



July 16, 2024



Konterra Associates, LLC.
Konterra Core Ventures, LLC.
Konterra Environs Ventures, LLC.
14401 Sweitzer Lane, Suite 200
Laurel, MD 20707

Re: Notification of Planning Board Action
on **Conceptual Site Plan CSP-07003-
01 Konterra Town Center East**

Dear Applicant:

This is to advise you that, on **July 11, 2024**, the above-referenced Conceptual Site Plan was acted upon by the Prince George's County Planning Board pursuant to the Transitional Provisions of Section 27-1700 of the Prince George's County Zoning Ordinance and in accordance with the attached Resolution.

Pursuant to Section 27-280 of the prior Zoning Ordinance, the Planning Board's decision will become final 30 calendar days after the date of this final notice (**July 16, 2024**) 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 by an aggrieved person that appeared at the hearing before the Planning Board in person, by an attorney, or in writing and the review is expressly authorized in accordance with Section 25-212 of the Land Use Article of the Annotated Code of Maryland; or
2. Within the 30 days (or other period specified by Section 27-291 of the prior Zoning Ordinance), 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. Donna J. Brown, Clerk of the County Council, at 301-952-3600.

Very truly yours,

Sherri Conner, Acting Chief
Development Review Division



By: Reviewer

Attachment: PGCPB Resolution No. **2024-056**

cc: Donna J. Brown, Clerk of the County Council
Persons of Record

PGCPB No. 2024-056

File No. CSP-07003-01

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the subject property is within the Town Activity Center - Core Zone (TAC-C); and

WHEREAS, the applicant, Konterra Associates, LLC, Konterra Core Ventures, LLC, and Konterra Environs Ventures, LLC, submitted an application for approval of a conceptual site plan; and

WHEREAS, Conceptual Site Plan CSP-07003 was approved by the Prince George's County Planning Board on June 12, 2008; and

WHEREAS, pursuant to Section 27-1903(c) of the Zoning Ordinance, proposals for development in the TAC-C Zone may utilize the prior Zoning Ordinance, for a period of two years, until April 1, 2024, and that this deadline was extended to April 1, 2026, in accordance with Council Resolutions CR-22-2024 and CR-25-2024 approved on March 26, 2024; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on June 13, 2024, regarding Conceptual Site Plan CSP-07003-01 for Konterra Town Center East, the Planning Board finds:

1. **Request:** Conceptual Site Plan CSP-07003 was approved for a mixed-use town center development consisting of 4,500 dwelling units and 5.9 million square feet of a mixture of commercial, retail, office and hotel uses. The subject CSP seeks to amend CSP-07003 to add a ±5.6-acre lot for development of Block O-1 and to revise the uses that were previously approved for Block O-8, in order to add office space to a portion of Block O-8. The total development that was originally approved under CSP-07003 remains the same.

2. **Development Data Summary:**

| | EXISTING | APPROVED | EVALUATED |
|---|------------------------|---|--|
| Zone(s) | TAC-C (Prior M-X-T) | M-X-T and R-R* | M-X-T |
| Use(s) | Vacant | Mixed – Office, Retail, Residential and Hospitality | Mixed – Office, Retail, Residential and Hospitality |
| Total Gross Acreage (sq. ft.) | 405.41 | 405.41 | 402.98** |
| Total Gross Floor Area (sq. ft.) | - | 11,100,000–12,500,000 | 11,100,000–12,500,000 |
| Gross Floor Area of Nonresidential Uses (sq. ft.) | - | 5,900,000 | 5,900,000 |
| Office | - | 3,800,000 | 3,800,000 |
| Retail | - | 1,500,000 | 1,500,000 |
| Hotel | - | 500,000 | 500,000 |
| Public Building | - | 100,000 | 100,000 |
| Total Residential Dwelling Units | - | 4,500 | 4,500 |
| Multifamily | - | 3,740 | 3,740 |
| Attached | - | 760 | 760 |
| Gross Floor Area of Residential Uses (sq. ft.) | 0 | 5,200,000–6,600,000 | 5,200,000–6,600,000*** |

Notes: *The certified plans for CSP-07003 show that approximately 0.81 acre of land area zoned Rural Residential (R-R) was included. A condition is included herein requiring the applicant to clarify if this area is still part of the development and provide necessary corrections on the plan.

**One of the requests of this CSP, to amend CSP-07003, is to add a ±5.6-acre lot. However, the total gross acreage for this CSP is smaller than the land area for CSP-07003. There have been road right-of-way dedications and new roads have been built since CSP-07003 was approved in 2008, that result in the decreased acreage of the site. A condition is included herein requiring the applicant to note on the plan the history of the land area change for the subject property. In addition, the approximately 402.98-acre property, with the subject CSP, consists of Lots 1 and 2, Block I; and Parcels 4, 5, 126, 130, 145, and 169. A condition is included herein requiring the applicant to correct this information on the plan.

***For residential uses, listing the total number of dwelling units is appropriate. A condition is included herein requiring the applicant to note the number and type of the approved dwelling units on the plan. The submitted plans show that the parcels added

through the subject CSP will be constructed as a parking lot to support the development of Block O-1.

Floor Area Ratio (FAR) in the Mixed Use-Transportation Oriented (M-X-T) Zone

| | |
|------------------------------|-----------|
| Base Density Allowed: | 0.40 FAR |
| Residential Optional Method: | 1.00 FAR |
| Total FAR Permitted: | 1.40* |
| Total FAR Approved: | 0.66–0.75 |
| Total FAR Proposed: | 0.66–0.74 |

Note: *Pursuant to Section 27-545(a)(1) of the prior Prince George’s County Zoning Ordinance, “under the optional method of development, greater densities shall be granted, in increments of up to a maximum floor area ratio of 8.0, for each of the uses, improvements, and amenities (listed in Subsection (b)) which are provided by the developer and are available for public use.” Section 27-545(b)(4) of the prior Zoning Ordinance states that “an additional gross floor area equal to a FAR of 1.0 shall be permitted where 20 or more dwelling units are provided.”

- Location:** The subject property is located on the east side of I-95/495 (Capital Beltway), south and west of Konterra Drive, and north of MD 200 (Intercounty Connector), in Planning Area 60, Council District 1. A condition is included herein requiring the applicant to correct the name of these rights-of-way (ROWs) that enclose the subject site to ensure consistency across different plans. The property is also located within the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1* (sector plan).
- Surrounding Uses:** To the north and east of the subject property is Konterra Drive. Beyond Konterra Drive, to the north is the Municipality of Laurel, and to the east are properties zoned Industrial, Employment (IE) and Legacy Comprehensive Design (LCD) (formerly Light Industrial (I-1)) and Employment and Institutional Area (E-I-A), respectively. To the south of the subject property is MD 200, and beyond are properties zoned IE and Residential, Rural (RR), formerly Planned Industrial/Employment Park (I-3) and Rural Residential (R-R), respectively. To the east of the subject property is I-95/495 and, beyond, are properties zoned Town Activity Center – Edge (TAC-E), formerly the M-X-T Zone.
- Previous Approvals:** On November 26, 1984, Zoning Map Amendment (ZMA) A-9482 was approved by the Prince George’s County District Council (Zoning Ordinance 56-1984), to rezone the subject site from the R-R Zone to the M-X-T Zone.

CSP-07003 was approved by the Prince George’s County Planning Board on June 12, 2008 (PGCPB Resolution No. 08-95), for approval of a mixed-use town center development consisting of 4,500 dwelling units and 5.9 million square feet of a mixture of commercial, retail, office and hotel uses. The subject site had an approved Stormwater Management (SWM) Concept Plan, 19046-2007-00.

Preliminary Plan of Subdivision (PPS) 4-07108 was approved by the Planning Board on July 24, 2008 (PGCPB Resolution No. 08-116), for 980 lots (4,500 DUs) and 67 parcels. This PPS also approved a Variance, VP-07108, to Section 27-258(h) of the prior Zoning Ordinance.

Detailed Site Plan, DSP-08011, was approved by the Planning Board on February 12, 2009 (PGCPB Resolution No. 09-33), for the development of the downtown core area of Konterra Town Center East and for the supporting infrastructure, such as SWM ponds, in the surrounding area. On July 21, 2009, the Prince George's County District Council approved DSP-08011 and adopted the conditions contained in PGCPB Resolution No. 09-33, with revisions.

DSP-21033 was approved by the Planning Board on June 30, 2022 (PGCPB Resolution No. 2022-80), for 219 single-family attached (townhouse) residential units, including two architectural models.

6. **Design Features:** The subject property is currently vacant. The applicant plans to develop the property, named Konterra Town Center East, as a distinct and identifiable place in the region. Konterra Town Center East is envisioned as a mixed-use center containing a variety of office, residential, hotel, civic, retail, and commercial components with various supporting and accessory uses that will be important regional destinations for living, working, shopping and entertainment. The entire site is divided into a downtown area and an environs area for development. The downtown area is the dense core of Konterra Town Center East and is made up of a mixture of various uses. The environs area that surrounds the downtown area is planned for office, residential, and open space.

CSP-07003 has approved the design features of the site, including street pattern, street type, public open space, design and architectural standards, parking, signage, lighting standards, infrastructure, art works, green building techniques, phasing, and recreational facilities. Detailed descriptions of these design features can be found in PGCPB Resolution No. 08-95. The subject CSP adds ±5.6-acre land area, currently known as Parcels 5, 126 and 145, to the entire development area approved with CSP-07003, specifically supporting the development of Block O-1, which comprises office, retail and hospitality uses. The submitted plans show the additional land area will be used as a parking lot. The subject CSP also plans to revise the uses that were previously approved with CSP-07003 for a mixture of retail, residential and office uses. The amendment approved with this CSP does not change the prior findings.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment A-9482:** A-9482, which rezoned the subject property from the R-R Zone to the M-X-T Zone, was approved by the District Council on November 26, 1984, in accordance with the Zoning Ordinance 56-1984, subject to 10 conditions. The conditions relevant to the review of the CSP are listed below, in **bold** text. The Planning Board's analysis of the project's conformance to the conditions follows each one, in plain text:

- 1. With any concept plan, the applicant shall submit a traffic study which deals with a study area appropriate to the size and impact of the concept plan and which identifies the transportation network improvements that will assure the adequacy of transportation facilities be reviewed and acted upon by the District Council:**

A traffic study was conducted with CSP-07003. It was determined, at the time of acceptance, that a new traffic study would not be required given that the revision to the CSP does not add any additional density or trip generators. The parcels to be incorporated will function as a parking lot, to serve the previously approved listings.

- 3. Any concept plan submitted shall include a staging plan, which shows the following: how the proposed mixed-use development relates to the extraction and processing of sand and gravel resources; staging of construction, to the extent possible, to allow mining of sand and gravel prior to development; and staging of construction to minimize the disturbance caused by mining activities on developing uses.**

The subject property has been mined extensively for sand and gravel in the past several decades. Since 1990, the reclamation process to restore and enhance its natural environment has progressed. There are no mining activities existing on-site. Therefore, this condition is not applicable to the subject CSP.

- 4. To ensure the viability of each of the components of the mixed-use development, the concept plan shall include a market analysis addressing each development component and the economic feasibility of the amount and timing of development proposed.**

This condition has been satisfied with CSP-07003. The subject CSP will not change the prior findings.

- 5. The concept plan shall address water and sewer facility needs in relation to System Area designation and available conveyance capacity.**

This condition has been satisfied with the hydraulic planning analysis, previously approved by the Washington Suburban Sanitary Commission (WSSC). The subject CSP will not change the prior findings.

- 6. Accurate topography of the site and a soils study delineating soil types shall be submitted with the concept plan. A soil study delineating the engineering classification of soils shall be submitted with each plan of development.**

This condition has been satisfied with CSP-07003.

- 7. The required stormwater management plan shall indicate how the proposed development will give adequate attention to areas of high infiltration rates. If necessary, the stormwater management plan shall include additional stormwater management basins.**

This condition was satisfied pursuant to SWM Concept Plan 19046-2007-00, which remains in full force and effect. This approved SWM has been revised and extended by SWM 19046-2007-01, submitted with the subject CSP.

8. **At the concept plan state of development, the applicant shall submit a public facilities study for Planning Board approval and subsequent District council approval. The study shall identify whether and in what quantity additional public facilities, fire and police services, libraries, and health facilities, are needed to serve the proposed development. Where the proposed development causes inadequacy of public facilities and where sufficient funds are not scheduled and funded in the County's approved capital improvement program to overcome such inadequacy, the Planning Board, at the time a preliminary plan of subdivision is acted upon, shall consider whether the adequate public facilities requirements in the Subdivision Regulations should be satisfied by contributions from the applicant.**

This condition was satisfied with CSP-07003. The subject CSP will not change the prior findings.

9. **In the event that a concept plan is submitted by the applicant for less than the entire property which is zoned M-X-T in this action, each such concept plan shall meet the purposes for mixed use development set forth in Sections 27-350.5 and 27-350.7 of the County Code.**

This condition is not applicable to the subject CSP because Sections 27-350.5 and 27-350.7 no longer exist in the Prior Zoning Ordinance.

10. **To provide opportunity and incentive to developers to achieve a distinctive visual character and identify, and to display excellence in physical, social, and economic planning, the concept plan or the plan of development shall:**
- a. **Show how the proposed development will capitalize on views of the property from I-95;**
 - b. **Include berms and significant vegetation to soften the effects of I-95 and the power transmission lines upon the subject site;**
 - c. **Indicate how former mining areas will be reclaimed and how the visual amenities of the site can be improved through the creation of interesting vistas and the development or preservation of important natural features such as ridgelines, drainage areas, steep slope, and major vegetation;**
 - d. **Include an attractive array of housing opportunities and recreation and cultural amenities to attract a "high standard" of employment;**

- e. **Contain a mixture of dwelling unit types, in a variety of price ranges, in accordance with the guidelines of the Northwestern Area Plan and the County's Housing Strategy;**
- f. **Pay careful attention to the relationship between the proposed development and existing and subsequent development in terms of scale (height, mass, etc.);**
- g. **Provide a cohesive architectural theme, including building design, signs, street furniture, and landscaping;**
- h. **Provide a continuous open space system, including parks, promenades, malls, plazas, and a trail system throughout the development; and**
- i. **Provide parks and recreational facilities, in accordance with the standards contained in the Parks Recreation, and Open Space Master Plan, and in accordance with the Parks and Recreation Facilities Guidelines.**

This condition was satisfied with CSP-07003. The subject CSP will not change the prior findings.

8. **Prince George's County Zoning Ordinance:** The subject CSP has been reviewed for compliance with the requirements of the M-X-T Zone and the site plan design guidelines of the prior Zoning Ordinance.
- a. A variety of land uses included in the Konterra Town Center East was approved with CSP-07003, including residential, retail/commercial, office, hotel, entertainment, civic uses, and open space. There are two folds with the subject CSP: adding ±5.6-acre land area to the entire development site to better develop Block O-1, with a mixture of office, retail and hospitality uses; and, revising the previously approved uses for Block O-8 for a mixture of office, retail and hospitality uses. Compliance with the requirement of Section 27-547, Uses Permitted, of the prior Zoning Ordinance, was found at the time of CSP-07003 approval, and the amendment approved with this CSP does not change the prior findings and remains in conformance with this requirement.
 - b. Section 27-548 of the prior Zoning Ordinance, M-X-T Zone Regulations, establishes additional standards for development in this zone. Conformance with the applicable provisions is discussed, as follows:

Section 27-548. – M-X-T Zone.

(a) Maximum floor area ratio (FAR):

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

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

The subject CSP application has a range of floor area ration (FAR) between 0.66 and 0.74, which is discussed in Finding 2, above. However, this project can be developed up to the maximum allowed 1.40 FAR, in accordance with Section 27-545(b)(4), Optional Method of Development, of the prior Zoning Ordinance, which allows an additional FAR of 1.0 in addition to the base 0.4 FAR to be permitted, where 20 or more dwelling units are included. Therefore, the approved FAR is in conformance.

(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 subject CSP includes a mixture of uses on the M-X-T-zoned property that will be spread in multiple buildings, in different lots/parcels.

(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.

This requirement is not applicable since this application is for a CSP. Subsequent DSP approvals will provide regulations for development on this property.

(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 use.

The development is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (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 incompatible land uses, at the time of DSP.

(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 approved development ranges between 0.66 and 0.74. This will be further refined, at the time of DSP, relative to the final GFA of the buildings, in conformance with this requirement.

- (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 ROWs, as part of this development. Therefore, this requirement is not applicable to the subject CSP.

- (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.**

The submitted CSP shows that each lot associated with this CSP has frontage on and direct vehicular access to a public or private ROW.

- (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 façade and there shall not be more than a single garage, not to exceed ten (10) feet wide, along the front façade 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.

This requirement is not applicable to this CSP because it is not a DSP.

- (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.**

Conformance to this requirement was found at the time of CSP-07003 approval, and the amendment approved with this CSP does not change the prior findings.

- (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 is not applicable to this CSP because the subject property was rezoned to the M-X-T Zone through the 1984 Zoning Map Amendment, A-9482.

- c. The subject application has been reviewed for conformance with the requirements of Section 27-546(d) of the prior Zoning Ordinance, which requires additional findings for the Planning Board to approve a CSP 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, as stated in Section 27-542 of the prior Zoning Ordinance, was found at the time of CSP-07003 approval, with detailed information contained in PGCPB Resolution No. 08-95. The amendment approved with the subject CSP will not change the prior findings. Specifically, the CSP adds additional land area to support the development of Block O-1, and changes the uses that were previously approved for Block O-8, to enhance its mixed-use development.

(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 or include a major employment use or center which is consistent with the economic development strategies of the Sector Plan or General Plan;

The CSP is not subject to this requirement because the property was placed in the M-X-T Zone through the 1984 Zoning Map Amendment, A-9482.

(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 amendment approved with the CSP is to add a ±5.6-acre lot for development of Block O-1, and to revise the uses that were previously approved for Block O-8. Compliance with this requirement was found at the time of CSP-07003 approval, and the subject CSP does not change the prior findings.

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

Land uses immediately adjacent to the property include light industrial and office uses to the east and southeast, and residential, research and development, and light industrial uses to the south, southwest, and northeast. The mixture of uses included in the Konterra Town Center East development would be compatible with these uses, and those likely to be developed over time, in the proximate area.

(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;

Konterra Town Center East is envisioned as a mixed-use town center pursuant to 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035). Plan 2035 identifies Konterra as one of 26 local centers identified on the Prince George's County Growth Policy Map (page 18). In addition, Plan 2035, Center Classification System (Table 16), further describes Konterra Town Center East as one of five town centers (Local). Development of Konterra Town Center East, as envisioned by Plan 2035, will help fulfill countywide goals and provide a mix of uses, improvements, and public amenities capable of sustaining an independent environment of continuing quality and stability. Compliance with this requirement was found at the time of CSP-07003 approval. The subject CSP merely adds an additional area of ±5.6 acres to the entire development site, revises the approved uses for Block O-8, and will not change the prior findings for this requirement.

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

The submitted conceptual plans show that the Konterra Town Center East development will be developed in three phases. The development on the ±5.6 acres, added with the subject CSP, will occur in Phase 3 (final phase). The mixed-use nature of the larger development will make each phase of the development a self-sufficient entity, to allow effective integration of subsequent phases. The approved amendment does not change this finding.

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

An illustrative plan submitted with this CSP shows that a potential pedestrian circulation within the Konterra Town Center East, which was previously approved with CSP-07003, is integrated and connected. Sidewalks and bike lanes have been extended to the parcels that are the subject of this CSP application.

- (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 above finding is not applicable because the subject application is a CSP. Attention to the design of open space and other on-site amenities will be further evaluated at the time of DSP.

- (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, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, 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 CSP is not subject to this requirement because the property was rezoned to the M-X-T Zone through the 1984 Zoning Map Amendment, A-9482. A traffic study was conducted with CSP-07003, and it was determined that, at the time of acceptance, a new traffic study would not be required given that the revision to the CSP does not add any additional density or trip generators. The parcels to be incorporated will function as a parking lot to serve the previously approved listings.

- (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 (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).

The above finding is not applicable because the subject application is a CSP. This requirement will be evaluated at the time of DSP for this project.

- (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 subject property contains approximately 402.98 acres of land and includes a combination of residential, office, commercial, retail, hotel, and other civic uses. While the application meets almost all requirements of Section 27-544(e), Mixed-Use Planned Community Regulations, and in accordance with CSP-07003, the applicant has elected that the subject CSP not be reviewed nor approved in accordance with the provisions set forth for a mixed-use planned community.

- d. Section 27-274 of the prior Zoning Ordinance provides the design guidelines related to CSPs. Conformance with these requirements was found at the time of CSP-07003 approval. Changes made to CSP-07003, with the subject CSP, will not alter the prior findings.
- e. In accordance with Section 27-574 of the prior 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, 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) of the prior Zoning Ordinance. The methodology in Section 27-574(b) requires that parking be computed for each use in the M-X-T Zone. At the time of DSP review, demonstration of adequacy of planned parking, including visitor parking and loading configurations, will be required for the development.
9. **Conceptual Site Plan CSP-07003:** CSP-07003 was approved by the Planning Board on June 12, 2008 (PGCPB Resolution No. 08-95), subject to 14 conditions. The conditions relevant to the review of the CSP are listed below, in **bold** text. The Planning Board's analysis of the project's conformance to the conditions follows each one, in plain text:
6. **The applicant shall dedicate approximately 41 acres of parkland to the Maryland-National Capital Park and Planning Commission, that is located on the west side of I-95 and north of the proposed Intercounty Connector (ICC), as shown on the Exhibit A attached to DPR's memorandum. The conveyance of 41 acres of open space to MNCP&PC is an amount of land premised on the proposal of**

4500 dwelling units in Konterra Town Center East. Subject to Planning Board approval, the Applicant may count some portion of the dedicated parkland toward satisfying the parkland dedication requirements for Konterra Town Center West residential development or other residential development (up to a total of 4500 dwelling units) on proximate land owned by the Applicant, if this number of dwelling units is not constructed as part of Konterra Town Center East.

- 7. Land to be conveyed shall be subject to the following conditions:**
- a. An original, special warranty deed along with a metes and bounds description of the property to be conveyed to the M-NCPPC (signed by the WSSC Assessment Supervisor) shall be submitted to the DPR for review and approval along with the final plat of subdivision of any portion of CSP-07003, including the residential component. Upon approval by the DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.**
 - b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.**
 - c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.**
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the DPR. If the land is to be disturbed, the DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, the M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.**
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.**
 - f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.**

- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.**
- h. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.**
- i. No stormwater management facilities, tree conservation or utility easements shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.**

The approximately 41 acres of parkland, to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC), was addressed in the Resolution of PPS 4-07108 (Finding 7). The requirements of Conditions 6 and 7 were carried forward as Condition 4, of PPS 4-07108 approval. The required mandatory dedication of parkland was found to be fulfilled with the off-site dedication of a minimum of 38 acres of parkland. The conveyance of the parkland to M-NCPPC, to meet the above conditions, will be addressed at the time of platting the property.

- 8. Prior to the issuance of any building permits within the subject property, the following road improvements shall either Option 1 (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency or Option 2; the improvement shall be fully funded for construction in the applicable CTP or CIP:**
 - a. US 1 and Contee Road: Add one additional through lane westbound along Contee Road. Modify signals, signage, and pavement markings as needed.**
 - b. US 1 and Muirkirk Meadows Drive: Add a second left-turn lane along eastbound Muirkirk Meadows Drive. Modify signals, signage, and pavement markings as needed.**
 - c. US 1 and Ritz Way: Add two additional left-turn lanes along northbound US 1. Modify signals, signage, and pavement markings as needed.**
 - d. Van Dusen Road and Contee Road: Add a second left-turn lane along westbound Contee Road. Add an exclusive left-turn lane along northbound Van Dusen Road. Modify signals, signage, and pavement markings as needed.**

- e. **Old Gunpowder Road and Greencastle Road: Add a left-turn lane along northbound Old Gunpowder Road. Install signalization if warranted, with warrants to be determined by the submittal of a traffic signal warrant study, prior to the approval of the initial detailed site plan for infrastructure.**
- f. **I-95 and Contee Road: Construct the I-95/Contee Road interchange with the general design consistent with the SHA-approved alternative and with lane use consistent with the lane use shown on Exhibit 12A of the January 2008 traffic study.**
- g. **Contee Road Extended (also referred to as Kenilworth Ave West): Construct the extension of Contee Road from the I-95/Contee Road interchange to Old Gunpowder Road. Provide signalization and lane usage consistent with the traffic study, with final alignment of the Contee Road Extended/Old Gunpowder Road intersection to be determined by DPW&T at the time of the initial detailed site plan for infrastructure.**
- h. **Kenilworth Avenue Extended "East" shall be constructed beginning at the terminus of the Contee Interchange and ending at the second project entrance into Konterra Town Center East (Perimeter Drive East). This will form a roadway connection of Virginia Manor Road to the I-95/Contee Road interchange is to be constructed on-site as a part of Phase I, with approval of the design of this link to be made by DPW&T at the time of the initial detailed site plan for infrastructure. This roadway shall be constructed within the dedicated right-of-way for the A-56 and the A-6 facilities.**

This condition is not applicable because the subject application is a CSP. However, this condition remains, and will be addressed at the time of building permit.

- 9. **Prior to the issuance of any building permits for uses generating more than 3,143 AM and 4,931 PM peak hour trips within the subject property, defined within this condition as Phase II, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
 - a. **MD 198 and Bond Mill Road/Old Gunpowder Road: Restripe the southbound Bond Mill Road approach to provide exclusive left-turn, through, and right-turn lanes. Modify signals, signage, and pavement markings as needed.**

- b. MD 198 and Sweitzer Lane: Restripe the northbound Sweitzer Lane approach to provide exclusive left-turn and right-turn lanes, and a shared through/left-turn lane. Modify signals, signage, and pavement markings as needed.**
- c. US 1 and Ritz Way: Add a third eastbound left-turn lane along Ritz Way, with provision for three receiving lanes along northbound US 1. Modify signals, signage, and pavement markings as needed. This improvement will not be required if a Regional Center designation is approved for Konterra Town Center via the Subregion I Master Plan.**
- d. Van Dusen Road and Contee Road: Provide an exclusive left-turn lane and a shared through/left-turn lane along westbound Contee Road. Add a second exclusive left-turn lane along northbound Van Dusen Road. Modify signals, signage, and pavement markings as needed. This improvement will not be required if a Regional Center designation is approved for Konterra Town Center via the Subregion I Master Plan.**
- e. MD 198 and Van Dusen Road: Add a second left-turn lane along westbound MD 198, with provision for two receiving lanes along southbound Van Dusen Road. Add a second northbound through lane along Van Dusen Road south of Route 198, for a length to be determined based on traffic geometrics and sufficient stacking requirements as determined by the responsible permitting agency. Modify signals, signage, and pavement markings as needed.**
- f. Van Dusen Road and Cherry Lane: Add a second left-turn lane along southbound Van Dusen Road. Add a second northbound through lane along Van Dusen Road, with provision for two receiving lanes along northbound Van Dusen Road north of the intersection south of Route 198, for a length to be determined based on traffic geometrics and sufficient stacking requirements as determined by the responsible permitting agency. Modify signals, signage, and pavement markings as needed.**
- g. The overpass connection over I-95 between Konterra East and Konterra West shall be scheduled for bonding and ultimate construction by DPW&T at the time of the initial detailed site plan for infrastructure within Phase II. This improvement is not required until after a Preliminary Plan of Subdivision is approved for Konterra Town Center West. This improvement may be eliminated from Konterra Town Center East if warranted with an updated traffic study. The necessary right of way however will be dedicated on the Konterra Town Center East property.**
- h. The overpass connection over the ICC between Konterra East and properties to the south, with an eventual connection to MD 212 at Ammendale Road, shall be scheduled for bonding and ultimate construction**

by DPW&T at the time of the initial detailed site plan for infrastructure within Phase II. This improvement may be eliminated from Konterra Town Center East if warranted with an updated traffic study. The necessary right of way however will be dedicated on the Konterra Town Center East property.

- i. The construction of MD 201 Extended along Virginia Manor Road and connecting to the I-95/Contee Road interchange shall be constructed on-site as a four-lane divided facility as a part of Phase II, with approval of the conceptual design of this link to be made by DPW&T and/or SHA (whichever agency is responsible) at the time of the initial detailed site plan for infrastructure within Phase II. At that time, the design of turning lanes in to and out of the site for each site access shall be completed and approved.**

This condition is not applicable because the subject application is a CSP. However, this condition remains and will be addressed at the time of building permit.

- 10. Total development within the subject property shall be limited to uses which generate no more than 5,542 AM and 8,306 PM peak hour vehicle trips, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates. Any development generating an impact greater than that identified herein above shall require a revision to the Conceptual Site Plan with a new determination of the adequacy of transportation facilities.**

The CSP revision incorporates previously abandoned parcels and does not seek an increase in density. The applicant submitted a traffic statement, dated May 6, 2024, confirming that no increase is added; therefore, there is no impact to the approved trip cap established for the property, subject to PPS 4-07108.

- 12. The conceptual site plan document shall be modified to indicate right of way dedication for the that the following street sections, shown on the plan with a “Connector Street C” (2 lane) standard, be modified to the “Boulevard” (4 lane) standard as described in Section 6.6 The standard should be modified to allow for slopes approaching the limited access roadways, and eliminate the landscaped median and landscape strips on overpasses.**

- a. The street extending from the western property line over I-95 to its first intersection with a “Boulevard” type street within the plan.**
- b. The street extending from the southern property line over the ICC to its first intersection with a “Boulevard” type street within the plan.**

The appropriate road sections are shown on the circulation plan sheet, and that sheet also includes the “Boulevard” road sections. This condition has been satisfied with CSP-07003. The subject CSP will not change the prior findings.

13. **The transportation improvements expressed herein shall remain in full force and effect unless otherwise modified pursuant to agreement initiated by the Transportation Planning Section of M- NCPPC, the SHA, the DPW&T and conveyed to the applicant, and provided any such change maintains the levels of adequate transportation facilities approved herein.**

The subject CSP does not include any modifications to transportation improvements that were previously approved with CSP-07003. This condition remains in full force and will be enforceable at DSP review.

14. **A traffic phasing analysis will be submitted and reviewed during the processing of the Detailed Site Plan for each phase. This traffic phasing analysis will define the improvements required for phase 1A, 1B, IIA, and IIB. These above-mentioned traffic conditions will be modified to adjust the timing trigger and extent of these improvements for each phase. This phasing analysis will not exceed 5,541 AM Peak trip cap and the 8,306 PM Peak trip cap, unless a future revision to the Conceptual Site Plan and Preliminary Plan of Subdivision are processed.**

This condition is not applicable because the subject application is a CSP. This condition remains and will be enforceable with appropriate and subsequent DSPs.

10. **Preliminary Plan of Subdivision 4-07108:** PPS 4-07108 was approved by the Planning Board on July 24, 2008 (PGCPB Resolution No. 08-116), subject to 30 conditions. The conditions relevant to the review of the CSP are listed below, in **bold** text. The Planning Board's analysis of the project's conformance to the conditions follows each one, in plain text:

3. **Development of this site shall be in conformance with Stormwater Management Concept Plan No. 19046-2007-00 and any subsequent revisions.**

A subsequent revision of SWM Concept Plan, 19046-2007-01, was submitted with this application, and therefore, is in conformance with this condition.

4. **At the time of the first final plat, other than right of way for infrastructure, the applicant, the applicant's heirs, successors and/or assignees shall convey to the M-NCPPC 41± acres of open space located on the west side of I-95 in the northeast quadrant of the intersection of the proposed Intercounty Connector (ICC) and Old Gunpowder Road (as shown on DPR's Exhibit A). The land to be conveyed shall be subject to the following conditions:**

- a. **An original, special warranty deed along with a metes and bounds description of the property to be conveyed to the M-NCPPC (signed by the WSSC Assessment Supervisor) shall be submitted to DPR for their review and approval along with the final plat of the subdivision of any portion of the CSP-07003, including the residential component. Upon approval by**

DPR, the deed shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

- b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.**
- c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.**
- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of DPR. If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, The M-NCPPC) shall be submitted to DPR within two weeks, prior to applying for grading permits.**
- e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by the M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by the M-NCPPC, 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.**
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that the land is in acceptable condition for conveyance, prior to dedication.**
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.**
- h. The applicant shall terminate any leasehold interests on property to be conveyed to the M-NCPPC.**
- i. No stormwater management facilities, tree conservation or utility easements shall be proposed on land owned by or to be conveyed to the M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.**

- j. The 41 acres is to be conveyed “as is” in its present condition, except that the above ground waste matter and materials of any kind and materials shall be removed as per Condition-5 f & g of the CSP-07003. The M-NCPPC shall grant a temporary easement for use and maintenance of the existing road on the dedicated parkland which transverses the dedicated parkland to an existing batch plant on the applicant’s property. The temporary easement shall terminate at such time as M-NCPPC is prepared to construct recreational facilities on the parkland or needs exclusive use of this area of the property. The M-NCPPC shall provide 60 days notice of their intent to use the property to the applicant at which time the applicant shall discontinue use of the road and remove the road surface materials and any materials associated with the batch plant.**

The required mandatory dedication of parkland was found to be fulfilled with the off-site dedication of a minimum of 38 acres of parkland. The conveyance of the parkland to M-NCPPC, to meet the above conditions, will be addressed at the time of platting the property.

- 7. Development of the site shall conform to CSP-07003, or as subsequently revised.**

The subject CSP adds approximately 5.6 acres to CSP-07003, with revision to the uses approved for Block O-8. This condition remains in full force, and future development of the site shall conform to both CSPs.

- 13. In conformance with the adopted and approved Subregion I Master Plan and consistent with the 2007 planning workshops for Subregion I, the applicant, the applicant’s heirs, successors, and/or assignees shall provide the following:**

- a. Provide an asphalt stream valley trail along the eastern edge of Konterra Town Center East as shown on the conceptual trail plan.**
- b. Where the stream valley trail is within homeowners association property, it shall be within a public use trail easement.**
- c. Where the stream valley trail is within a road right-of-way, it shall be a minimum of eight feet wide, separated from the curb by a landscaped strip, and constructed in lieu of a standard sidewalk for that portion of the roadway, unless otherwise modified by DPW&T.**
- d. Pedestrian safety features, traffic calming, and pedestrian amenities will be evaluated at the time of DSP.**
- e. Provide a cross section for the roads accessing the townhouse units as part of the detailed site plan submittal. This cross section shall include standard sidewalks along both sides.**

- f. Designated bike lanes shall be striped and marked in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities.**
- g. The public use easement(s) shall include the streetscape for roadways that are to remain publicly accessible, per Exhibit 3.**
- h. Additional necessary public use easements for the public trails (indicated in red on the conceptual trail plan) will be identified at the time of detailed site plan.**

The subject CSP does not change the prior findings of CSP-07003. In addition, these requirements will be further evaluated and reviewed in subsequent DSPs.

- 21. Prior to the issuance of any building permits within the subject property, the following road improvements shall either; Option 1, (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency; or Option 2, the improvement shall be fully funded for construction in the applicable CTP or CIP:**
- a. US 1 and Contee Road: Add one additional through lane westbound along Contee Road. Modify signals, signage, and pavement markings as needed.**
 - b. US 1 and Muirkirk Meadows Drive: Add a second left-turn lane along eastbound Muirkirk Meadows Drive. Modify signals, signage, and pavement markings as needed.**
 - c. US 1 and Ritz Way: Add two additional left-turn lanes along northbound US 1. Modify signals, signage, and pavement markings as needed.**
 - d. Van Dusen Road and Contee Road: Add a second left-turn lane along westbound Contee Road. Add an exclusive left-turn lane along northbound Van Dusen Road. Modify signals, signage, and pavement markings as needed.**
 - e. Old Gunpowder Road and Greencastle Road: Add a left-turn lane along northbound Old Gunpowder Road. Install signalization if warranted, with warrants to be determined by the submittal of a traffic signal warrant study, prior to the approval of the initial detailed site plan for infrastructure.**
 - f. I-95 and Contee Road: Construct the I-95/Contee Road interchange with the general design consistent with the SHA-approved alternative and with lane use consistent with the lane use shown on Exhibit 12A of the January 2008 traffic study**

- g. Contee Road Extended (also referred to as Kenilworth Avenue West): Construct the extension of Contee Road from the I-95/Contee Road interchange to Old Gunpowder Road. Provide signalization and lane usage consistent with the traffic study, with final alignment of the Contee Road Extended/Old Gunpowder Road intersection to be determined by DPW&T at the time of the initial detailed site plan for infrastructure.**
- h. Kenilworth Avenue Extended “East” shall be constructed beginning at the terminus of the Contee interchange and ending at the second project entrance into Konterra Town Center East (Perimeter Drive East). This will form a roadway connection of Virginia Manor Road to the I-95/Contee Road interchange to be constructed on-site as a part of Phase I, with approval of the design of this link to be made by DPW&T at the time of the initial detailed site plan for infrastructure. This roadway shall be constructed within the dedicated right-of-way for the A-56 and the A-6 facilities.**

This condition remains and will be addressed at the time of building permit.

- 22. Prior to the issuance of any building permits for uses generating more than 3,314 AM and 5,331 PM peak hour trips within the subject property, defined within this condition as Phase II, in consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates, the following road improvements shall (a) have full financial assurances, or (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
- a. MD 198 and Bond Mill Road/Old Gunpowder Road: Restripe the southbound Bond Mill Road approach to provide exclusive left-turn, through, and right-turn lanes. Modify signals, signage, and pavement markings as needed.**
 - b. MD 198 and Sweitzer Lane: Restripe the northbound Sweitzer Lane approach to provide exclusive left-turn and right-turn lanes, and a shared through/left-turn lane. Modify signals, signage, and pavement markings as needed.**
 - c. US 1 and Ritz Way: Add a third eastbound left-turn lane along Ritz Way, with provision for three receiving lanes along northbound US 1. Modify signals, signage, and pavement markings as needed. This improvement will not be required if a Regional Center designation is approved for Konterra Town Center via the Subregion I Master Plan.**
 - d. Van Dusen Road and Contee Road: Provide an exclusive left-turn lane and a shared through/left-turn lane along westbound Contee Road. Add a second**

exclusive left-turn lane along northbound Van Dusen Road. Modify signals, signage, and pavement markings as needed. This improvement will not be required if a Regional Center designation is approved for Konterra Town Center via the Subregion I Master Plan.

- e. MD 198 and Van Dusen Road: Add a second left-turn lane along westbound MD 198, with provision for two receiving lanes along southbound Van Dusen Road. Add a second northbound through lane along Van Dusen Road. Modify signals, signage, and pavement markings as needed.**
- f. Van Dusen Road and Cherry Lane: Add a second left-turn lane along southbound Van Dusen Road. Add a second northbound through lane along Van Dusen Road, with provision for two receiving lanes along northbound Van Dusen Road, north of the intersection. Modify signals, signage, and pavement markings as needed.**
- g. The overpass connection over I-95 between Konterra East and Konterra West shall be scheduled for bonding and ultimate construction by DPW&T at the time of the initial detailed site plan for infrastructure within Phase II. This improvement is not required until after a preliminary plan of subdivision is approved for Konterra Town Center West. This improvement may be eliminated from Konterra Town Center East if warranted with an updated traffic study. The necessary right-of-way, however, will be dedicated within the Konterra Town Center East property.**
- h. The overpass connection over the ICC between Konterra East and properties to the south, with an eventual connection to MD 212 at Ammendale Road, shall be scheduled for bonding and ultimate construction by DPW&T at the time of the initial detailed site plan for infrastructure within Phase II. This improvement may be eliminated from Konterra Town Center East if warranted with an updated traffic study. The necessary right-of-way, however, will be dedicated within the Konterra Town Center East property.**
- i. The construction of MD 201 Extended along Virginia Manor Road and connecting to the I-95/Contee Road interchange shall be constructed on-site as a four-lane divided facility as a part of Phase II, with approval of the design of this link to be made by DPW&T and/or SHA (whichever agency is responsible) at the time of the initial detailed site plan for infrastructure within Phase II. At that time, the design of turning lanes into and out of the site for each site access shall be completed and approved.**

This condition remains and will be addressed at the time of building permit.

- 23. Total development within the subject property shall be limited to uses which generate no more than 5,965 AM and 8,963 PM peak hour vehicle trips, in**

consideration of the approved trip rates and the approved methodologies for computing pass-by and internal trip capture rates. 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.

The approved revisions, made by the subject application, incorporate previously abandoned parcels and do not seek an increase in density. Therefore, there is no impact to the approved trip cap.

- 24. A traffic phasing analysis will be submitted and reviewed during the processing of the detailed site plan for each phase. This traffic phasing analysis will define the improvements required for Phase 1A, 1B, IIA, and IIB. These above mentioned traffic conditions will be modified to adjust the timing trigger and extent of these improvements for each phase. This phasing analysis will not exceed the 5,965 AM peak hour trip cap and the 8,963 PM peak hour trip cap, unless a future revision to the preliminary plan of subdivision is processed.**

This condition is not applicable because the subject application is a CSP. This condition remains and will be enforceable with appropriate and subsequent DSPs.

- 25. The transportation improvements expressed herein shall remain in full force and effect unless otherwise modified pursuant to agreement initiated by the Transportation Planning Section of M-NCPPC, the SHA, the DPW&T and concurred by the applicant, and provided any such technical or engineering change maintains the levels of adequate transportation facilities approved herein. Any modification of transportation improvements may not be inconsistent with the Planning Board findings and conditions.**

The subject CSP does not include any modifications to transportation improvements that were previously approved with CSP-07003. This condition remains in full force and will be enforceable at DSP review.

- 26. The following rights-of-way shall be dedicated at the time of the appropriate final plat, consistent with the rights-of-way shown on the subject plan:**
- a. The right-of-way for A-3 and C-102, shown on this plan as Perimeter Drive West, within a 100-foot (or greater) right-of-way.**
 - b. The right-of-way for C-101, shown on this plan as Fashion Place, within a 100-foot right-of-way east of Perimeter Drive East and within a 54-foot right-of-way between Perimeter Drive East and Perimeter Drive West.**

- c. **The right-of-way for A-56, shown on this plan as Kenilworth Avenue Extended, within a 150-foot right-of-way.**

The condition will be addressed at the time of final plat.

27. The plan shall be modified to demonstrate the following:

- a. **Dedication providing for four travel lanes along proposed Street B unless modified by a subsequent Master Plan.**
- b. **Two easements (one north of Fashion Place and one south of the same) serving Lots 43–47 of Block N and Lots 1–6 of Block S created pursuant to Section 24-128(b)(9) to connect each lot group to Fashion Place and A-56.**

The condition will be addressed at the time of final plat.

11. **2010 Prince George’s County Landscape Manual:** This development is located in the M-X-T Zone and will be subject to the requirements of the Landscape Manual, at the time of DSP. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips Along Street; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; Section 4.9, Sustainable Landscaping Requirements; and Section 4.10 Street Trees Along Private Roads. Conformance with the Landscape Manual will be reviewed at the time of DSP. Since conformance with Section 4.7 can be challenging or impossible to achieve in a vertical or intense horizontal mixed-use environment, the Planning Board recommended to review future DSPs for strict conformance with Section 4.7, only along the perimeter of the M-X-T-zoned area.
12. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This property is subject to the provisions of the 1990 Prince George’s County Woodland Conservation and Tree Preservation Ordinance, because a Type I and Type II tree conservation plan were previously approved for the site. Type 1 Tree Conservation Plan, TCPI-005-08-02, was submitted with this CSP and includes a woodland conservation worksheet that accounts for lands outside the limits of the CSP. Prior to certification of the CSP, the woodland conservation worksheet shall be revised to match the acreage subject to the CSP. Based on the 402.98 acres within the M-X-T Zone, a minimum woodland conservation threshold of 15 percent or 58.66-acres would be applied to this site.
13. **Prince George’s County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, of the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit. Properties zoned TAC are required to provide a minimum of 10 percent of the gross tract area covered by tree canopy. The subject site is ±402.98 acres and the required TCC is ±40.298 acres. Conformance with the requirements of the Tree Canopy Coverage Ordinance will be ensured, at the time of DSP.

14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows, and incorporated herein by reference:

a. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated April 18, 2024 (Stabler, Smith, and Chisholm to Huang). The Historic Preservation Section offered the following comments:

The sector plan contains goals and policies related to historic preservation (pages 101 through 104). However, these are not specific to the subject site. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, indicates the probability of archeological sites within the subject property is low. A Phase I archeology survey will not be recommended. The subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.

b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated May 13, 2024 (Lutz to Huang). The Community Planning Division noted that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 2 of the prior Zoning Ordinance, master plan conformance is not required for this application.

c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated May 16, 2024 (Patrick to Huang). The Transportation Planning Section provided comments on this CSP, as follows:

Master Plan Right-of-Way

This development case is subject to 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Master Plan and Sectional Map Amendment for Subregion 1*. The subject site is adjacent to or impacted by the following master-planned roadways:

- F-1 (I-95): 8 lane freeway; ultimate ROW of 300 to 400 feet
- F-12 (Intercounty Connector): 4–6 lane freeway; ultimate ROW of 200 to 300 feet
- A-56 (Kenilworth Avenue Extended): 4–6 lane freeway; ultimate ROW of 120 to 150 feet
- C-119 (Fashion Place): 4 lane collector; ultimate ROW of 80 feet
- C-121 (overpass): 4 lane collector; ultimate ROW of 80 feet
- MC-103 (Perimeter Drive West): 4 lane major collector; ultimate ROW of 100 feet

- MC-104 (Konterra Boulevard East): 4 lane major collector; ultimate ROW of 100 feet

The subject CSP includes minor revisions to CSP-07003; conformance with the sector plan has been made with the current submission.

Portions of C-119, MC-103, and MC-104 have been platted and dedication previously occurred in 2022. The ROW shown on the plan is consistent with prior approvals. All of the facilities listed above should be dedicated, with the alignments shown, at the time of final plat.

Master Plan Pedestrian and Bike Facilities

The MPOT recommends the following facilities:

- Bike lanes: C-119 (Fashion Place)
- Bike lanes: MC-103 (Perimeter Drive West)
- Bike lanes: MC-104 (Konterra Boulevard East)
- Bike lanes: C-121 (overpass)

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*.

The sector plan also recommends the following policy and strategy (page 17):

Policy 6: Create a high-quality, pedestrian- and bicycle- oriented environment.

Strategy

- **Assign a high priority on pedestrian and bicycle use that encourages independence from the auto mobile with a hierarchy of development that emanates from the core.**

An illustrative circulation plan has been provided with the current submission. The appropriate road sections, which include sidewalks and 5-foot-wide bike lanes along all master plan roadways are shown. In addition to the master-planned roads, sidewalks are provided along both sides of all internal roads, and a network of bike lanes are provided within the development. Except for roads designated as Connector Street D, bike lanes are provided on both sides of the roads and create a bicycle friendly network that can access the various uses provided within the site. The circulation plan is consistent with CSP-07003, and the sidewalks and bike lanes have been extended to the parcels that are the subject of this CSP application.

Bicycle and Pedestrian Adequacy

The subject property is in the TAC-C Zone, and therefore, is subject to Section 24-4506 of the Prince George's County Subdivision Regulations, for pedestrian and bicycle adequacy. Per Section 24-4506(c)(1)(B)(i) of the Subdivision Regulations, pedestrian or bikeway facilities will be subject to a cost-cap. The scope and the details of the off- and on-site improvements will be evaluated with any subsequent PPS application submission.

- d. **Subdivision Review**—The Planning Board has reviewed and adopts the memorandum dated May 13, 2024 (Vatandoost to Huang). The Subdivision Review Section noted that, only Lots 1 and 2 within the subject property have been platted, and public ROWs have been dedicated for public roads to support the development. Parcels 5, 126, and 145, which are being added to the CSP, are not subject to any prior PPS. Additional comments include the following:
- (1) Lots 1 and 2, Block I; and Parcels 4, 130, and 169 have an automatic certificate of adequacy (ADQ) associated with 4-07108, pursuant to Section 24-4503 of the Subdivision Regulations. The automatic ADQ became effective April 1, 2022, and is valid until April 1, 2034, subject to the expiration provisions of Section 24-4503(c). Parcels 5, 126, and 145 do not have an associated ADQ.
 - (2) Parcels 5, 126, and 145 are tax parcels, and development of these parcels is limited to one single-family dwelling or 5,000 square feet of GFA. Any development exceeding this, or further subdivision of these parcels will require a PPS before any building permits may be approved.

- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated May 13, 2023 (Meoli to Huang). The Environmental Planning Section provided comments on the subject application, as follows:

Natural Resources Inventory

The site has two approved NRI equivalency letters which cover all land subject to the CSP. NRI-050-07-03 was issued for most of the site, due to the previously implemented TCPII-065-08-03. NRI-047-2024 was issued just for Parcels 5, 126, and 145 due to the parcels being represented within the 100-foot off-site extension on NRI-050-07. This NRI equivalency letter confirms that there are no REF on the parcels sought to be added to the CSP, but provides limited information. A full NRI is required for Parcels 5, 126, and 145 (approximately 5.6 acres) to be approved prior to certification of the CSP. The applicant is preparing the full NRI for submittal to the Environmental Planning Section.

Specimen Trees

No additional specimen trees are planned to be removed with this application.

Soils

The predominant soils found to occur, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Udorthents, reclaimed gravel pits (0–5 percent slopes); and Zekiah and Issue soils, frequently flooded.

Christiana clay is mapped on-site; however, the site has been previously graded. No additional geotechnical information is required.

Stormwater Management

An approved SWM Concept Plan, 9046-2007-01, was submitted with revised material, which shows the use of bioretention and five stormwater ponds. This SWM plan was extended on January 23, 2023, and expires on January 23, 2026.

- f. **Prince George’s County Department of Parks and Recreation (DPR)**—The Planning Board has reviewed and adopts the memorandum dated May 14, 2024 (Thompson to Huang). DPR offered one comment on the design, location, and adequacy of the on-site private recreational facilities, which will be evaluated at the time of appropriate and subsequent DSP review.
- g. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comments on the subject application.
- h. **Prince George’s County Fire/EMS Department**—The Fire/EMS Department did not offer comments on the subject application.
- i. **Prince George’s County Police Department**—The Police Department did not offer comments on this application.

- j. **Prince George’s County Health Department**—The Planning Board has reviewed and adopts the memorandum dated May 14, 2024 (Adepoju to Huang). The Health Department offered comments addressing noise and dust during the construction phases, to not adversely impact adjacent properties.
 - k. **Maryland State Highway Administration (SHA)**—SHA did not offer comments on the subject application.
 - l. **City of Laurel**—The subject property is located within 0.25-mile of the geographic boundary of the City of Laurel. The CSP application was referred to the Town for review and comments on March 29, 2024. The City did not offer comments on the subject application.
15. **Community Feedback:** The Prince George’s County Planning Department did not receive any inquiries from the community regarding the subject CSP.
16. Based on the foregoing, and as required by Section 27-276(b)(1) of the prior Zoning Ordinance, the CSP, approved with the proposed conditions below, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
17. Section 27-276(b)(2) of the prior Zoning Ordinance does not apply to this CSP because it is not for a mixed-use planned community.
18. Section 27-276(b)(3) of the prior Zoning Ordinance does not apply to this CSP because it is not for a regional urban community.
19. As required by Section 27-276(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a CSP is as follows:
- (4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The regulated environmental features (REF) on the subject property have been preserved and/or restored to the fullest extent possible. No additional impacts to REFs are included in this application.

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 Type 1 Tree Conservation Plan TCPI-005-08-02, and further APPROVED Conceptual Site Plan CSP-07003-01 for the above-described land, 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. Note on the plan if the approximately 0.81 acre of land area zoned Rural Residential (that was previously included in CSP-07003) is part of the subject CSP.
 - b. Note on the plan the change of the total gross acreage of the subject site from CSP-07003 to the subject CSP, due to road right-of-way dedications and construction of new roads.
 - c. Add the total number of lots, parcels, outlots, and outparcels approved with CSP-07003-01 to the plan.
 - d. Revise General Note 5 to clarify that three parcels are being added to the subject CSP.
 - e. Add the number and type of residential dwelling units to the plan.
 - f. Correct the names of the rights-of-way that enclose the subject property for consistency.
2. Prior to certification of the conceptual site plan, a full natural resources inventory shall be approved for Parcels 5, 126, and 145 (approximately 5.6 acres).
3. Prior to certification of the conceptual site plan (CSP), the Type 1 tree conservation plan shall be revised as follows:
 - a. Remove the phased woodland conservation worksheet and add a standard woodland conservation worksheet that is consistent with the acreage of the CSP (402.98 acres).

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, June 13, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of July 2024.

Peter A. Shapiro
Chairman

Jessica Jones
By Jessica Jones
Planning Board Administrator

PAS:JJ:TH:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: June 17, 2024