals, Planning Board

Wicomico County - Planning Commission, Board of Appeals

Worcester County - Planning Commission, County Commissioners

#### **MINNESOTA**

City of Brooklyn Center - Planning Commission



## **WES GUCKERT, PTP**

**President & CEO**

### **NEW JERSEY**

Holmdel Township - Planning Board

### **PENNSYLVANIA**

City of Scranton - Board of Appeals, Planning Board

West Whiteland Township-Planning Board, Town Council

### **VIRGINIA**

Arlington County - Board of Supervisors

Loudoun County - Planning Board

Prince William County - Planning Board and Board  
of Supervisors

### **WASHINGTON, DC**

Superior Court and Board of Appeals

### **Mr. Guckert's Representative List of Projects**

#### ***RETAIL, MIXED-USE, PARKING & TRANSIT PROJECTS***

Acibadem – Istanbul, Turkey

Annapolis Mall – Anne Arundel County, Maryland

Annapolis Town Ct @ Parole – Anne Arundel County,  
Maryland

Avenue at White Marsh – Baltimore County, Maryland

Belcrest Center Metro Station – Prince George's County,  
Maryland

Bowie New Town Center – Prince George's County,  
Maryland

Briarcliffe Mall – Myrtle Beach, South Carolina

Capital Center Retail – Prince George's County, Maryland

Center at Charlestown – South Carolina

Centre @ Hagerstown – Washington County, Maryland

Centre Pointe – Charleston, South Carolina

Dubai Festival City – United Arab Emirates

East Campus, UMCP – Prince George's County, Maryland

Fallsgrove – Montgomery County, Maryland

FBI Headquarters Consolidation

Great Mall of Arizona – Tempe, Arizona

Great Mall of the Bay Area – Milpitas, California

Greenbelt Metro Station – Prince George's County, Maryland

Human Genome Property-Traville – Montgomery County,  
Maryland

Iverson Mall – Prince George's County, Maryland

King Farm – Montgomery County, Maryland

Konterra T.C. – Prince George's County, Maryland

Largo Town Center – Prince George's County, Maryland

Mall at Steamtown – Scranton, Pennsylvania

Maple Lawn Farms – Howard County, Maryland

Menlyn Park Shopping Center – Pretoria, South Africa

MGM National Harbor – Prince George's County, Maryland

Montgomery Mall – Montgomery County, Maryland

National Business Park – Anne Arundel County, Maryland

New Carrollton Metro Station – Prince George's County,  
Maryland

Owings Mills Metro Center – Baltimore County, Maryland

Pantai Kapuknaga – Jakarta, Indonesia

Ports America (Seagirt) – Baltimore County, Maryland

Potomac Mills – Prince William County, Virginia

Principio Business Park Logistics Center – Cecil County,  
Maryland

QT 300 – Dalian, China

Tradepoint Atlantic Logistics Center – Baltimore County, Maryland  
University of Maryland East Campus – Montgomery County,  
Maryland

Viva White Oak – Montgomery County, Maryland

Waccamaw Factory Shoppes – South Carolina

Washington Adventist Hospital – Montgomery County,  
Maryland

Westphalia T.C. – Prince George's County, Maryland

Wheaton Plaza – Montgomery County, Maryland

Woodmore Towne Centre @ Glenarden – Prince George's  
County, Maryland

Zonk 'Izizwe – Johannesburg, South Africa





## TESTIMONY

DSP-4067-10, Woodmore Commons  
Hearing Before the Planning Board  
March 18, 2021

I am Samuel H. Dean and I reside at 10710 Willow Oaks Drive, Mitchellville, Maryland. As a party of record and the Vice-President of the Lake Arbor Civic Association, we oppose the approval of detailed site plan, DSP-4067-10, Woodmore Commons, because the applicant has not met all of the requirements of the District Council's zoning ordinance No. 16-2002, Case No. A-9956-C, enacted in 2002 for Rocky Gorge Homes (Balk Hill) (aka Woodmore Commons) which states on:

page 2 in Section 2. Application A-9956 is approved subject to the following conditions...and

on page 3 under condition 3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:

...

c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.

The March 27, 2018 final decision from the District Council states: "...Failure to comply with any stated condition shall constitute a zoning violation, and shall constitute sufficient grounds for the District Council to annul the rezoning approved herein; ..."

In each subsequent decision after the above-referenced 2002 decision, the requirement for a ramp remains as follows:

Conceptual Site Plan 03001-01 approved on June 2019 for Balk Hill Village (aka Woodmore Commons) states on page 8, number 8: "... A-9956-C was originally approved by the District Council on July 23, 2002 with fourteen conditions. Subsequently, the District Council approved a request to amend Conditions 5 and 10 on February 26, 2018. Most of the conditions (for A-9956-C) have been addressed through previous approvals and development of the property..."

Preliminary Plan of Subdivision 4-18024, Woodmore Commons, dated October 22, 2019. In Prior Approvals on page 13 it states: "Prior applications A9956-C,

contains transportation-related conditions. ... The status of the transportation-related conditions from A-9956-C are described below:

3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:

...

c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive.

....

District Council's zoning ordinance No. 2-2018, enacted February 2018 for the Revenue Authority (aka Woodmore Commons) States: ... the District Council conditionally approved Zoning Map Amendment 9956 (A-9956-C) subject to the following conditions:

3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:

...

c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive

The Zoning Map Amendment hearing held on June 14 and July 21, 2017 for the Revenue Authority/DR Horton, Inc./Balk Hill Village (aka Woodmore Commons) recommended that the District Council amend conditions 5 and 10 that was imposed by the District Council upon its adoption of Zoning Ordinance 16-2002 in which the District Council gave final approval for A-9956-C. The Hearing Examiner recommended that the District Council's conditions of approval in A-9956-C be revised as follows:

On page 14, Condition 3 Future submitted plans shall demonstrate provisions of adequate right-of-way for the following facilities:

...

f. A concept for future ramps to and from west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive

To reiterate, The District Council's zoning ordinance No. 16-2002, Case No. A-9956-C, enacted in 2002 for Rocky Gorge Homes (Balk Hill) (aka Woodmore Commons) stated on page 2 in Section 2. Application A-9956 is approved subject to the following conditions:

on page 3 under condition 3. Future submitted plans shall demonstrate provision of adequate right-of-way for the following facilities:

...

c. A concept for future ramps to and from the west via Ruby Lockhart Boulevard between MD 202 and St. Joseph's Drive

Furthermore, permits within proposed right-of-way are authorized subject to the following:

With the exception of an arena (stadium) proposed to be constructed on land leased or purchased from a public agency, no building or sign permit (except as provided in Part 12 of this Subtitle) may generally be issued for any structure on land located within the right-of-way or acquisition lines of a proposed street, rapid transit route, or rapid transit facility, or proposed relocation or widening of an existing street, rapid transit route, or rapid transit facility, as shown on a Master Plan; however, the Council may authorize the issuance of the building or sign permit in accordance with this Section. For the purposes of this Section, "Master Plan" means the General Plan, the Functional Master Plan of Transportation, or any Adopted and Approved Area Master Plan or, if not yet approved, any such Master Plan adopted by the Planning Board, unless the Plan has been rejected by the Council. MUNICODE Section 27-259(a)(1) Permits within proposed rights-of-way (Emphasis added).

As a result of the foregoing, the requirement for the ramp has not been met by the applicant. Moreover, based on how the retail tenants are aligned at this site, the 7 Eleven store and gas station, possibly one of the fast-food tenants and the building will be in the right-of-way of the ramp.

Therefore, the applicant's request for DSP approval must be denied.

Samuel H. Dean  
10710 Willow Oaks Drive  
Mitchellville, MD 20721



1 Throughout their recommendation, the Planning Board Staff erred legally in finding that the  
2 Applicant showed “good cause” for approval because neither the Applicant and neither the M-NCPPC  
3 Planning Board staff presenting any evidence, or legal findings showing how either the DSP – 0406 –10  
4 and DDS-672, was reviewed against MUNICODE 27-259 in any manner to permit both the “shift” or  
5 “realignment” of I-310 from where it is currently approved along the property lines of the subject site and  
6 the adjacent property owned by Woodmore Overlook Commercial; there has been NO consideration of  
7 setbacks, walkways, and/or bike lanes to match up against this approved and master planned roadway,  
8 and also no “good cause” was argued by the Applicant at all as to why any exceptions to MUNICODE  
9 27-259 for any of the proposed buildings and structure within the currently approved “right of way” along  
10 the mutual property lines as currently approved and mandated by CSP-10004. Whereas, the previous  
11 approved PPS 4-18007 is legally and factually inconsistent with County Law in MUNICODE 27-259 for  
12 the construction and permitting of I-310 in its entirety. Where I-310 is located at on the CSP, where as  
13 neither the Applicant and neither did the M-NCPPC staff presented any supporting arguments as to any  
14 evaluation of the proposed amendment against MUNICODE 27-640, 27-641, and 27-642, which clearly  
15 states that ONLY the District Council has the legally statutory authority to change the Transportation  
16 Master Plan, any placement of roads, or ANY Master or General plans within the County, which are  
17 unambiguous statutory requirements that were clearly in place at the time the Examiner made her decision  
18 as supported by relevant case law in Zoning Appeals Board v. McKinney, 174 Md. 551, 199 A. 540  
19 (1938), which the Examiner correctly quoted on Page 20 of her Decision.

21 For all of these reasons, the Planning Board should find that the design, location, and permitting  
22 of the proposed Woodmore Commons Commercial site, and any other proposed building to be  
23 constructed within the dedicated “right of way” will not preserve the integrity of the Transportation  
24 Master Plan, The Landover Road Corridor Plan, and the General Plan because it is not in compliance with  
25 the approved CSP and MUNICODE 27-103, 27-259, 27-640, 27-641, and 27-642.

1 I DO SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY THAT THE CONTENTS  
2 OF THE FOREGOING SUPPLEMENTAL MOTION ARE TRUE AND CORRECT TO THE BEST OF MY  
3 PERSONAL KNOWLEDGE.

4 **Respectfully submitted,**

5 

6 **Date: 3/16/21**

7 **LARAY J. BENTON**  
8 1731 Stourbridge Court  
9 Mitchellville, MD 20721

**CERTIFICATE OF SERVICE**

1  
2 UNDER THE PENALTY OF PERJURY, I LaRay J. Benton certify that on or about March 16,  
3 2021, I have emailed and mailed a copy of this letter to the, the Applicant, and all parties of record as  
4 applicable.  
5  
6

7 **Respectfully submitted,**

8  
9 

10 **Date: 3/16/21**

11 **LaRay J. Benton**  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28