



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

# Conceptual Site Plan

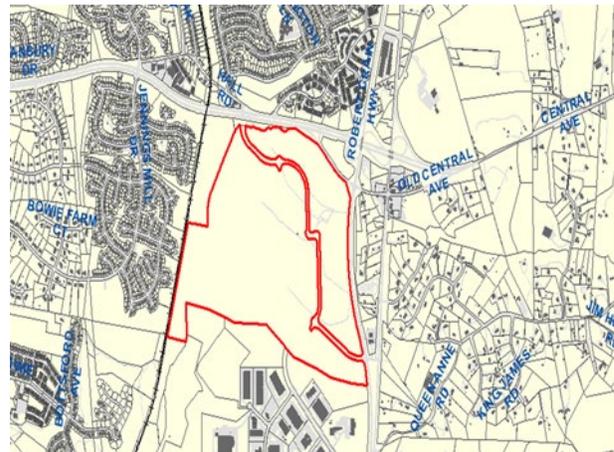
## Detailed Site Plan

### South Lake

**CSP-02004**  
**DSP-19023**

REQUEST	STAFF RECOMMENDATION
<b>DSP:</b> Development of 1,035 dwelling units as part of a mixed-use planned community, and amendment to conceptual site plan layout.	APPROVAL with conditions

<b>Location:</b> At the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert S. Crain Highway).	
Gross Acreage:	282.98
Zone:	E-I-A
Dwelling Units:	1,035
Gross Floor Area:	2,690,035 sq. ft.
Planning Area:	74A
Council District:	04
Election District:	07
Municipality:	Bowie
200-Scale Base Map:	201NE14, 201SE14
<b>Applicant/Address:</b> South Lake Partners LLC 4750 Owings Mills Boulevard Owings Mills, MD 21117	
<b>Staff Reviewer:</b> Adam Bossi <b>Phone Number:</b> 301-780-8116 <b>Email:</b> Adam.Bossi@ppd.mncppc.org	



Planning Board Date:	03/19/2020
Planning Board Action Limit:	03/25/2020
Staff Report Date:	03/03/2020
Date Accepted:	01/15/2020
Informational Mailing:	05/19/2019
Acceptance Mailing:	01/13/2020
Sign Posting Deadline:	02/19/2020

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THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Conceptual Site Plan Amendment CSP-02004  
Detailed Site Plan DSP-19023  
Type II Tree Conservation Plan TCPII-126-05-03  
South Lake

The Urban Design staff has completed its review of the amendment to a conceptual site plan, detailed site plan, 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**

The detailed site plan and the conceptual site plan were reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the Prince George's County Zoning Ordinance for a Mixed-Use Planned Community in the Employment and Institutional Area (E-I-A) Zone;
- b. The requirements of Conceptual Site Plan CSP-02004;
- c. The requirements of Preliminary Plans of Subdivision 4-04035 and 4-17027;
- d. The requirements of Detailed Site Plan DSP-05042 and its amendments;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and,
- h. Referral comments.

**FINDINGS**

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

1. **Request:** This detailed site plan (DSP) proposes 1,035 single-family dwelling units consisting of 128 two-family attached units, 562 single-family attached (townhouse) units, and 345 single-family detached units on 866 lots as part of a Mixed-Use Planned Community. The DSP also requests to amend the previously approved Conceptual Site Plan CSP-02004 as part of this process.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	E-I-A	E-I-A
Use(s)	Vacant (to be demolished)	Residential Commercial
Gross Tract Area (acres)	282.98	282.98
Proposed Lots	-	866
Proposed Parcels	-	30
Proposed Outparcels	2	5
Dwelling Units (total)		1,035
Single-Family Detached	0	345
Townhouse	0	562
Two-Family Attached	0	128

## OTHER DEVELOPMENT DATA

### Parking Data

	<b>Provided</b>
<b>Residential Parking Spaces</b>	
Townhouses	1,924
Two-Family Attached	256*
Single-Family Detached	1,376
On-Street Spaces	420
<b>Total</b>	<b>3,976**</b>

### Clubhouse Parking Spaces

Standard	48
Compact	5
Accessible	2
<b>Total</b>	<b>55***</b>

Loading spaces are not required for residential uses. The clubhouse use is incidental to the residential development and does not require loading spaces.

**Notes:** \*Per 27-551(a) and (e) of the Zoning Ordinance, driveway spaces cannot be counted towards meeting the requirements for parking, due to condominium ownership issues. However, for this development, the homeowners association documents will contain language that provides that the driveway parking spaces located directly

adjacent to a garage parking space assigned to a condominium owner are limited common elements, and shall be for the sole use of that owner or their guest.

\*\*The total number of required residential parking spaces is 2,093. The total number of spaces includes garage and driveway spaces for all unit types, and an additional 420 on-street parking spaces that will be available for public use.

\*\*\*The total number of required clubhouse parking spaces is 69. Provision of 22 on-street parking spaces on Boulevard C, directly adjacent to the clubhouse parking lot, justifies the reduced number of parking spaces provided at the clubhouse.

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

Base Density	0.40 FAR
Residential	1.00 FAR*
Total FAR	1.40 FAR
Total FAR	0.19 FAR**

**Notes:** \*Additional density is allowed, in accordance with Section 27-545(b)(4) of the Zoning Ordinance, Optional method of development, for providing 20 or more dwelling units.

\*\*This DSP proposes only a portion of the residential uses of the mixed-use planned community that was approved under CSP-02004. The proposed FAR noted is inclusive of the residential development proposed by this DSP only.

- 3. **Location:** The subject property is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert S. Crain Highway). The property is in Planning Area 74A, Council District 4, and is within the municipal limits of the City of Bowie.
- 4. **Surrounding Uses:** The entire South Lake site is bounded to the north and east by the rights-of-way for MD 214, Old Central Avenue, and US 301. Undeveloped land owned by the Maryland-National Capital Park and Planning Commission (M-NCPPC) in the Reserved Open Space (R-O-S) Zone and a Consolidated Rail Group rail line right-of-way abuts the subject site to the west. South of the site are undeveloped parcels owned by Prince George’s County and M-NCPPC in the Employment and Institutional Area (E-I-A) Zone and R-O-S Zone. The area of the site, subject to this DSP, occupies the central portion of the site and is flanked by environmental features associated with Collington Branch to the west and future commercial and multifamily parcels associated with the larger South Lake mixed-use planned community to the south and east.
- 5. **Previous Approvals:** This subject site has a long approval history that can be dated back to the 1970s. In 1975, the Prince George’s County District Council approved Zoning Map Amendment A-9248, to rezone the subject site from the Rural Residential Zone to the E-I-A Zone, known as part of Collington Center development. Subsequently, a Comprehensive Design Plan, CDP-7802 was approved by the Prince George’s County Planning Board in 1978, but nothing further was pursued on the subject property.

In 2002, the Prince George's County Council adopted Council Bill CB-13-2002 that introduced the concept of a mixed-use planned community use and allowed it within the E-I-A Zone for properties meeting specific criteria, including conformance with the regulations of the Mixed Use-Transportation Oriented (M-X-T) Zone. Based on this legislation, CSP-02004 was approved by the Planning Board on June 12, 2003 (PGCPB Resolution No. 03-135). The District Council affirmed the Planning Board's decision and approved the CSP on January 27, 2004, with 42 conditions. The development concept was for a mixed-use planned community consisting of 463 lots, 86 parcels, 300,000 square feet of commercial and retail space, 700,000 square feet of employment space, 25,000 square feet of space for annexation to Prince George's County Community College, a 300-room hotel, and 1,294 dwelling units. The residential component consisted of 170 detached units, 272 attached units, 600 multifamily rental units, 112 condominium units, 120 high-rise units, and 20 live-work units. Preliminary Plan of Subdivision (PPS) 4-04035 was approved by the Planning Board (PGCPB Resolution No. 04-247(C)) in June 2003 and the resolution was subsequently corrected multiple times. This PPS was reconsidered by the Planning Board on October 7, 2016 to convert approximately 200 multifamily condominium units to fee simple townhouse lots, to make changes to the phasing of off-site traffic improvements, and other modifications. On February 16, 2017, the Planning Board heard testimony and approved the reconsideration with 47 conditions for 800 lots and 110 parcels for a total of 1,294 dwelling units (PGCPB Resolution No. 04-247(C/3) (A/2)).

A Detailed Site Plan for infrastructure, DSP-05042, was approved by the Planning Board (PGCPB Resolution No. 05-258) on December 8, 2005 for site grading, infrastructure development, and construction of a central lake. No construction occurred on the subject property. An amendment to DSP-05042 was submitted in August 2007, but subsequently withdrawn. A second amendment, DSP-05042-02, was submitted for Planning Director review on December 23, 2016 to revise the site design, but the application fell dormant. The review of DSP-05042-02 was revived in June 2019 and approved by the Planning Director on February 5, 2020, to provide for revisions to site grading and roadway layout for three segments of the main roadways leading into the subject site from the ramp of MD 214 and US 301.

*The 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, and 74B* retained the subject site in the E-I-A Zone.

In 2016, the County Council adopted CB-73-2016 that provided numerous revisions to the mixed-use planned community regulations in the M-X-T Zone that are applicable to the subject site. Subsequently, the applicant filed a new PPS to resubdivide an 11-acre piece of land previously included as part of Outparcels A and B in PPS 4-04035. PPS 4-17027 was approved by the Planning Board (PGCPB Resolution No. 19-06) on January 10, 2019, for 66 lots and 3 parcels, subject to 23 conditions.

DSP-19024 for umbrella architecture for the residential development is under review concurrently with the subject DSP and will be heard by the Planning Board on the same date.

The site also has an approved Stormwater Management (SWM) Concept Plan, 26947-2002-03, and the applicant has indicated that approval of revisions are pending to the project's SWM technical plans. Updates to stormwater plan approvals are intended to make these plans consistent with development proposed in DSP-19023.

6. **Design Features:** The subject DSP proposes development of 1,035 dwelling units on 282.98 acres as the first building phase of the South Lake mixed-use planned community, which encompasses a total of 391.52 acres. Unit types proposed consist of 128 two-family attached, 521 townhouses, 41 condominium townhouses, and 345 single-family detached. The comprehensive roadway and sidewalk network is shown with connections into the development provided at Old Central Avenue, US 301, and Prince George's Boulevard. The roadway network is designed to the Prince George's County Department of Public Works and Transportation Urban Street Standards and is consistent with the layout approved by DSP-05042-02. A new section of the Collington Branch Trail, a 10-foot-wide master-planned trail, is provided on the east side of the main spine road through the site.

The site layout for South Lake shows the proposed residential development in northern and southern pods in the central portion of the site. Environmental features separate the pods and define the western limit of disturbance for the development. Future commercial and multifamily development is shown to the north and east of the subject residential pods, abutting Old Central Avenue and US 301. The southern residential pod consists of single-family detached units only. The northern residential pod is divided between a central spine of townhouse units, with single-family detached units to the west, and two-family attached units to the east, abutting Old Central Avenue and US 301. Recreational features provided include a centrally located clubhouse complex with adjacent trails, and smaller playgrounds and open spaces provided throughout the development. Recreational amenities are provided within walking distance of most proposed dwellings and within walking distance of all townhouse units. The clubhouse complex abuts a large, two-tiered SWM pond system that serves as a centrally located feature.

Residential development standards proposed are acceptable, as conditioned herein. The DSP notes that a variation in the size of housing units will be provided throughout the development. Townhouse units are proposed in 16-foot, 20-foot, and 24-foot widths. A wider size range is proposed for single-family detached dwellings, as shown in the separate DSP-19024 for umbrella residential architecture for all unit types included in the subject DSP.

### **Architecture**

The subject DSP provides architectural design details for the proposed clubhouse only. The proposed 5,272-square-foot, one-story clubhouse faces northeast with the rear of the building overlooking a pool space and two large stormwater ponds. The clubhouse consists of two contemporary-style, single-story buildings linked by an open-air canopy constructed of timbers with a metal roof. The buildings are proposed to be faced with two types of brick veneer and vertical cementitious siding with batten trim. Gable roofs are finished with architectural shingles. Dormers topped with metal roofing are included throughout and provide visual interest and will allow more natural light into the building.

### **Lighting**

A photometric plan provides for lighting of areas of the site outside of the proposed public street network. Public street lighting requirements for this site are subject to City of Bowie requirements and will require future permitting through the City. For areas outside of the public street network, appropriate pedestrian-scale lighting is provided.

## **Signage**

Signage proposed is limited to general wayfinding signage and three monument-style project identity signs; one to identify the clubhouse, and two for identifying the residential development. While the specific design of each identity sign differs, a standardized palette of materials, colors, font, and imagery is consistently applied and provides uniformity. Standard elements utilized include off-white stone-faced bases, finished light-gray concrete pillars, and copper colored, laser-cut brushed stainless steel sign plates attached to the pillars. Staff recommends approval of the signage, as proposed.

## **Recreational Facilities**

The primary recreational feature provided is the 5,272-square-foot clubhouse and associated sport court, swimming pool, and patio area. Clubhouse elements include a fitness room, yoga room, game room, party room, conference room, and office and support space. A trail is provided that encircles the abutting stormwater ponds. A 10-foot trail, a section of the master-planned Collington Branch Trail, is provided on the east side of the site's central north-south roadway, and is envisioned to provide future off-site connections. Additional recreational facilities are provided throughout the proposed residential development, with special attention paid to the townhouse section, where access to recreational amenities is within a 425-foot walk of all units. A total of twelve recreational facilities are proposed throughout the site, which include:

- a. The clubhouse complex consisting of the 5,272-square-foot clubhouse building with indoor facilities, an outdoor swimming pool, kiddie pool, sport court, and patio.
- b. Two playgrounds with a variety of play structures, swing sets, benches, and waste receptacles.
- c. A tot lot with play structures, swings, benches, and waste receptacles.
- d. A pre-teen lot with play structures, swings, benches, and waste receptacles.
- e. Multiple paved trails with intermittent fitness stations.
- f. Two open play areas.
- g. Two dog parks.
- h. Two pocket parks with benches, waste receptacles, planters, and paved play area.

This application is required to provide on-site private recreational facilities, in accordance with the previously approved PPS. This development of 1,035 dwelling units requires the provision of a recreational facility package worth approximately \$1,233,016. The applicant proposes the following facilities that have a dollar amount of approximately \$2,026,500, which exceeds the requirement. Details, specifications, and locations of recreational facilities are provided on the plans, as well as an acceptable timing for construction.

<b>Facilities</b>	<b>Dollar Amount</b>
1. Playground	\$35,000
2. Clubhouse complex	\$1,600,000
3. Pocket Park #1	\$4,500
4. Open Play Area	\$4,000
5. Lakes and Trail Playground	\$100,000
6. Asphalt Trails with Fitness Stations	\$165,000
7. Tot Lot	\$37,000
8. Pre-Teen Lot	\$51,000
9. Open Play Area	\$6,000
10. Pocket Park #2	\$5,000
11. Dog Park #1	\$4,000
12. Dog Park #2	\$15,000
<b>Total Value for Facilities Provided:</b>	<b>\$2,026,500</b>

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Zoning Ordinance for a mixed-use planned community in E-I-A Zone.
- a. The proposed residential development is part of a mixed-use planned community, as defined by Section 27-107 of the Zoning Ordinance, and is a permitted use in the E-I-A Zone.
  - b. The South Lake development is a mixed-use planned community in the E-I-A Zone. Section 27-500 of the Zoning Ordinance provides direction for this development, as follows:
    - (c) **A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10.**

In addition, Section 27-501(c), Regulations for a Mixed-Use Planned Community, of the Zoning Ordinance, provides further direction, as follows:

- (1) **A Mixed-Use Planned Community shall meet all purposes and requirements applicable to the M-X-T Zone, as provided in Part 10, and shall be approved under the processes in Part 10.**
- (2) **Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.**

This DSP was filed in accordance with the M-X-T Zone requirements. If there were not these specific requirements for a mixed-use planned community, a specific design plan would have had to have been filed for any development in the

E-I-A Zone.

c. Section 27-544(e), Regulations in the M-X-T Zone, of the Zoning Ordinance, includes the following additional standards for a mixed-use planned community that are relevant to the review of this DSP:

- (1) **A Mixed Use Planned Community shall conform to the purposes, regulations, and required findings and review process set forth in Division 2 of this Part, for the M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.**
- (2) **It shall include retail, residential and office/employment uses. The use mixture shall consist of the follow, based on the total gross floor area (GFA) for residential, retail, and office combined:**

<b>Total Gross Floor Area</b>	<b>Minimum</b>	<b>Maximum</b>
<b>Residential (at least 2 different types)</b>	<b>50%</b>	<b>90%</b>
<b>Retail</b>	<b>10%</b>	<b>20%</b>
<b>Office/Employment</b>	<b>0%</b>	<b>40%</b>

The subject DSP indicates more than two types of residential units and estimates the residential gross floor area to be approximately 78 percent of the overall South Lake development. However, this percentage will be refined as future DSPs are submitted for the other uses. Gross floor area for the proposed clubhouse is not included in this 78 percent, but is included in FAR calculations.

- (3) **It may include hotel uses. Hotel use is not included in the residential, retail or office/employment categories for purposes of calculating gross floor area for percentages of use. There is no percentage restriction applied to the hotel uses.**

A hotel is not proposed in the subject DSP application.

- (4) **It may provide at least one institutional or civic use, may have an integrated network of streets, sidewalks, and open space, public or private, and should give priority to public space and appropriate placement of institutional and civic uses.**

An integrated network of streets, sidewalks, and open spaces are provided throughout the site. The street network will eventually be dedicated to and operated by the City of Bowie. The proposed clubhouse complex and abutting open space areas, trails, and water feature provide a centrally located civic space, and the proposed section of the master-planned Collington Branch Trail will provide a linear public space for walking and bicycling through the South Lake development.

- (5) Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.**

The proposed development conforms with requirements of the M-X-T Zone for a mixed-use planned community.

- (6) The community should be focused on a central public space that is surrounded by a combination of commercial, civic, cultural or recreational facilities.**

**(A) The space should be a minimum of twenty-five (25) acres and may include a lake.**

**(B) It should be designed with adequate amenities to function as a fully shared space for the entire community.**

A central public space of 25.35 acres is provided adjacent to the clubhouse complex. A variety of indoor and outdoor recreational amenities and opportunities are provided in this space to serve future residents. A two-tier stormwater pond system is provided adjacent to the clubhouse and serves as a central feature.

- (7) The community should contain additional, linked open space in the form of squares, greens and parks that are accessible, visible, safe and comfortable.**

**(A) The open spaces should provide a variety of visual and physical experiences.**

**(B) Some of these open spaces should be bordered by buildings and be visible from streets and buildings.**

As provided for in Finding 6, the residential development proposed includes parks, playgrounds, trails, and open spaces located throughout the site. Locations of these features, and the variety of recreational amenities and comfort features included, provide for a variety of visual and physical experiences. Most park and open space areas are located within walking distance of dwellings and are visible from streets and buildings. Parks and open spaces are accessed by the development's comprehensive system of sidewalks and trails.

- (9) Residential uses should meet the following design standards:**

**(A) Single family detached.**

**(i) There should be a range of lot sizes, with a minimum square footage on any lot of two thousand, two hundred (2,200) square feet of finished living space, except as modified herein below.**

Single-family detached lot sizes range from 6,600 square feet to 17,143 square feet. Unit sizes are addressed in DSP-19024.

- (ii) At least twenty percent (20%) of the houses should be a minimum of two thousand, six hundred (2,600) square feet of finished living space and a maximum of 20% of the houses may be less than two thousand, two hundred (2,200) square feet of finished living space.**

A total of 345 single-family houses are proposed, of which a minimum of 20 percent (69 houses) will have a minimum of 2,600 square feet of finished living space, and a maximum of 20 percent (69 houses) may have less than 2,200 square feet of finished living space. The DSP provides a tracking sheet to monitor conformance with this requirement as building permits are issued.

- (iii) All streets, whether public or private, should have sidewalks.**

The street network provides for 5-foot-wide sidewalks on all streets, except for the main spine roadway on which the 10-foot-wide Collington Branch Trail will be located.

- d. Section 27-546(d), Site Plans, of the Zoning Ordinance contains the following required findings for the Planning Board to grant approval of a DSP in the M-X-T Zone:

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

The proposed development is in conformance with the purposes of the M-X-T Zone, as stated in Section 27-542(a) 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;**

The DSP proposes phased development of 1,035 dwellings as part of a larger mixed-use planned community adjacent to the major intersections of MD 214, Old Central Avenue, and US 301. This development will provide new housing, business, and employment opportunities within a growing part of Prince George's County and the City of Bowie.

- (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;**

Residential development proposed by this DSP is the first building phase of the South Lake mixed-use planned community. The site design provides for a variety of residential dwelling types and includes open spaces, parks, and recreational amenities connected by a comprehensive street and sidewalk network. Future development is planned to include commercial, employment, and multifamily 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;**

South Lake maximizes the development potential available by locating a mixed-use planned community development in close proximity to MD 214 and US 301, major roadways that connect to the larger regional highway system.

- (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 residential portion of the South Lake development proposed by this DSP is located in close proximity to the planned non-residential portion of the development, reducing the need for automobile use. This portion of the project also includes a comprehensive sidewalk system and will develop a section of the master-planned Collington Branch Trail on the east side of its main north-south roadway, facilitating walking and bicycle 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;**

As a mixed-use planned community, the South Lake development will include a mix of residential and nonresidential uses combined in a manner to encourage a vibrant 24-hour environment.

- (6) **To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;**

The completed mixed-use planned community will include a mix of residential and nonresidential land uses blended together harmoniously. The residential component proposed by this DSP provides for an appropriate mix of dwelling types and sensible site layout.

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

The residential development proposed is carefully designed to create a distinctive visual character. Future phases with commercial uses will further create a dynamic, functional relationship among uses.

**(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;**

The residential development proposed is the first of multiple phases to develop a mixed-use planned community. The overall South Lake development is not a single-purpose project and intends to create a vibrant, new community. The site is designed to preserve large wooded areas, create two central SWM ponds, which will serve functional and aesthetic purposes, and provide access to on-site recreational and open space amenities.

**(9) To permit a flexible response to the market and promote economic vitality and investment; and**

This DSP proposes a variety of residential dwelling options to be flexible in response to changing conditions in the market and offer home investment opportunities at different price points. DSP-19024 provides specific design information on architectural models to be made available in South Lake.

**(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.**

Umbrella architecture for the proposed residential development is being reviewed under a separate application, DSP-19024.

**(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;**

This property is in the E-I-A Zone, so this requirement is not applicable. The proposed mixed-use planned community, including the residential portion proposed by this DSP, is being reviewed under M-X-T Zone requirements, in accordance with CB-73-2016.

- (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 residential development proposed is the first building phase of the larger South Lake mixed-use planned community and will be a catalyst for future development within the community and improvement within this area of the County.

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

This residential phase of the South Lake development is compatible with existing residential development located north and west of the site and the proposed M-NCPPC Liberty Sports Complex to the south. Future development proposed within South Lake will be reviewed under separate DSP applications to ensure compatible design is provided for the entire mixed-use planned community.

- (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;**

Buildings and other amenities have been carefully designed and placed to create a cohesive, quality residential development. Attention has been paid to the provision of public amenities, including parks and recreational opportunities. The site design provides for a neighborhood aesthetic with a variety of housing options, well-connected circulation system, and central community recreational area including a clubhouse and water feature.

- (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 DSP is the first building phase of a mixed-use planned community and has been designed as a self-sufficient entity intended to be integrated into the larger South Lake development. CSP-02004 provides the overall development scheme for this mixed-use planned community.

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

This project is designed to be pedestrian-friendly, with 5-foot wide sidewalks, walking trails, and street trees throughout the project. Most homes are located within walking distance of at least one park, recreational amenity, or open space. In addition, a segment of the Collington Branch Trail will be built as a 10-foot wide asphalt trail on the east side of the main north-south roadway in South Lake. The trail will connect to Prince George's Boulevard and the proposed Liberty Sports Complex to the south, and Old Central Avenue to the north, where future off-site connections are envisioned by the Prince George's County Department of Parks and Recreation (DPR).

- (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**

Appropriate attention has been paid to scale, design, amenities, materials, and landscaping proposed in areas for pedestrian activities and gathering places. The clubhouse and central recreational space serve as the main gathering place for this residential development. The clubhouse building incorporates multiple materials and colors that provide visual interest and is sited to take advantage of a view over the adjacent stormwater ponds and woodland.

- (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, 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.**

This application is a DSP and this finding does not apply.

- (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.**

Two PPS covering the entire site, 4-04035 and 4-17027 were most recently approved in 2018 and 2019, respectively. Adequacy findings were made through these PPS, and the DSP is consistent with these approvals.

- (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.**

This DSP proposes the first building phase of South Lake, a mixed-use planned community containing approximately 381 acres in total. Approval has been requested, in accordance with the provisions of this section and Section 27-548 of the Zoning Ordinance.

- e. The DSP is also in conformance with the applicable additional regulations of the M-X-T Zone in Section 27-548, as follows:

- (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 -- 8.00 FAR.**

The DSP indicates that the base floor area ratio (FAR) for this phase of the South Lake mixed-use planned community will be approximately 0.19, based on the total area of the CSP.

- (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 proposed uses are located in more than one building and on more than one lot, as allowed.

- (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 DSP shows a layout for the first residential phase of development of this mixed-use planned community and includes proposed development standards for all unit types.

- (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 landscaping, screening, and buffering issues have been reviewed, along with this DSP, in accordance with the 2010 *Prince George's County Landscape Manual* (Landscape Manual). Finding 11 below provides an evaluation of the landscaping proposal.

- (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 base density for the residential portion of the South Lake mixed-use planned community is 0.19 and was determined utilizing the specified methodology.

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

Improvements proposed do not interfere with the air space above or ground below public rights-of-way.

- (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.**

All of the proposed lots and parcels have frontage on, and direct access to, public streets, except where approved through a PPS, which satisfies the requirement.

- (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.**

The applicant has requested a modification to these requirements for the South Lake mixed-use planned community to provide 68 townhouse units to be 16-foot wide, less than the 18-foot minimum requirement. The 68 units where this modification is proposed represent 12 percent of townhouse units, and 7 percent of all residential units proposed in this DSP.

Townhouses proposed conform with all other criteria of this requirement.

A variety of residential unit types and sizes are proposed by this DSP and the associated DSP-19024, which provides umbrella architecture for the subject development. The request to provide 68 townhouse units with a 16-foot-width conforms with the overall development scheme of this development. Staff supports the requested modification.

- (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.**

As stated, this requirement is not applicable within a mixed-use planned community.

- (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). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.**

The proposed South Lake mixed-use planned community site is in the E-I-A Zone, with proposed development subject to the requirements of the M-X-T Zone, in accordance with CB-73-2016.

- g. 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 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). The DSP proposes 3,976 parking spaces, inclusive of garage and driveway spaces, and

420 unassigned on-street spaces, for 1,035 residential dwelling units. Under Part 11, Off-street Parking and Loading, of the Zoning Ordinance, a total of 2,093 spaces is usually required for this type of development. The subject DSP provides 1,884 more spaces than normally required for this type of residential development in conventional zones. Most of these additional spaces are associated with two-car garages and two-car driveways provided with larger townhouse units and single-family detached dwellings. A separate parking lot is provided for the clubhouse with 55 spaces. This lot would normally be required to provide 69 spaces. A parking analysis provided with the DSP and the proximity of on-street parking to the clubhouse provide justification to support the reduced number of spaces at the clubhouse and the total number of spaces provided throughout the residential development. Based on the provided methodology and procedures, staff recommends the residential development will be adequately served by the number of parking spaces provided.

- h. Section 27-583, Number of spaces required in M-X-T Zone, of the Zoning Ordinance contains requirements for determining the total number of loading spaces. The DSP proposes only detached and attached residential development and associated amenities and is not required to provide loading spaces.

- 8. **Amendment to Conceptual Site Plan CSP-02004:** The applicant is requesting to amend CSP-02004, via this DSP, as allowed by Section 27-282(g) of the Zoning Ordinance. In this instance, amendments are requested to modify the CSP to make it consistent with South Lake's current development program. Plans for South Lake have evolved since approval of the CSP in 2004 through subsequent approval of PPS 4-04035 and 4-17027, approval of DSP-05042-02, and as proposed by the subject DSP. Cumulatively, revisions to the CSP include changes to the site's roadway and infrastructure layout, lot and parcel arrangement, roadway sections, master-planned trail alignment, and phasing program.

As further detailed in Finding 5, CSP-02004 was approved by the District Council in January 2004 for a mixed-use planned community consisting of 463 lots, 86 parcels, 300,000 square feet of commercial and retail space, 700,000 square feet of employment space, 25,000 square feet of space for annexation to Prince George's County Community College, a 300 room hotel, and 1,294 dwelling units. Dwellings consisted of 170 detached units, 272 attached units, 600 multifamily rental units, 112 condominium units, 120 high-rise units, and 20 live-work units. PPS 4-04035 was approved in 2017 for 800 lots and 110 parcels for 1,294 dwelling units. PPS 4-17027 was approved in 2019 for 66 lots and 3 parcels. DSP-05042 was approved in 2005 for site grading, infrastructure development, and construction of a central lake. DSP-05042-02 was approved by the Planning Director on February 5, 2020, to provide for revisions to site grading and roadway layout, and replacement of the central lake with two SWM ponds. The subject DSP now proposes the first phase of residential development, which includes 1,035 dwelling units, consisting of 128 two-family attached units, 562 townhouse units, and 345 single-family detached units on 866 lots. Amendments to the applicable requirements of CSP-02004, which are proposed with DSP-19023, are discussed below, as well as conformance with the applicable conditions that are to remain:

2. **At the time of the first Detailed Site Plan (other than infrastructure), details of outdoor amenities such as brick pavers, tree grates, decorative lighting, signs, banners and high-quality street furniture shall be approved by the Prince George's County Planning Board. A similar theme shall be established for the entire development.**

The subject DSP provides design details for attractive outdoor amenities included in the proposed residential development including site furnishings, recreational amenities, and site identity signage. A consistent design palette for these features is provided for this portion of the mixed-use planned community. Future development subject to DSP review will be expected to provide similar design details around a similar theme.

5. **MD 214 at Hall Road/site access: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the responsible permitting agency. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
  - a. **The addition of an eastbound exclusive right-turn lane along MD 214.**
  - b. **The addition of a westbound left-turn lane along MD 214.**
  - c. **The construction of the northbound approach to include two left-turn lanes and a shared through/right-turn lane.**

**The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.**

With the revised CSP layout, direct access to MD 214 has been removed from the proposed layout. Therefore, this condition is no longer applicable to South Lake. A new traffic signal has been approved and designed at the MD 214 and Old Central Avenue intersection.

6. **US 301 at Old Central Avenue: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old**

**Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.**

These studies have been completed and it was determined that signalization is not warranted or approved by the Maryland State Highway Administration (SHA).

- 7. US 301 at site entrance/median crossover: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
  - a. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301**
  - c. The construction of a northbound left-turn lane approaching the median crossing.**
  - d. The construction of a southbound right-turn lane along the southbound US 301 approach.**

**The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.**

The required study was completed and determined that signalization is warranted. The required signalization and the improvements within this condition are currently in the design and permitting process with SHA.

- 11. Total development within the subject property shall be limited to uses which generate approximately than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the**

**basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table presented in the Transportation Planning Section's referral comments in Finding 15, the subject application is within the trip cap shown in this condition. It is critical to note that the applicant's trip generation analysis does include internal trip reductions attributed to future DSP applications, which will include commercial uses. Because these applications have no status at this time, the staff's analysis cannot consider those reductions because there are no mix of uses approved or under review for this site.

- 25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

A Phase I and II Noise Analysis, dated September 11, 2019, was submitted and reviewed. A section of the two-family attached dwellings adjacent to Old Central Avenue and US 301 fall within the limits of the 65 dBA Ldn noise contour. Appropriate mitigation measures were identified in the analysis and are provided for in the subject DSP and DSP-19024 for residential architecture. A condition has been recommended to certify that the interior noise levels have been reduced to 45 dBA Ldn or less through the proposed building materials for all units within the 65 dBA Ldn or higher noise contour.

- 27. The applicant shall construct an eight-foot-wide master-planned hiker/biker trail along the Collington Branch.**

The applicant has provided a 10-foot-wide master-planned trail adjacent to the east side of the main north-south roadway through the South Lake development. The change in location of this trail was made by the applicant in consultation with DPR. The original location to construct this trail provided in CSP-02004 was determined to not be feasible, due to the presence of extensive environmental features.

- 29. The applicant shall construct the master plan eight-foot-wide asphalt trail connector from the stream valley trail to the road adjoining the private park.**

Relocation of the master-planned trail negates the need to construct the specified connector trail. This condition is no longer applicable.

- 30. Prior to submission of the first Detailed Site Plan for residential development, the applicant shall confer with the DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.**

The applicant has provided a 10-foot-wide master-planned trail adjacent to the east side of the main north-south roadway through the South Lake development. The change in location of this trail was made by the applicant in consultation with DPR. The original location to construct this trail provided in CSP-02004 was determined to not be feasible, due to the presence of extensive environmental features.

- 32. The applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.**

This condition remains applicable and should govern the construction of the proposed trail in its new location.

- 33. Prior to submission of the first Detailed Site Plan for residential development, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*.**

Details for the master-planned trail are provided in the subject DSP, and the applicant is working in consultation with DPR on trail development issues.

- 34. All master-planned trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.**

This condition is no longer applicable, as the location of the master-planned trail was relocated to be outside of wet areas associated with Collington Branch.

- 35. The handicapped accessibility of all trails shall be reviewed during the review of the Detailed Site Plan.**

The comprehensive sidewalk system and master-planned trail have been designed with appropriate features to provide for handicap access.

- 38. The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a Detailed Site Plan (other than infrastructure) by the Planning Board.**

As detailed in Finding 5, the proposed residential development includes an appropriate variety and quantity of recreational facilities sited within walkable access of most dwelling units.

- 40. Each Detailed Site Plan shall specify that all tree pits along the streets that have shops, restaurants, plazas, and/or other uses shall be connected with a continuous noncompacted soil volume under the sidewalk. Details of how this will be accomplished shall be included on the plans and shall be agreed upon by the Planning Board or its designee. The use of “CU-Soil” as a “structural soil” or other equal product for shade trees planted in tree pits is strongly encouraged.**

The subject DSP proposes residential development only, therefore this condition is not applicable. Future DSPs for commercial development will be evaluated for conformance with these requirements.

- 41. An amphitheater or other civic feature shall be provided in close proximity to the lake.**

The subject DSP proposes a centrally located clubhouse with indoor recreational amenities, outdoor pool, patio, sport court, and adjacent trails adjacent. These features are located adjacent to two large stormwater ponds, which replace the central lake feature provided in the originally approved CSP. The features provided fulfill this requirement.

- 42. The 25-acre central open space shall contain facilities exclusively for the use of the entire community. Any use that conflicts with the ability of the entire 25 acres to function as a community open space shall be removed or relocated at the time of preliminary plan.**

The central open space provided is slightly greater than 25 acres and includes a clubhouse with a mix of recreational amenities to serve the entire community.

- 46. The plan shall be revised to authorize an increase in residential condominium units to a minimum of 210 units.**

The subject DSP includes 41 condominium townhouse units and 128 two-family attached condominium units, for a total of 169. A future DSP will include multifamily units that may be condominium or rentals.

- 47. The Detailed Site Plan shall require a landscaped and/or brick wall buffer along the property line adjacent to US 301 and MD 214.**

The DSP shows a landscaped buffer for the portion that abuts US 301 and MD 214.

Staff supports the amendment to CSP-02004, as proposed by the applicant and included in DSP-19023.

- 9. Preliminary Plan of Subdivision 4-04035:** PPS 4-04035 was approved by the Planning Board (PGCPB Resolution No. 04-247(C)) in June 2003 and was subject to multiple corrections and reconsiderations. The governing version of this PPS was reconsidered by the Planning Board on January 25, 2018 (PGCPB Resolution No. 04-247(C/3)(A/2)). The conditions that are pertinent to the review of this DSP are discussed, as follows:

4. **The detailed site plan for the area that includes proposed Street 'K' shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.**

The roadway layout approved by this PPS was later revised through DSP-05042-02, which minimized primary management area (PMA) impacts from road layout and construction. Street K was removed from the development plan.

5. **The detailed site plan submittal which includes Lots 210 – 246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.**

The revised geotechnical analysis for proposed grading states that the mitigated 1.5 safety factor line will not affect the residential development and there is no 1.5 safety factor line included within the limits of this DSP. The Type II tree conservation plan (TCPII) legend does not identify a graphic line or pattern identifying the location of a 1.5 safety factor line if one is present.

6. **Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.**

A revised geotechnical study was received by the Environmental Planning Section on October 12, 2005. The study was reviewed by the Prince George's County Department of the Environment and the Chief Building Inspector and was found to meet the required parameters of the study; however additional information was required to complete the review. The geotechnical report was updated for review and approval with DSP-05042 and permitting for rough grading of the site was approved. A further revision to the geotechnical study in response to significant revisions to site grading and layout was prepared on October 2, 2019 and submitted with the current application and is subject to review by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

7. **Prior to approval of the detailed site plan and the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.**

The applicant states that the revised TCPII-126-05-03, submitted with the current plan, satisfies this condition, but no mitigated 1.5 safety factor line or 50-foot building restriction setback is shown on the submitted TCPII. The Environmental Planning Section will defer to the expertise of DPIE in a determination of the required minimum building restriction line from the final mitigated 1.5 slope safety factor line, as determined by a slope stability analysis based on the currently

proposed layout. The SWM Concept Approval Letter, 26947-20002-03, approved on May 8, 2017 and which expires on May 8, 2020, includes Condition 8, which states that a slope stability analysis is required at time of permit review. It is unclear whether the slope stability analysis requirement has been fully satisfied, or whether it will need further review, prior to permitting by DPIE.

- 13. Failure to obtain either federal and/or state permits for the construction of the proposed lake will be considered a major change to the overall concept of this application and will require the submission and approval of a new preliminary plan of subdivision.**

The design of the central lake feature shown on approved PPS plans was revised from a single water body to a two-tier pond and shifted its proposed location on-site to the west. The applicant has indicated in the subject DSP and DSP-05042-02 that all federal and state permits necessary for construction of this feature have or will be obtained.

- 14. Prior to submission of the first detailed site plan for residential development, other than for multifamily development for the first 400 units, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact realignment of the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue through the project to the southern property line, as further depicted in Applicant's Exhibit A. The alternate alignment shall be approved by DPR consistent with the master plan. If the alternate master plan trail is located within a private right-of-way or any privately owned land, the applicant, prior to the approval of the applicable record plat, shall provide M-NCPPC with a public access easement to ensure public access to the alternate master plan trail located within the private right-of-way or privately owned land**

Since approval of the PPS, the applicant has worked with DPR to provide an agreed upon alternate alignment of the 10-foot-wide master plan trail along the east side of the main road through the South Lake development. The trail runs north-south from Old Central Avenue to Prince George's Boulevard. The alignment will be within a public right-of-way.

- 15. The applicant, his successors, and/or assignees shall construct the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue to the southern property line in phase with road construction with the exception of the southern connection of private Street W in accordance with Condition 39. Private Street W shall be platted in phase with development, at which time the applicant, his successors, and/or assigns shall provide an easement for the alternate 10-foot-wide master plan trail to ensure ultimate connectivity to the southern property line.**

The road layout for the development changed since approval of the PPS and the alternate alignment for the Collington Branch master plan trail provided will run north-south from Old Central Avenue to Prince George's Boulevard, and will be within a public right-of-way. As conditioned, it shall be constructed in phase with road construction.

- 16. Prior to certificate approval of the detailed site plan for infrastructure (or an amendment thereto) that includes a portion of the proposed alternate master plan trail, the applicant shall submit detailed construction drawings for the relevant portion of the alternate master-planned trail to DPR for review and approval. The trail within the public or private right-of-way shall be designed in accordance with Applicant's Exhibit A.**

A condition has been included in the Recommendation section to require this submission prior to certification of the subject DSP.

- 17. The 10-foot-wide alternate master-planned trail shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.**

The alternative alignment selected relocated the master-planned trail from the Collington Branch stream valley to a higher elevation within the South Lake development, removing the trail location from wet areas of the site. This design change negates the need for boardwalks or other structures to be designed to elevate the trail above wet areas.

- 23. Old Central Avenue at Site Access: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.**

The required study has been done and it was determined that signalization does not appear to be warranted. The applicant and SHA will continue to monitor this location as the project develops to determine if signalization will become warranted at later phases, but for now the applicant has satisfied the condition.

- 24. US 301 at Old Central Avenue: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.**

These studies have been completed and it was determined that signalization is not warranted or approved by SHA.

25. **US 301 at site entrance/median crossover:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, †other than for infrastructure, model homes, or signage, within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, †other than for infrastructure, model homes or signage, within the subject property, the following road improvements shall (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:
- a. **The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. **The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301**
  - c. **The construction of a northbound left-turn lane approaching the median crossing.**
  - d. **The construction of a southbound right-turn lane along the southbound US 301 approach.**
  - e. **Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).**

The required study has been done and it was determined that signalization is warranted. The required signalization and the improvements within this condition are currently in the design and permitting process with SHA. The other parts of this condition will be enforced at the time of permitting.

27. **MD 214 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

The required study has been done and it was determined that signalization is warranted. The required signalization and the improvements within this condition are currently in the design and permitting process with SHA.

- 28. Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than 1,047 AM and 1,421 PM net off-site peak-hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table presented in the Transportation Planning Section referral comments in Finding 15, the subject application is within the trip cap shown in this condition. It is critical to note that the applicant's trip generation analysis includes internal trip reductions attributed to future DSP applications, which will include commercial uses. Because these applications have no status at this time, the staff's analysis cannot consider those reductions because there are no mix of uses approved or under review for this site.

- 29. Prior to detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.**

The subject site has been annexed into the City of Bowie, and approval of the various street cross sections within the plan has been provided.

- 34. At a time to be determined at detailed site plan, the applicant shall construct a publicly accessible trailhead in the location generally shown on Applicant's Exhibit A, or in an alternate location mutually agreeable to the applicant and DPR. Trailhead facilities may include a parking lot and a shelter. The timing of construction and the trailhead facilities shall be determined at the time of any detailed site plan that includes the trailhead location.**

The applicant has proposed to design, permit, and construct the public trailhead for the master-planned trail as part of the commercial development planned for the southeast area of the South Lake site. This location is shown on the cover sheet of the subject DSP as being proposed with the future DSP-19021. This condition will be enforced at that time.

- 35. Proposed PMA impacts #5 and #6 shall be further evaluated during the review of the first Detailed Site Plan proposing these specific PMA impacts in order to further minimize and/or avoid the impacts once more detailed topographic, Geotechnical and grading information becomes available. If proposed PMA impact #5 cannot be sufficiently minimized the proposed pool and clubhouse shall be relocated and Parcel 79 shall be eliminated.**

Revisions to the development plan made since approval of this PPS have reduced PMA impacts, including previously proposed impacts 5 and 6.

- 38. The approval of the first detailed site plan for residential development (other than infrastructure) shall establish the timing for the submission of the recreational facilities agreements and associated bonding requirements for the public trail construction and the private recreational facilities.**

Conditions have been included in the Recommendation section to establish timing for the submission of recreational facilities agreements and associated bonding for the public trail construction and private recreational facilities.

- 39. Notwithstanding any condition related to the ultimate connection of the proposed alternate Master Plan trail to the southern property line, the applicant will not be required to bond, permit, or actually construct the ultimate connection to the southern property line along Street W until Street W and Prince George's Boulevard are graded and actually connected. If private Street W is not ultimately constructed, an easement for the master plan trail connection to the southern property line of the site shall still be provided in accordance with Condition 14.**

This timing mechanism is noted. Street W and the trail connection are reflected on the DSP.

- 40. Pursuant to the Planning Board reconsideration action on February 16, 2017, the preliminary plan of subdivision (PPS) and TCPI (-02) shall be recertified prior to approval of a detailed site plan (not infrastructure) and shall include the following additional information:**

This PPS was recertified in 2018, in accordance with this condition.

- 43. Prior to approval of a detailed site plan for residential development (not infrastructure), the following shall be demonstrated on the plans:**

- a. Private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, in at least three locations with each location being within a 100-foot radius of the proposed townhouses.**
- b. To provide adequate pedestrian circulation and access, homeowners association open space windows, which are a minimum of eight feet-wide, shall be provided between the end unit lot lines of**

**single-family attached (townhouse) building sticks where appropriate, as determined at the time of detailed site plan.**

- c. Homeowners association (HOA) open space shall be provided between groups of lots, which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements shall be provided every (15) fifteen contiguous single-family detached units, or as determined at the time of detailed site plan.**

The subject DSP provides for at least seven different recreational facilities within 100-feet of proposed townhouses. All townhouse units are within a 425-foot walking distance of at least one recreation facility. Adequate open space areas have been provided between townhouse clusters and single-family detached units.

- 46. At the time of detailed site plan, appropriate transitions from in-road bicycle facilities to the master plan hiker/biker trail shall be shown.**

The master-planned trail has been relocated to the eastern side of the main north-south roadway through the South Lake development and will serve as a key bicycle and pedestrian facility within the mixed-use planned community. The 10-foot-wide paved trail is envisioned to be utilized by pedestrians and bicyclists.

- 47. At the time of detailed site plan, which includes the access at Old Central Avenue, the Type 2 tree conservation plan shall account for the off-site woodland clearing associated with the proposed traffic circle graphically on the plan, in updates to the off-site clearing table, and in the woodland conservation worksheet, unless the traffic circle is no longer required.**

Off-site woodland clearing associated with the proposed traffic circle was eliminated from the plan.

- 10. Preliminary Plan of Subdivision 4-17027:** PPS 4-17027 was approved by the Planning Board (PGCPB Resolution No. 19-06) on January 10, 2019 for 66 lots and 3 parcels, subject to 23 conditions. The conditions that are pertinent to the review of this DSP are discussed, as follows:

- 9. Total development within the subject property shall be limited to uses, which generate no more than a total of 48 AM and 56 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table presented in the Transportation Planning Section referral comments in Finding 15, the subject application is within the trip cap shown in this condition. It is critical to note that the applicant's trip generation analysis includes internal trip reductions attributed to future DSP applications, which will include commercial uses. Because these applications have no status at this time, the staff's analysis cannot consider those reductions because there are no mix of uses approved or under review for this site.

- 10. At the time of detailed site plan, details of the private street cross sections shall be provided, and final design shall be consistent with the overall approved South Lake (Karington) development.**

Cross sections have been provided with the DSP for all proposed roadway types that are consistent with the overall approved development.

- 14. Prior to acceptance of a detailed site plan (DSP), a geotechnical soils report and proposed grading plan shall be submitted. If a slope analysis is required as a result of the review of the geotechnical report, it shall also be submitted during the review of the DSP, but no later than 55 days prior to the Prince George's County Planning Board hearing. The unmitigated safety factor line shall be shown on all plans, if applicable. Any buildings within 25 feet of the unmitigated safety factor line shall be relocated outside. If a mitigated safety factor line is determined, all buildings shall be located at least 25 feet from that line.**

The revised geotechnical analysis for proposed site grading states that the mitigated 1.5 safety factor line will not affect the residential development and there is no 1.5 safety factor line shown within the limits of the current DSP.

- 20. In accordance with Condition 1c, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private on-site recreational facilities within the common open space land. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department for adequacy, proper siting, and triggers for construction with the review of the detailed site plan.**

The DSP provides for an appropriate quantity, range of types, and locations for on-site recreational facilities. The DSP also includes a list of triggers for construction of the facilities, which have been found to be adequate. For instance, the main clubhouse and pool facilities must be constructed prior to the 500th building permit, which is less than half of the units.

- 23. In accordance with Conditions 1c, 20, and 22, prior to approval of a detailed site plan for residential development (not infrastructure), private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, shall be located within the community to be reasonably accessible to the proposed attached dwellings and shall be demonstrated on the plans**

The DSP locates proposed recreational facilities, so they are reasonably accessible to the proposed attached dwellings. Most townhouse and two-family attached units are within a 300-foot walking distance of at least one recreational facility, and all townhouses are within a 425-foot walking distance of at least one recreational facility. These facilities include open play areas, playgrounds, clubhouse complex,

trails, and pocket parks, that each provide a variety of recreational amenities and opportunities for the community.

11. **Detailed Site Plan DSP-05042 and its amendments:** DSP-05042 was an infrastructure DSP that was approved by the Planning Board on December 8, 2005, with five conditions. None of the conditions are related to the review of this DSP. DSP-05042 was amended by the Planning Director once, as approved on February 5, 2020 with no conditions.
12. **2010 Prince George's County Landscape Manual:** In accordance with Section 27-548, landscaping, screening, and buffering within the M-X-T Zone should be provided pursuant to the provisions of the Landscape Manual. This DSP is subject to the requirements of Section 4.1, Residential Requirements; 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, of the Landscape Manual.

The DSP demonstrates conformance with Section 4.1 for each unit type by providing the appropriate schedules and plantings. A 350-linear-foot street frontage along the clubhouse parking area is shown to be in conformance with Section 4.2 with the appropriate plantings and schedule. The clubhouse parking lot provides the required perimeter strips and interior plantings, in conformance with Section 4.3. A sight-tight fence has been provided to screen the clubhouse trash facility, in conformance with Section 4.4. The DSP provides for the required number of plantings and appropriate placement to satisfy the requirements of Section 4.6 for screening rear yards. South Lake, as a mixed-use planned community, is not required to buffer internal uses, according to Section 4.7, and all parcels adjacent to the residential development are vacant. The DSP provides the minimum percentage of each plant type required to be native species and/or native species cultivars, in conformance with Section 4.9.

13. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance, Subtitle 25, Division 2, which became effective September 1, 2010, because there is a previously approved TCPI and TCPII. TCPII-126-05-03 was submitted with this DSP application. The 381.52-acre site contains 303.18 acres of existing woodland on the net tract. The site has a Woodland Conservation Threshold of 57.23 acres, or 15 percent of the net tract, as tabulated. The TCPII shows a total woodland conservation requirement of 106.22 acres. The TCPII shows this requirement will be met by providing 108.66 acres of on-site woodland preservation. The Environmental Planning Section recommends approval of the TCPII, with conditions that have been included herein.
14. **Prince George's County Tree Canopy Coverage Ordinance:** A 10 percent tree canopy coverage (TCC) requirement applies to this E-I-A-zoned site, in accordance with the Tree Canopy Coverage Ordinance. The residential development proposed by the subject DSP encompasses 282.98 acres, requiring 28.3 acres of TCC, for this portion of the South Lake development. The subject application provides a schedule showing that 100.45 acres of TCC will be provided through tree planting proposed with the landscape plan. Therefore, the TCC requirements have been met.
15. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Community Planning**—In a memorandum dated February 13, 2020 (D’Ambrosi to Bossi), incorporated herein by reference, the Community Planning Division noted that pursuant to Part 3, Division 9, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this application.
- b. **Subdivision**—PPS 4-04035 and PPS 4-17027 govern the development of the subject property. The DSP cover sheet identifies areas and lots within the residential development that are associated with the two approved PPS.

This DSP is found to be in substantial conformance with conditions of 4-04035 and 4-17027, as noted in Findings 9 and 10 above, and is reflective of site design changes approved in revisions to 4-04035, and infrastructure design modification approved by DSP-05042-02. Significant design features that have evolved over time include the number of lots and parcels, lot layout, site circulation system, and design of the central lake. The subject DSP provides for a number of lots, parcels, and outparcels, consistent with prior approvals, and a circulation system that will provide an adequate level of service. The Transportation Planning Section found that the site circulation system and lotting pattern provided in the subject DSP have not altered previously established transportation adequacy requirements and findings, and further found the roadway configuration to be acceptable. The location of the lake feature and its general design have been modified, but its function as a key visual amenity in the central portion of the development has been maintained.

- c. **Environmental**—In a memorandum dated February 24, 2020 (Finch to Bossi), incorporated herein by reference, the Environmental Planning Section recommends approval of DSP-19023 and TCPII-126-05-03 subject to conditions that have been included in the Recommendation section of this report. Summarized analysis is as follows:

A Natural Resources Inventory-Equivalency Letter, NRI-128-2019 was approved on October 12, 2019 because the site has a previously approved and implemented TCPII.

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

A statement of justification (SOJ) for impacts to regulated environmental features was originally submitted and reviewed as part of PPS 4-04035. Specific impacts to the PMA were approved at that time. Changes to previously approved PMA impacts and new PMA impacts are being proposed with the current DSP, as reflected in the submitted SOJ, dated December 26, 2019.

South Lake is a large, mixed-use development currently in the rough grading stage of development, located southwest of the US 301/MD 214 interchange in Bowie. Previous development applications have been approved and grading has commenced, pursuant to PPS 4-04035 and TCPI-048-02-03, PPS 4-17027 and TCPI-048-02-04, and DSP-05042 and TCPII-126-05.

The recently approved DSP-05042-02 included Outparcels C, D, E, F, G, and H and infrastructure roads, as well as off-site road improvements to MD 214 and US 301.

PMA impacts for both DSP-05042-02 and the current application, DSP-19023, have changed since the PPS approvals, due to the elimination of off-site road improvements onto the MD 214 ramp, and a proposed revision to the CSP layout, being reviewed concurrently with this application.

To implement the access and CSP layout, revisions to the overall impacts to the PMA are proposed, as shown on a limit of disturbance and PMA impact exhibit (Ben Dyer Drawing No. 54-095-Z), which shows an overall reduction in PMA impacts of 153,760 square feet (3.53 acres). Specific revisions and justification for these impact changes are as follows:

**Approved PMA impacts to be eliminated:**

- (1) Karington Boulevard Stream Crossing: The current DSP eliminates 1.37 acres (59,756 square feet) of PMA impacts previously associated with the Karington Boulevard Stream crossing at the northwest corner of the site. This access point to the site has been eliminated.
- (2) Lake and Residential Area: The current DSP eliminates 2.384 acres (103,870 square feet) of PMA impacts associated with the area downstream of the proposed lake and adjacent residential development. Changes to the design of the previously proposed lake from a single water feature to a two-part tiered pond system have substantially reduced impacts in priority protection areas associated with connected stream and wetlands systems on the site.

**Proposed revised or new PMA impacts:**

- (3) West Sewer Outfall: A revision to a previously approved PMA impact for the realignment of a sewer outfall. Minimization of the previously approved impact of 4,046 square feet (0.09 acre) to 2,874 square feet (0.06 acre), for a net reduction of PMA impacts of 1,172 square feet (0.03 acre) of PMA impacts.
- (4) Prince George's Boulevard Road Connection: The extension of Prince George's Boulevard into the Collington Center, south of the South Lake development, has been previously approved to provide enhanced access and circulation. The result is 11,038 square feet (0.25 acre) of PMA impacts for grading necessary to construct an extension of Prince George's Boulevard to the southern property boundary.

Staff supports the proposed elimination of previously approved impacts that are no longer necessary because the reduction of impacts provides enhanced protection of regulated environmental features in priority conservation areas, which is consistent with retention of environmental features on the site to the fullest extent possible. Staff also supports realignment of the west sewer outfall to further minimize PMA impacts. Impacts 1–3 result in a net reduction in PMA impacts associated with the South Lake development.

Staff supports the new impacts proposed for the extension of Prince George's Boulevard to extend to the southern boundary as providing important interconnection between South Lake and the Colington Center, and being consistent with efforts to minimize impacts and retain environmentally sensitive features of the site to the fullest extent possible.

The new and revised PMA impacts are necessary for development of the mixed-use development in South Lake, in accordance with proposed amended CSP-02004-01 and DSP-19023. These impacts are in general conformance with previous approvals because the net impacts to PMA have been reduced. The proposals satisfy the criteria for avoidance and minimization found in the Environmental Technical Manual, resulting in a net decrease in PMA impacts of 3.53 acres. The remaining PMA impacts are the minimum necessary for the implementation of the revised CSP and the DSP.

### **Stormwater Management**

The site has a SWM Concept Plan Approval Letter (26947-2002-03) and plans approved on May 8, 2017 by DPIE, subject to conditions, with an expiration date of May 8, 2020. The approval is to address the overall SWM requirements of the site. This project is grandfathered because SWM plans and sediment control plans were approved prior to May 4, 2010. The applicant proposes to mitigate on-site stream impacts through payment of \$243,500 into the Little Paint Branch Watershed Stream Restoration Project, as outlined in the Nontidal Wetland Permit. The check shall be deposited in the Paint Branch Stream Enhancement Project. The DSP and TCPII show the proposed SWM features, in accordance with the conceptual plan.

The amended CSP-02004, as submitted with this application, and TCPI-048-02-04, previously approved with 4-17027, are in general conformance with previous Planning Board approvals for CSP-02004 (TCPI-048-02), PPS 4-04035 (TCPI-048-02-01), PPS 4-17027 (TCPI-048-02-04), DSP-05042 (TCPII-126-05) and DSP-05042-02 (TCPII-126-05-02). DSP-19023 and associated TCPII-126-05-03 are in general conformance with amended CSP-02004-01, submitted and reviewed concurrently.

DSP-19023 and TCPII-126-05-03 can be found in general conformance with previous Planning Board approvals for CSP-02004, PPS 4-04035, PPS 4-17027, DSP-05042, and DSP-05042-02

- d. **Transportation**—In a memorandum dated February 18, 2020 (Masog to Bossi), the Transportation Planning Section stated that they reviewed the DSP application referenced above for conformance with the applicable conditions of prior approvals that have been included in the findings of this report. The additional comments are provided, as follows:

This application includes a revision to the layout approved under CSP-10004. It is noted that this revision is consistent with the PPS and DSP under review and is acceptable, as shown.

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

Trip Generation Summary: DSP-19023: South Lake								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
<b>Trip Cap from PPS 4-17027</b>			--	--	<b>48</b>	--	--	<b>56</b>
<b>Trip Cap from PPS 4-04035</b>			--	--	<b>1,313</b>	--	--	<b>1,925</b>
<b>Combined Trip Cap</b>			--	--	<b>1,361</b>	--	--	<b>1,981</b>
<b>Current Proposal</b>								
Apartments	0	Units	0	0	0	0	0	0
Two-Family/ Two-Over-Two Condos	128	Units	18	71	89	66	36	102
Townhouses	562	Units	79	314	393	293	157	450
Single Family Detached	345	Units	52	206	258	202	109	311
<b>Total Proposed Trips</b>			<b>149</b>	<b>591</b>	<b>740</b>	<b>561</b>	<b>302</b>	<b>863</b>
<b>Trips Utilized from PPS 4-17027</b>			--	--	<b>48</b>	--	--	<b>56</b>
<b>Trips Utilized from PPS 4-04035</b>			--	--	<b>692</b>	--	--	<b>807</b>

The above table does not account for internal trip capture within a mixed-use development because there is not a mix of uses reflected on this DSP. As subsequent site plans for additional uses are reviewed, the residential trip generation must be further refined to ensure that appropriate accounting is done for internal trips. The community clubhouse is considered accessory to the residential uses and is therefore assumed to generate no off-site trips. As evidenced above, the uses proposed are within the PPS trip caps.

MD 214 is a master plan expressway. US 301 southbound, along the property's frontage, is a master plan arterial. The current rights-of-way along both frontages were reviewed at the time of PPS. Both rights-of-way are adequate, and no additional dedication is required from this plan.

Access and circulation are acceptable. The Prince George's County Fire Department had several recommendations regarding street widths for the purpose of fire access within the site. The recommendations have been implemented, and the particular street widths have been modified on the most recent plan submittal.

From the standpoint of transportation, it is determined that this plan is acceptable and meets the finding required for a DSP, as described in the Zoning Ordinance.

- e. **Trails**—In a memorandum dated February 18, 2020 (Ryan to Zhang), the Transportation Planning Section recommended extensions of two areas of sidewalk, adding crosswalks at multiple locations, providing U-shaped racks, and identifying bike rack locations on plan. The master-planned Collington Branch Trail is provided along the western portion of this development and is consistent with conditions of CSP-02004 and PPS 4-04035. The internal sidewalk network is comprehensive, links to all destinations on-site and provides access from the site to the public

right-of-way. Prior approvals for the subject site contained numerous conditions of approval related to sidewalks and trail construction, as discussed in findings above.

- f. **Historic Preservation**—In a memorandum dated January 27, 2020 (Stabler and Smith to Bossi), incorporated herein by reference, the Historic Preservation Section provided that the probability of archeological sites within the subject property was high, as indicated on the *Historic Preservation/Archeology Pre-Submittal Checklist for Development Applications*. However, the subject property was graded precluding the presence of archeological sites. A Phase I archeological survey is no longer recommended on the subject property. There are no historic sites or resources on/or adjacent to the subject property. This proposal will not impact any historic sites or resources or existing archeological sites.
- g. **Permit Review**—In a memorandum dated February 19, 2020 (Linkins to Bossi) a total of ten comments were provided by the Permit Review Section. These comments have been addressed by the applicant in revisions to the DSP.
- h. **Prince George’s County Health Department**—In a memorandum dated February 19, 2020 (Adepoju to Bossi), incorporated herein by reference, the Health Department provided eight comments and recommendations focused on pollution abatement and watershed conservation. A recommendation was also included for incorporation of a store that provides healthy food options to be incorporated in future commercial phases of the South Lake development.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated February 14, 2020 (Giles to Bossi), incorporated herein by reference, DPIE provided that MD 214, US 301, and MD 978 are State-maintained roadways; therefore, right-of-way dedication and roadway improvements are to be coordinated with SHA, as determined necessary. The proposed DSP and CSP layout for the roads and buildings are inconsistent with approved SWM Concept Plan 26947-2002-03. Since the property has been annexed into the City of Bowie, a revision to the SWM concept plan is required to be approved by the City of Bowie. The proposed site will require a City of Bowie stormdrain/SWM technical approval. Floodplain delineation has been approved under Floodplain Study (FPS) 900028. In addition, DPIE provided eight requirements relative to the Marlboro Clay soils on the property that will need to be addressed prior to site development grading permits being issued.
- j. **Prince George’s County Police Department**—In a memorandum dated February 6, 2020 (Yuen to Planner Coordinator, Urban Design Section), the Police Department noted they have no comments on the proposed project.
- k. **Prince George’s County Fire/EMS Department**—In a memorandum dated February 6, 2020 (Reilly to Bossi), the Fire/EMS Department provided 11 comments expressing concerns with hydrant locations and limited width of multiple alleys. In an email dated February 12, 2020 (Reilly to Bossi) the Fire/EMS Department noted that every issue identified in their previous memorandum had been remedied in the revised DSP plans.

- l. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated February 18, 2020 (Zyla to Bossi), DPR found the subject DSP in conformance with the requirements and recommendations of the approved CSP-02004 and PPS 4-04035 and 4-17027, as they pertain to mandatory dedication of parkland and on-site public recreational facilities.
  - m. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated August 1, 2019 (WSSC to South Lake Partners, LLC), WSSC provided an amended Letter of Findings with conditions for the proposed South Lake Development.
  - n. **City of Bowie**—At the time of writing of this staff report, the City of Bowie City Council was scheduled to review the subject DSP and related DSP-19024 on March 2, 2020. Their recommendations will be incorporated, prior to the Planning Board hearing.
16. As required by Section 27-285(b)(1) of the Zoning Ordinance, if it is approved with the proposed conditions, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
17. In accordance with Section 27-285(b)(2), this DSP is in general conformance with CSP-02004 with the revisions discussed herein.
18. Section 27-285(b)(4) provides the following required finding for approval of a DSP:
- (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 on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review.

**RECOMMENDATION**

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

- A. APPROVE Conceptual Site Plan CSP-02004, with revisions as provided, subject to the following conditions:

**Note:** Based on previously approved conditions in the Prince George’s County District Council Decision on Conceptual Site Plan CSP-02004, the proposed new language below is underlined and the language to be deleted is shown as a ~~strike through~~. The numbering of other conditions and relative findings will be revised accordingly.

- 1. Prior to certification of the conceptual site plan:
  - [e. ~~The plan shall be revised to eliminate the finger of townhouses in the~~

~~northwest corner of the development near the entrance road off of MD 214. A trailhead shall be provided in this location, connecting to the master plan trail in the stream valley. The trail behind the proposed northern hotel site shall be deleted.]~~

[d. ~~The Phasing Plan shall be revised to include a minimum 50,000 to 75,000 square feet of retail in Phase I.]~~

[e. ~~Move northern hotel site to the northeast corner of the project and convert area vacated by hotel to residential (revise FAR chart accordingly).]~~

27. The applicant shall construct a ~~[n eight]~~ 10-foot-wide master-planned hiker/biker trail ~~[along the Collington Branch]~~ through the site, at a location approved by the Prince George's County Department of Parks and Recreation, consistent with the master plan, the CSP and approved PPS.

~~[29. The applicant shall construct the master plan eight foot wide asphalt trail connector from the stream valley trail to the road adjoining the private park.]~~

~~[51. Notwithstanding any conditions related to the proposed master plan trail or connections thereto, applicant will not be required to construct same until the M-NCPPC or assigns constructs the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leeland Road.]~~

B. APPROVE Detailed Site Plan DSP-19023 and Type II Tree Conservation Plan TCPII-126-05-03 for South Lake, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:

a. Revise the floor area ratio to include only the gross floor area proposed in this DSP.

b. Provide bicycle parking racks at the proposed clubhouse, that accommodate at least six bicycles.

c. Add the location of the mitigated 1.5 safety factor line based on the revised grading plan to the DSP and Type II tree conservation plan. Include the line symbol in the legend, delineate the required building setback line, as applicable, and add a note to all sheets identifying whether the plan sheet includes a 1.5 mitigated safety factor line. If no mitigated 1.5 safety factor line exists on the site, a note shall be added to all plan sheets stating there is no 1.5 mitigated safety factor line included on-site.

d. Revise the Type II tree conservation plan (TCPII), as follows:

(1) Use the standard symbols and labeling provided in the Environmental Technical Manual in the legend and on the plan set.

- (2) Provide a complete legend of all graphic elements represented on the plan set and place it on all plans included in the plan set.
- (3) Identify the tree protection fence in the legend as (temporary) and use the correct acronym, TPF.
- (4) Separately identify unmitigated and mitigated noise contours in legend and on plan.
- (5) Tree protection signs should be identified as temporary or permanent. Add a detail of a temporary tree protection sign suitable for use during construction to the plan set and show how the signage is attached to the temporary tree protection fence. Temporary tree protection signs shall be spaced 50 feet apart.
- (6) Provide a detail for the installation of permanent tree protection signs after the removal of temporary devices. Add a post-type permanent tree protection detail to the plan and provide notes for implementation. Permanent tree protection signage should be spaced 50 feet apart.
- (7) Add a graphic for the 1.5 safety factor line to the legend.
- (8) Add the approval date and signature in typeface to the approval block.
- (9) Add a standard non-native invasive species management plan to the detail sheet.
- (10) Add all current and applicable standard Type II Tree Conservation Notes to the plan as found in the Environmental Technical Manual.
- (11) Identify what the colored dots on lots throughout the development are illustrating. Add to legend if applicable to the TCPII or remove from plans.
- (12) Provide a woodland conservation sheet summary table on each plan sheet.
- (13) Delineate and label mitigated and unmitigated noise contours as applicable. Include ground level upper level noise contours if indicated.
- (14) Label all stormwater management (SWM) features on the site by type and identifier on the final technical SWM plan.
- (15) Remove lines on the plan which indicate rights-of-way that have been vacated.
- (16) Where retaining walls are proposed, woodland conservation shall be

set back a minimum of 10 feet from the top and bottom of the walls to allow for a work and maintenance zone.

- (17) Label all metes and bounds on all property lines that are external to the development.
  - (18) On Sheets 51 and 52, remove all grading and proposed development elements from the preservation area.
  - (19) Revise TCPII as necessary to address all other conditions of approval.
  - (20) Adjust and reconcile all worksheets and tables to reflect any revisions to the TCPII.
  - (21) Have the revised plan signed and dated by the qualified professional that prepared the plan.
2. Prior to submission of a final record plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit, for approval, three original, executed recreational facility agreements (RFAs) to the Development Review Division of the Planning Department, for construction of private on-site recreational facilities. Upon approval by the Development Review Division, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to recordation.
3. Prior to submission of a final record plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit, for approval, three original, executed Recreational Facility Agreements (RFAs) to the Prince George's County Department of Parks and Recreation (DPR) for construction of public on-site recreational facilities. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to recordation.
4. Prior to approval of any building permit, the applicant shall:
- a. Provide a noise certification prepared by a professional engineer, with competency in acoustical analysis, stating that the interior noise levels have been reduced to 45 dBA Ldn or less through the proposed building materials, for the portions of the residential buildings within the unmitigated 65 dBA Ldn or higher noise impact area.
  - b. Provide \$420 to the Prince George's County Department of Permitting, Inspections and Enforcement for the placement of one Share the Road with a Bike signage assembly along MD 214 (Central Avenue).
  - c. 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 all private recreational facilities and the master-planned trail.

5. The development proposed by this DSP shall conform with the following development standards:

	<b>Townhouses</b>	<b>Two-Family Attached</b>	<b>Single-Family Detached</b>
Minimum Lot Size (sq. ft.)	1,300	-	6,000
Minimum Width at Front Street ROW	16 feet	100 feet	25 feet
Maximum Lot/Parcel Coverage	80 percent	80 percent	70 percent
Minimum Front Setback	10 feet	15 feet	20 feet
Minimum Side Setback	4 feet	4 feet	5 feet
Minimum Rear Setback	18 feet	n/a	20 feet
Maximum Building Height	36 feet	50 feet	36 feet
Minimum Green Area	20 percent	20 percent	30 percent
<b>Accessory Improvements***</b>			
	<b>Fences*</b>	<b>Decks*</b>	<b>Sheds*, **</b>
Minimum Side Yard Setback	0 feet	4 feet	1 foot
Minimum Rear Yard Setback	0 feet	10 feet	1 foot
Maximum Height	6 feet	n/a	10 feet to peak of roof

Notes: \*No fences, decks, or sheds are allowed in the front yard of any lot or parcel.

\*\*Shed shall be a maximum of 100 square feet.

\*\*\*Homeowner requests for sheds, decks, and fences are subject to these development standards. Such requests will not be subject to DSP review provided conformance to these development standards is shown at time of permitting.



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.pgplanning.org

March 25, 2020

## MEMORANDUM

TO: The Prince George's County Planning Board

VIA: James Hunt, Chief, Development Review Division  
Jill Kosack, Supervisor, Urban Design Section, Development Review Division *JSK*

FROM: Adam Bossi, Planner Coordinator, Urban Design Section *AB*  
Development Review Division

SUBJECT: **Item 6 – Detailed Site Plan DSP-19023 South Lake**  
Planning Board Agenda March 19, 2020 – Staff Revisions to Technical Report

Based upon recommendations and analysis received from the Bowie City Council, staff recommends the following revised findings and conditions of approval (added text underlined, deleted text [~~strikethrough~~]):

### Revised Finding 15n, page 41

- n. **City of Bowie**—~~[At the time of writing of this staff report, the City of Bowie City Council was scheduled to review the subject DSP and related DSP-19024 on March 2, 2020. Their recommendations will be incorporated, prior to the Planning Board hearing.]~~

In a letter dated March 4, 2020 (Adams to Hewlett), incorporated herein by reference, the Bowie City Council recommended approval of this DSP, subject to four conditions relative to the clubhouse architecture, bike racks and temporary signage at the recreational facilities, plant types, and signage details.

Staff concurs with the Bowie City Council's Conditions 1, 2a, 2b, and 4, as applicable to the Planning Board's review of this DSP, and has included these conditions in the Recommendation section. In respect to Condition 2c, the requested temporary signage is not required and should not be a part of the DSP. In respect to Condition 3, the DSP has been found to be in conformance with the applicable

requirements of the Landscape Manual; however, the applicant indicated they intend to comply to the City's request for a change to plant material.

**New and Revised Conditions, pages 42-43**

- B. APPROVE Detailed Site Plan DSP-19023 and Type II Tree Conservation Plan TCPII-126-05-03 for South Lake, subject to the following conditions:
1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:
    - b. Provide inverted U-shaped bicycle parking racks at the proposed clubhouse, that accommodate at least ~~six~~ 12 bicycles. These bicycle racks shall be evenly located near the clubhouse, patio area, and sport court; placed on paved/concrete surfaces; and located so as not to interfere with pedestrian circulation.
    - e. Provide inverted U-shaped bicycle parking racks to accommodate a minimum of five bicycles at each of the following recreational areas: the two playgrounds, the two open play areas, the tot lot, the pre-teen lot, and the pocket park.
    - f. Revise the clubhouse elevation to label the brick watertable and cementitious siding on the sides of the two buildings that face each other.
    - g. Provide a detail of the clubhouse trash enclosure, illustrating it is enclosed on three sides by an eight-foot-high solid wall faced with the same brick to be used on the clubhouse façade.
    - h. Provide details/notes of how Signs 2, 3, and 4 are to be lit.
    - i. Revise the plan sheets to identify all highly visible residential units.

ITEM: 6

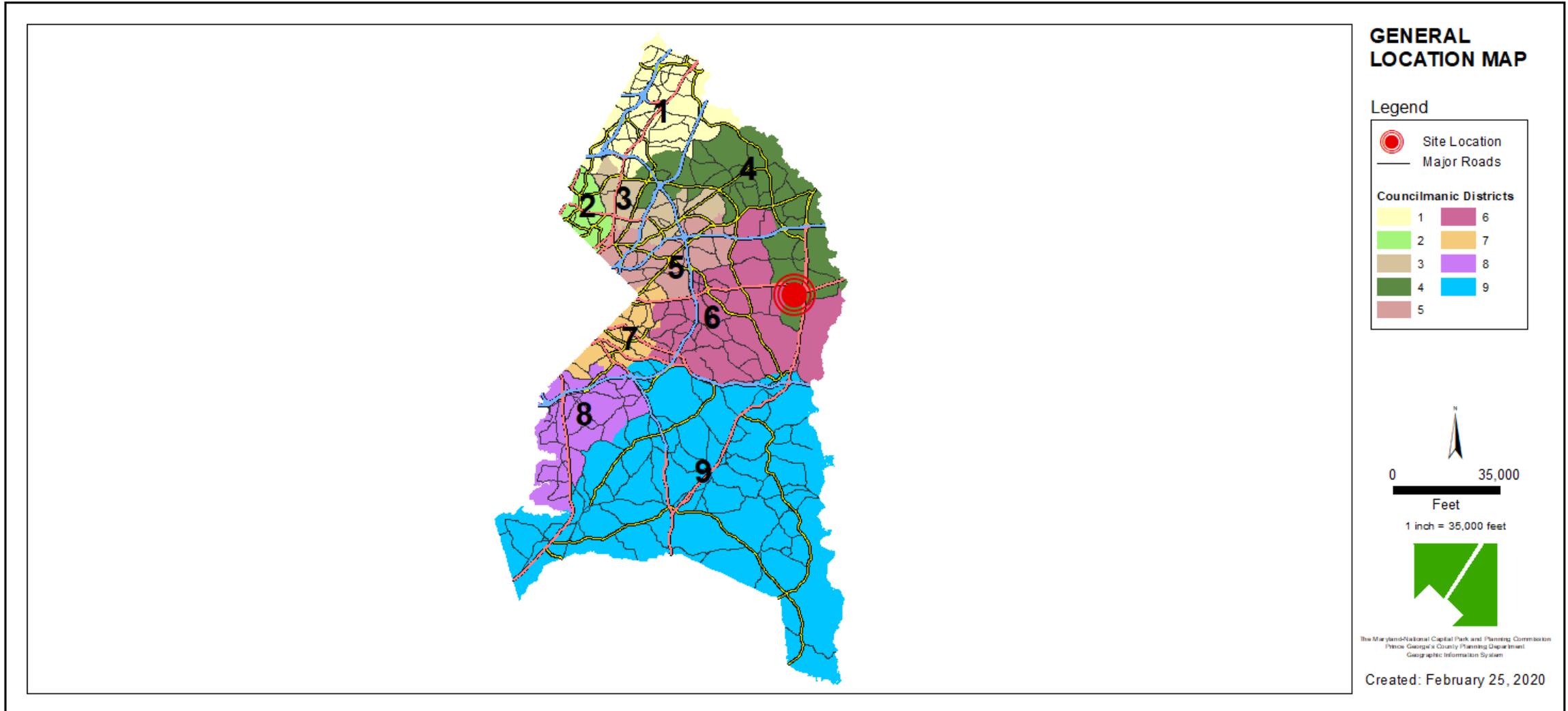
CASE: DSP-19023

# SOUTH LAKE

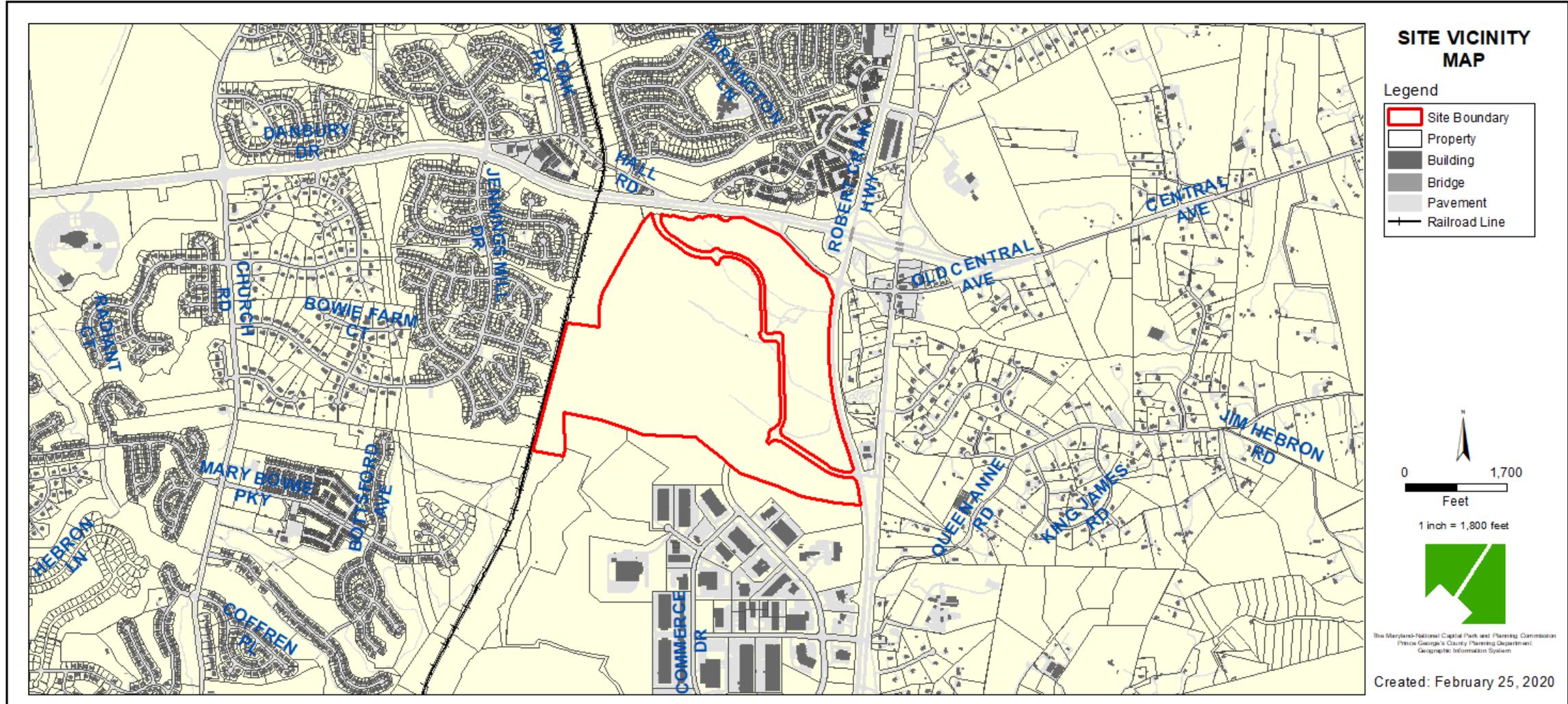
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



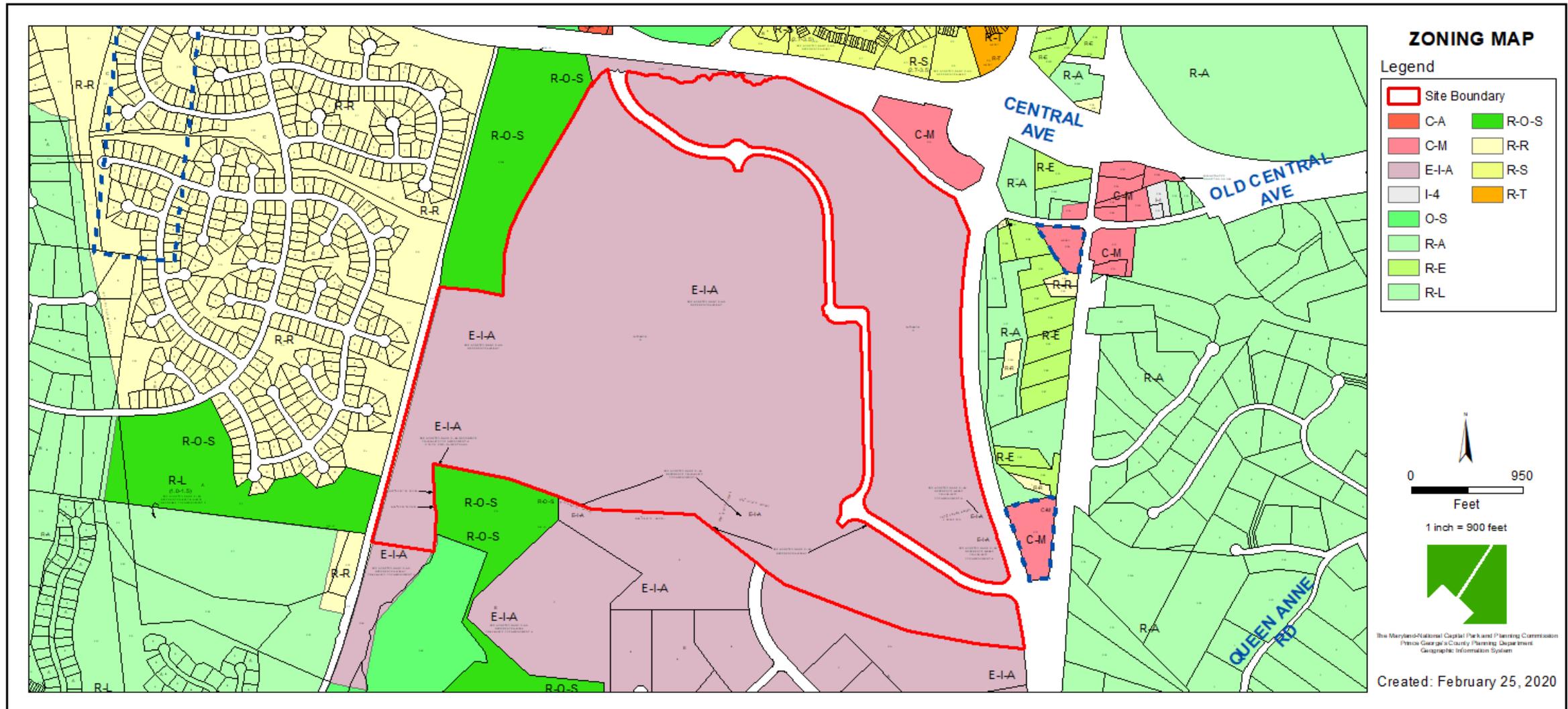
# GENERAL LOCATION MAP



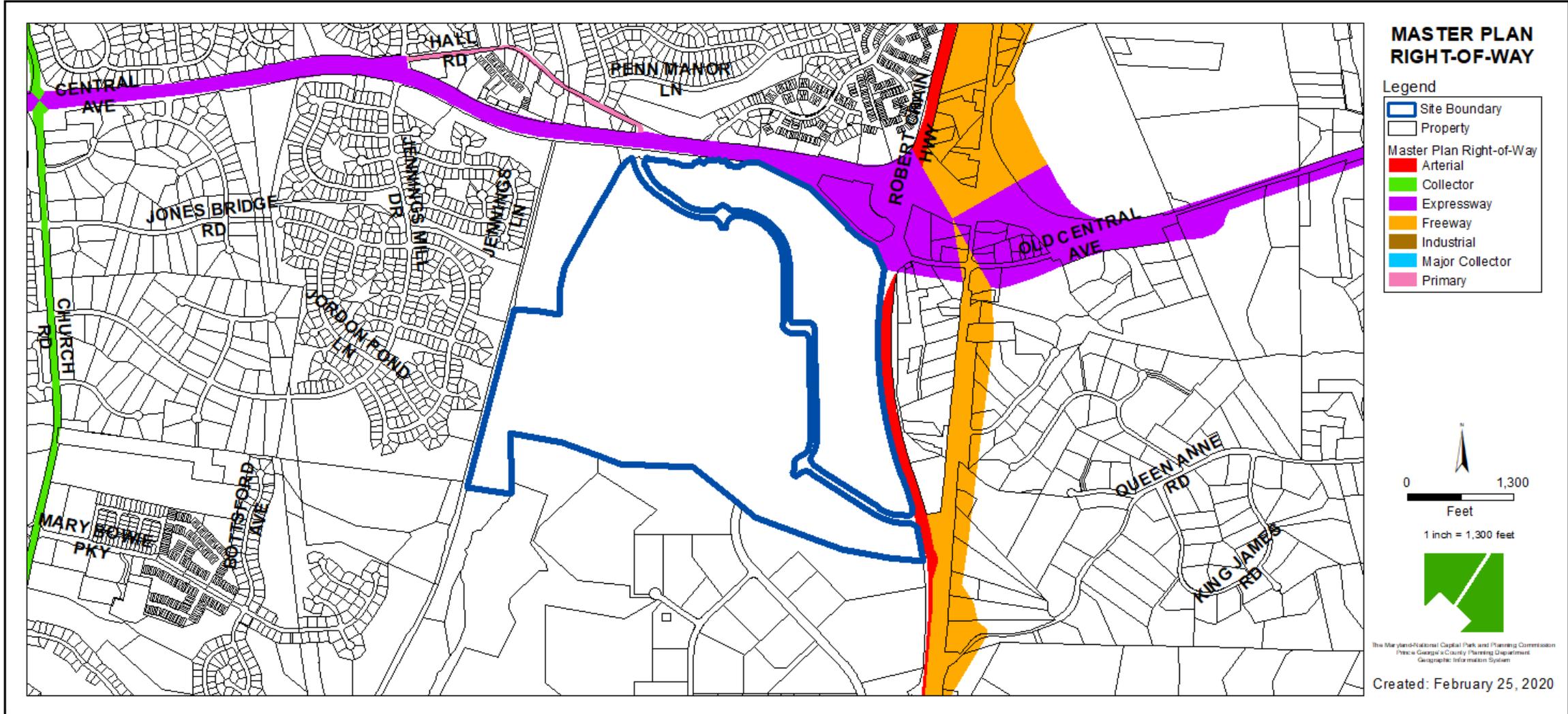
# SITE VICINITY



# ZONING MAP



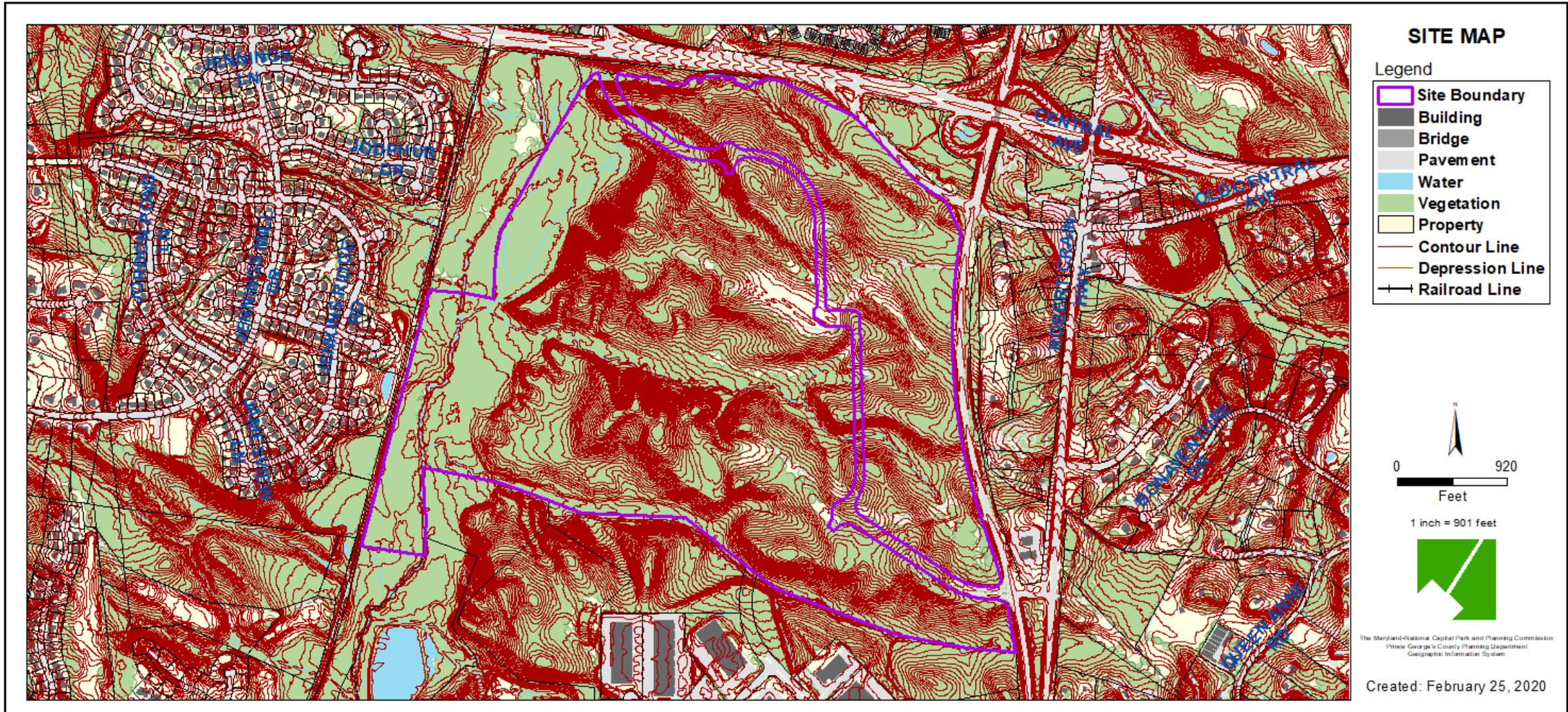
# MASTER PLAN RIGHT-OF-WAY MAP



# AERIAL MAP



# SITE MAP



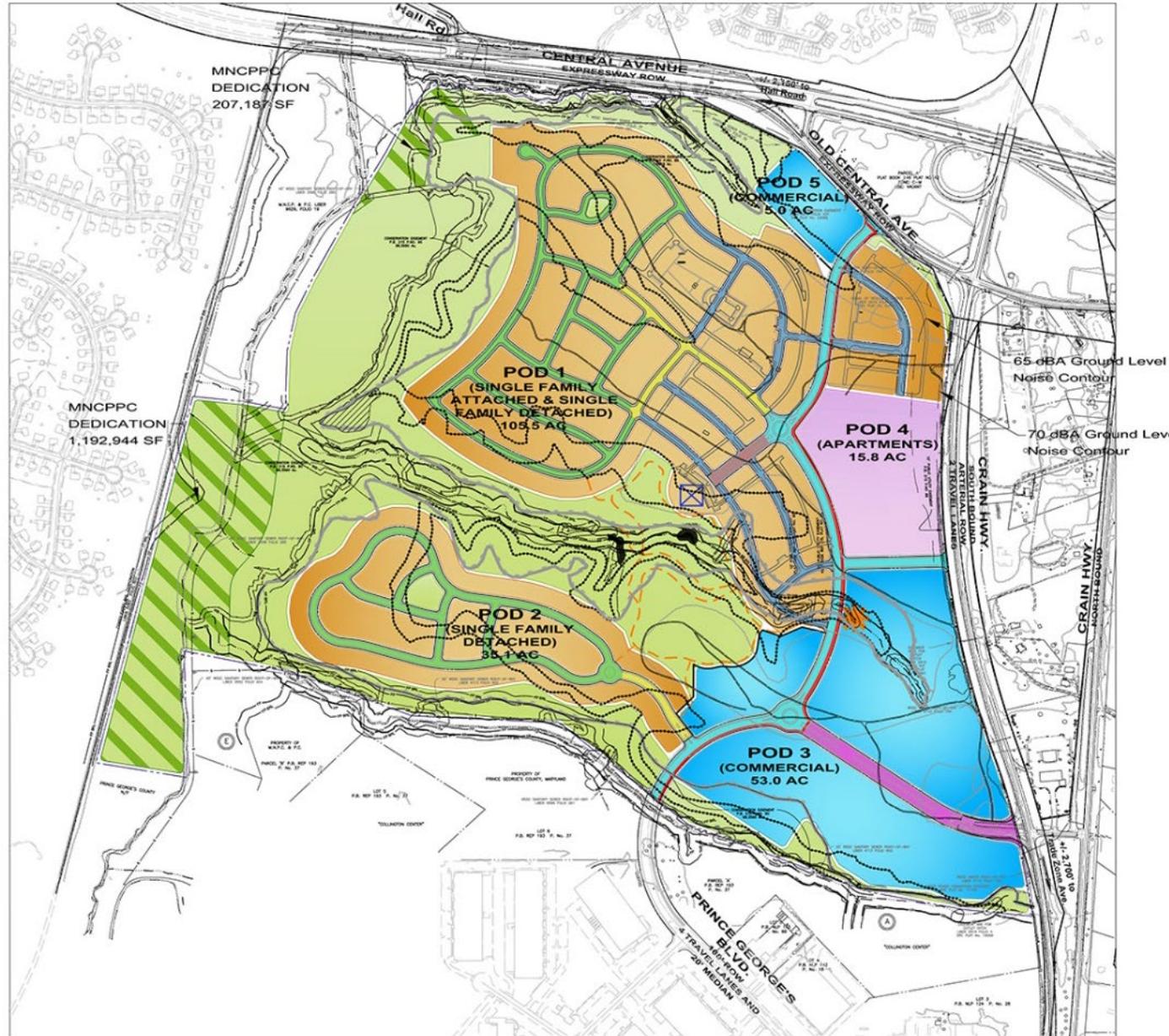
# BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



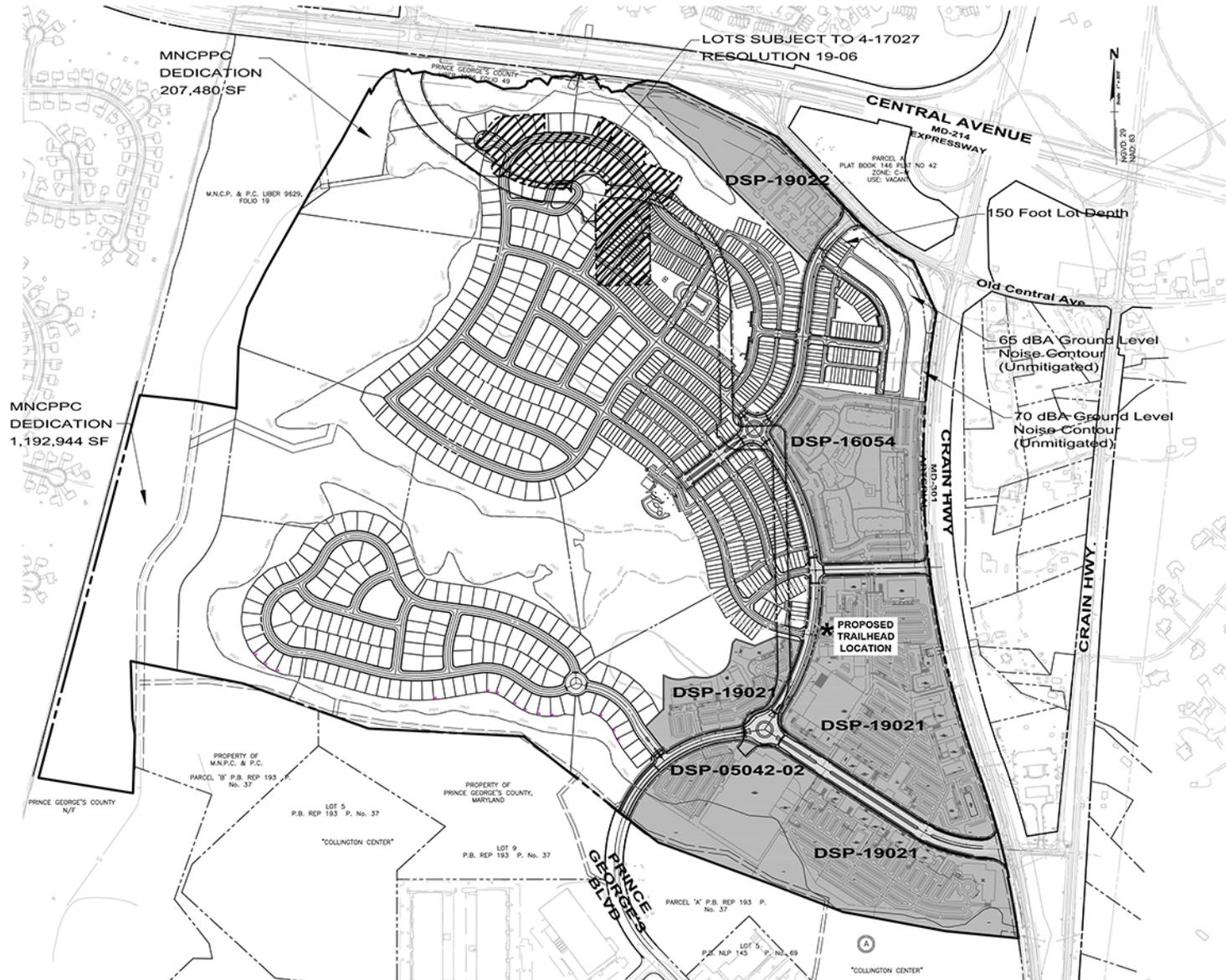
# OVERALL RENDERING



# CSP-02004 AMENDMENT



# SITE PLAN



A DETAILED SITE PLAN APPLICATION FOR INFRASTRUCTURE (DSP-05042-02) HAS BEEN SUBMITTED AND IS CURRENTLY UNDER REVIEW. A DETAILED SITE PLAN APPLICATION FOR ARCHITECTURE (DSP-19024) HAS BEEN SUBMITTED AND IS BEING CONCURRENTLY REVIEWED. THE DSP-19024 APPLICATION INCLUDES ARCHITECTURE FOR THE TOWNHOUSE AND SINGLE FAMILY DETACHED UNITS.



# MASTER PLAN TRAIL



# PARKING LAYOUT



# RECREATION FACILITIES



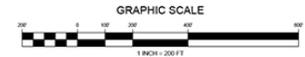
APPENDIX  
FORMULA FOR DETERMINING THE VALUE OF RECREATIONAL FACILITIES TO BE PROVIDED IN SUBDIVISIONS (populations up to 1000) October 2000

PROJECT NAME:	South Lake	
PROJECT NUMBER:	DSP-19023	
PLANNING AREA:	76A	
3035	x	3.16
Number of Units in Project	Population/D.U. by Planning Area (2000)	3270.6
3270.6	=	500
Total Project Population	Multiplier	6.54
6.542	x	\$188,500
Multiplier	Standard Value of Facilities for Population of 500	\$1,233,015.20
		Value of Facilities to be provided

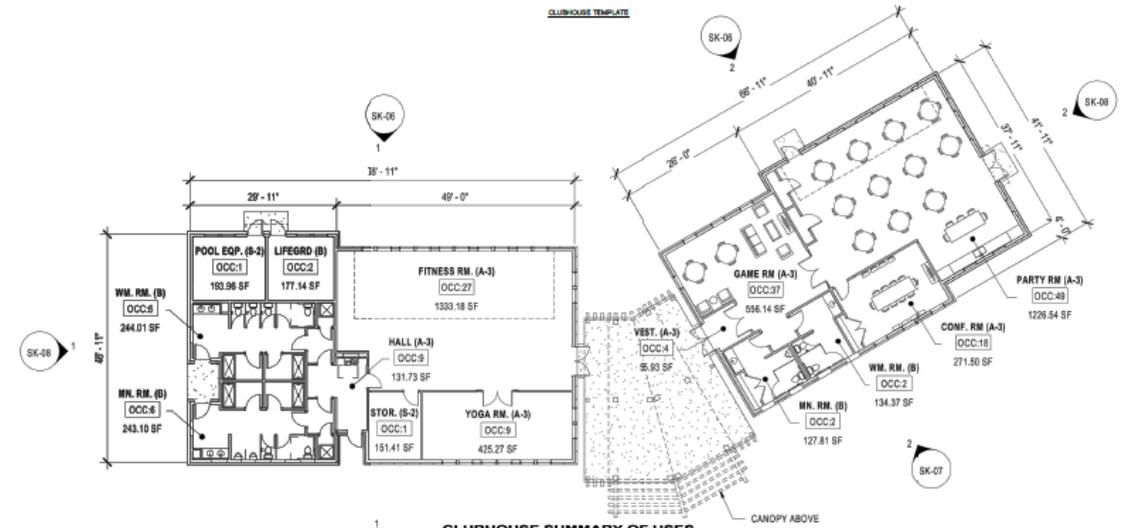
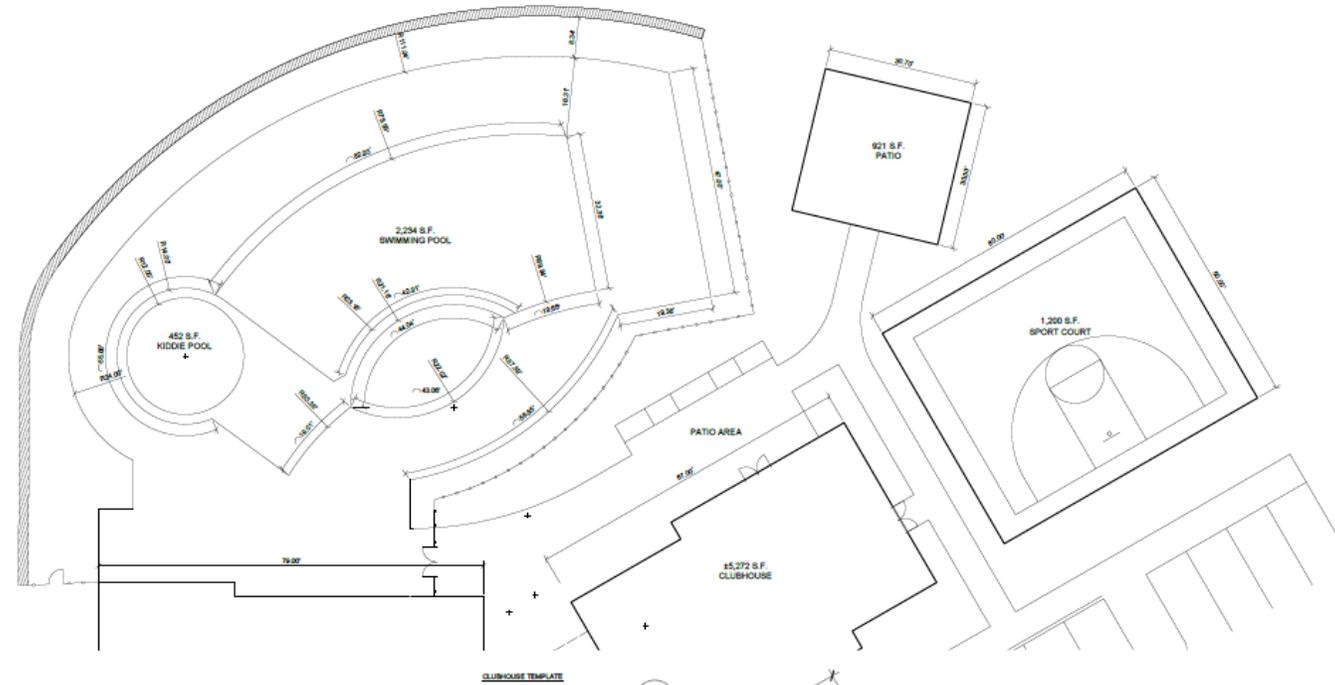
Recreational Facilities Provided		
Facility Description	Value of Facilities for Population of 500	*Permit Trigger
1 2,303 SF Playground - two benches, trash can, play structure, surf rocker, mini spinner, 8' balance beam, Wallie the Whale spring animal, Izoie the Inchworm spring rider	\$15,000	200h
2 5,272 SF Clubhouse, 2,234 SF Swimming Pool, 452 SF Kiddie Pool, 1,200 SF Sport Court, 921 SF Patio	\$1,600,000	500h
3 Pocket Park #1 - three benches, trash can, 5' diameter modular block planter, 326 SF of asphalt	\$4,500	450h
4 9,600 SF Open Play Area (80' x 120')	\$4,000	600h
5 3,668 SF Lakes and Trail Playground - six benches, trash can, play structure, rocks and boulders obstacle course, ground-level activity center	\$100,000	600h
6 1,820 LF 8' Asphalt Trail, 1,998 LF 6' Asphalt Trail, and Fitness Stations	\$165,000	700h
7 1,922 SF Tot Lot - two benches, trash can, play structure, swing set with two bucket swings, Eve the Elephant Spring Rider	\$37,000	700h
8 2,786 SF Pre Teen Lot - two benches, trash can, play structure, swing set with two swings, Double Stand Up Spinners	\$51,000	800h
9 14,000 SF Open Play Area (100' x 140')	\$6,000	800h
10 Pocket Park #2 - four benches, trash can, 6' diameter modular block planter, 560 SF of asphalt	\$5,000	800h
11 1,500 SF Dog Park	\$4,000	950h
12 6,400 SF Dog Park	\$15,000	950h
Total Facility Value for Facilities Provided	\$2,026,500	

\*Prior to approval of the building permit listed, the corresponding Recreational Facilities must be constructed.

● = Recreation facility location



# CLUBHOUSE COMPLEX



**CLUBHOUSE SUMMARY OF USES**

Life Guard Office	177.14 s.f.
Fitness Room	1,333.18 s.f.
Yoga Room	425.27 s.f.
Game Room	556.14 s.f.
Conference Room	271.50 s.f.
Party Room	1,226.54 s.f.

**NOTE: CLUBHOUSE TO BE CONSTRUCTED TO NATIONAL GREEN BUILDING STANDARD LEVEL OF SILVER.**

THIS BLOCK IS FOR OFFICIAL USE ONLY. ALL dimensions for this plan were verified by the engineer. In the event of any discrepancy, the Engineer's report to the City Council shall prevail.

M-NCPPC APPROVAL

PROJECT NAME: SOUTH LA  
PROJECT NUMBER: DSP-19023

PROFESSIONAL DESIGNER: DRD  
DATE: 03/19/2020  
DRAWN BY: [Name]  
CHECKED BY: [Name]  
DATE: 03/19/2020



DETAILED SITE PLAN DSP-19023  
WSSC MAP 2019E14  
TAX MAP 70, GRID DS & D4

# CLUBHOUSE COMPLEX



NORTHWEST ELEVATION 2  
1/16" = 1'-0"

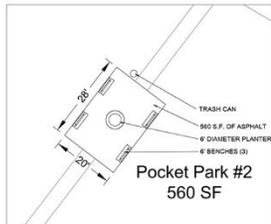
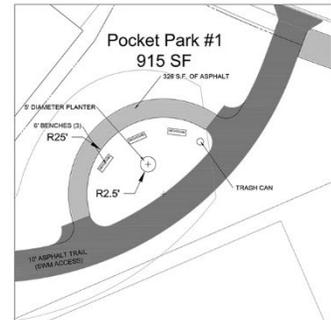


WEST ELEVATION 1  
1/16" = 1'-0"

# RECREATION DETAILS



1 RECREATION AMENITY #11  
Scale: 1/8" = 1'-0"  
See Page 18



2 RECREATION AMENITY #3  
Scale: 1/8" = 1'-0"  
See Page 18

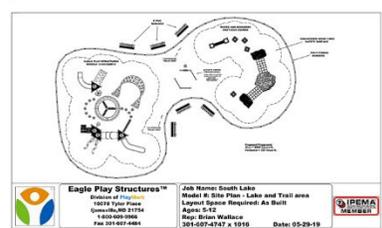
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See Page 18



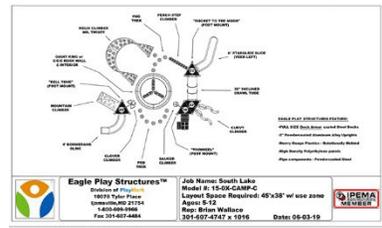
4 BENCH  
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See Page 18



RECREATION AMENITY #6  
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See Page 18



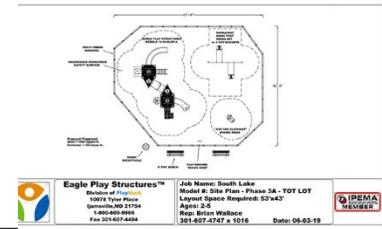
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See Page 18



RECREATION AMENITY #5  
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See Page 18



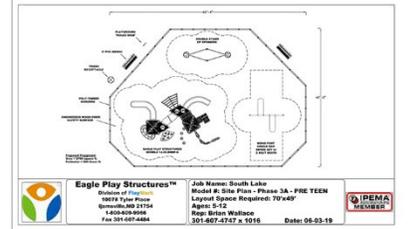
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See Page 18



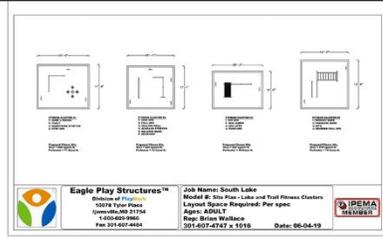
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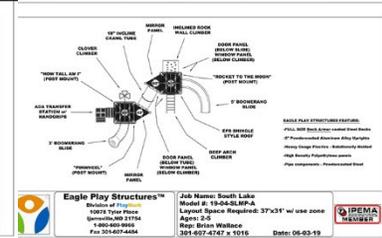
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See Page 18



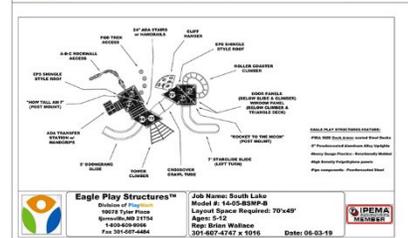
RECREATION AMENITY #8  
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See Page 18



RECREATION AMENITY #6 ELEMENTS  
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See Page 18



RECREATION AMENITY #7 ELEMENTS  
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See Page 18



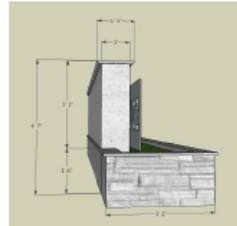
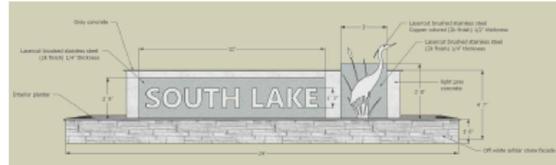
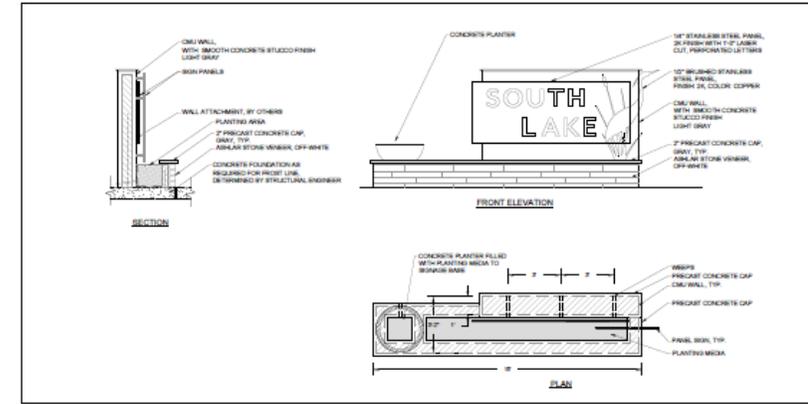
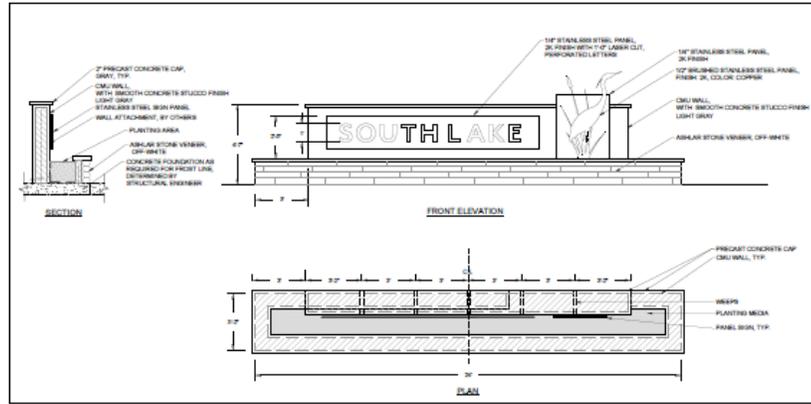
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See Page 18



RECREATION AMENITY #6 ELEMENTS  
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See Page 18



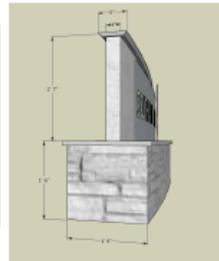
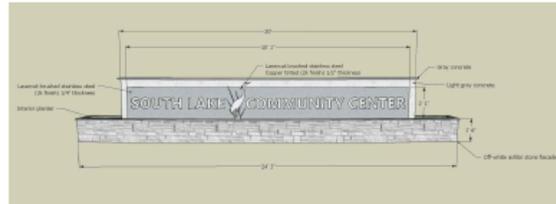
# SIGNAGE



**11 Signage #2**  
 Typical Detail N.T.S.  
 Use: Community Signage  
 Color: White Stone + Metallic



**12 Signage #3**  
 Typical Detail N.T.S.  
 Use: Community Signage  
 Color: White Stone + Metallic



**13 Signage #4**  
 Typical Detail N.T.S.  
 Use: Community Signage  
 Color: White Stone + Metallic

LAW OFFICES  
**SHIPLEY & HORNE, P.A.**

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Largo, Maryland 20774  
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Facsimile: (301) 925-1803  
www.shpa.com

Russell W. Shipley  
Arthur J. Horne, Jr.\*  
Dennis Whitley, III\*  
Robert J. Antonetti, Jr.

**Bradley S. Farrar**  
**L. Paul Jackson, II\***  
\*Also admitted in the District of Columbia

February 11 2020

**VIA HAND DELIVERY**

Mr. Henry Zhang  
Development Review Division  
Prince George's County Planning Department  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**RE: Statement of Justification for South Lake (formerly Karington)  
Detailed Site Plan (DSP-19023)**

Dear Mr. Zhang:

On behalf of our client, South Lake Partners, LLC, Shipley and Horne, P.A., hereby submits this Statement of Justification in support of a proposed Detailed Site Plan (DSP) for the above captioned subject property. The application proposes to construct a residential development totaling 1,035 residential dwelling units; comprised of 128 Two Family Attached (condominium) units, 521 Townhouse units, 41 Condominium Townhouse, and 345 Single Family detached dwellings on approximately 282.967 acres. The DSP-19023 application and subsequent DSP application being prepared for the South Lake E-I-A / M-X-T Zoned Mixed-Use Planned Community are designed in substantial conformance with the Preliminary Plan of Subdivisions 4-04035 and 4-17027, and Conceptual Site Plan CSP-02004.

The South Lake project currently has an Infrastructure Only Detailed Site Plan (DSP-05042-02) accepted and under review by MNCPPC. The DSP-05042-02 application includes the Public Rights-of-Way for streets A, B, C, D, and E which create outparcels that form the basis of this and future applications. This application includes architecture for the 5,272 square foot Clubhouse and lotting patterns. The DSP-19024 application submitted in support of this application to provide the Overall Umbrella Architecture for the townhouse units (both condominium and fee simple), the two-family attached dwellings, and the single-family detached dwellings. The Applicant will be submitting closely behind the above referenced DSP applications an application for the 325-unit multifamily section of the development (i.e., DSP-16054) located within the eastern part of the site, proximate to the Old Central Avenue and US 301 interchange. Applications for the approximately 834,000 square feet of South Lake commercial phases are also being prepared and will be submitted under DSP-19021 and DSP-19022 case matters.

## **I. Nature of Request and Background:**

**A. Summary Background:** The South Lake development, as initially approved in CSP-02004 and 4-04035, consisted of 381.52 gross acres, in the E-I-A Zone (Employment and Industrial Area) with 463 lots; 86 parcels; 300,000 square feet of commercial/retail space; 700,000 square feet of employment space; 25,000 square feet for an annex to the Prince George's County Community College; 300 hotel rooms; and 1,294 total dwelling units divided between 170 detached units, 272 attached units, 600 multifamily rental units, 112 condominium units, 120 high rise units, and 20 live-work units.

On October 27, 2016, the Planning Board approved a waiver of its Rules and granted a request for reconsideration ("First Reconsideration"), the primary purposes of which were to further define the numbers of approved lots and parcels, adjust the proposed mix of uses, and revise the site layout. On February 16, 2017, the Planning Board heard testimony regarding the First Reconsideration, and with the adoption of PGCPB No. 04-247(C/2)(A) approved 800 lots and 110 parcels for 1,294 dwelling units, along with the associated layout changes.

Then, on July 27, 2017, the Planning Board approved a waiver of its Rules and granted a request for reconsideration ("Second Reconsideration"), primarily for revising the overall site layout, eliminating a site access point and revising another access point, and providing for the alternate master plan trail alignment. On January 25, 2018, the Planning Board heard testimony regarding the Second Reconsideration, and with the adoption of PGCPB No. 04-247(C/3)(A/2) adjusted the site access, circulation, and alternate master plan trail alignment. Finally, on January 10, 2019, the Planning Board approved an additional Preliminary Plan of Subdivision (4-17027) with the adoption of PGCPB No. 19-06 to allow for the addition of 66 residential lots and 3 parcels, along with associated adjustments to the proposed site layout, which finally brought the underlying subdivision approvals into line with the current proposed density mix.

**B. Description of Subject Property:** The purpose of this application is to provide the details for the implementation of the design associated with the residential sections of the South Lake site plan. The Maryland-National Capital Park and Planning Commission (M-NCPPC) is currently reviewing the overall road layout and site grading for that site's design represented by the DSP-05042-02 application for infrastructure. The DSP for infrastructure application includes revising the internal public road layout to include Streets A, B, C, D, and E, removal of one public access to US 301 (i.e., Street G from the Preliminary Plan of Subdivisions 4-04035 and 4-17027). The site plan also creates Outparcels C thru H and adds a public road connection to meet the existing Prince George's Boulevard located within the Collington Center to the south. Said roadway is designed as a public right of way versus a private street on Parcel 109 (as approved on Preliminary Plan of Subdivisions 4-04035 and 4-17027). The application revises the proposed grades slightly to facilitate the current planning practices better, as reflected in the proposed development of the site. Due to sub-surface conditions, the design for the lake has been revised from a single facility to a two-tier facility. The DSP-05042-02 site plan implements slight adjustments to the limits of disturbance and tree conservation plan Type 2 to facilitate the new infrastructure and layout, removing the impacts resulting from the removal of the northwest road connection to MD 214 (as

approved within Preliminary Plan of Subdivisions 4-04035 and 4-17027). The plan also includes the new road sections, updated street construction phasing, and the master-planned trail alignment. The layout proposed by this application deviates slightly from what was approved with 4-04035 and 4-17027 and subsequent reconsiderations. The commercial development is now more prominently featured from MD 301 and is concentrated in the southeast section of the site. The multifamily section, which was proposed in the northeast corner of the project, has been relocated so that it is adjacent to the commercial development pod, thus promoting a walkable development. Due to market conditions, the amount of multifamily has also been reduced to 325 units, allowing the two family attached condominiums to occupy the final prominent location in the northeast corner along the major adjacent roadway, creating a presence along MD-301 with their outward orientation.

**Response:** Preliminary Plan 4-04035 approvals allow for 1,294 dwelling units, 800 lots, and 110 parcels. Preliminary Plan 4-17024 approvals allow for an additional 66 dwelling units, 66 lots, and 7 parcels for total allowable development of 1,360 dwelling units, 866 lots, and 117 parcels for the property. CB-72-2016 modified Section 24-108(6)(B) to exempt the conversion of Condominium Townhouses in a Mixed-Use Planned Community from the Preliminary Plan.

The subject Detailed Site Plan proposes 866 lots (521 townhouses and 345 single-family detached), 128 Two Family Attached, and 41 condominium townhouse dwelling units, that are proposed to be converted to fee simple lots at the final plat, for a total of 1,035 residential units. DSP-16054 proposes 325 apartment units for a total of 1,360 residential dwellings. The subject Detailed Site Plan also proposes 30 parcels and 5 Outparcels. The Outparcels will be the subject of future Detailed Site Plans (Outparcels A, B, C=Commercial Phase 1 DSP-19021, Outparcel D=Apartment DSP-16054, Outparcel E=Commercial Phase 2 DSP-19022). This leaves 82 parcels to be used by future Detailed Site Plans. At the time of Final Plat, the condominium townhouses will be shown as individual lots as allowed by Section 24-108(6)(B). Those 41 Condominium Townhouses are shown on DSP sheet 10 and are identified as units 22-33, 44-48, and 53-76, Block A.

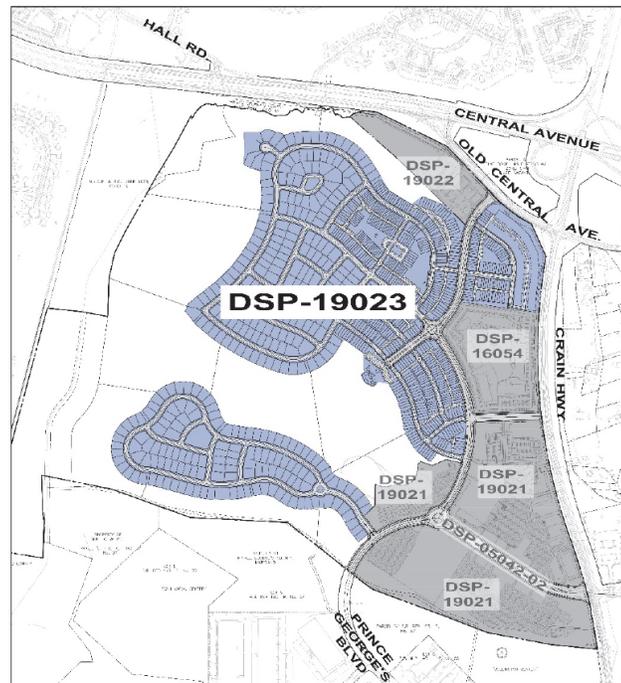
**A. Site Location and Characteristics**

The subject site is located in the southwest quadrant of the intersection of MD 214 and US 301 (Robert Crain Highway). The property is in Planning Area 74A within the area included in the 2006 *Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B*. The entire South Lake property consists of approximately 381.52 acres of land in the E-I-A Zone. In its entirety, the South Lake development program is to be segregated within the following use categories:

Use	DSP #	Square Footage	Acreage
Infrastructure Only	DSP-05042-02	564,171.30	12.95159093
Apartments	DSP-16054	691,252.36	15.86897070
Commercial Ph1	DSP-19021	2,606,237.92	59.83098985
Commercial Ph2	DSP-19022	431,566.79	9.90741017

<b>Residential</b>	<b>DSP-19023</b>	<b>12,326,043.13</b>	<b>282.96701400</b>
			-
<b>Total Site Area</b>		<b>16,619,271.50</b>	<b>381.52597567</b>

\*The DSP-19023 residential sections of the development are comprised of approximately 282.967 acres of land area.



**North and East:** To the north and east of the subject property are the rights-of-way of MD 214, Old Central Avenue and US 301.

**West:** The property is bounded to the west by undeveloped property owned by M-NCPPC in the R-O-S Zone and a Consolidated Rail Group right-of-way/tracks.

**South:** To the south of the property, are undeveloped parcels owned by Prince George's County and M-NCPPC, located in the E-I-A and R-O-S Zones.

**B. Development Standards**

<b>DSP-19023</b>	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	E-I-A	E-I-A / M-X-T
Use(s)	Vacant	Single-family Detached/Attached/ Two Family Attached
Acreeage	282.967	282.967

Lots	0	866
Outparcels	2	5
Parcels	0	30
Dwelling Units:	0	1,035
Detached	0	345
Townhouse	0	521
Condominium Townhouse	0	41
Two Family Attached	0	128
Total	0	1,035
Commercial Retail Square Footage	No	No
Variance	No	No
Variation	No	No

	Townhouses	Two Family Attached	Single Family Detached
Minimum Lot / Parcel Size	1,300 sf	--	6,000 SF
Min. Width at Front Street ROW	16'	100'	25'
Maximum Lot / Parcel Coverage	80%	80%	70%
Minimum Setback to Front of Unit	10'	15'	20'
Minimum Setback to Side of Unit	0' / 4'	4'	5'
Minimum Setback to Rear of Unit	18'	N/A	20'
Maximum Building Height	36'	50'	36'
Minimum Green Area	20%	20%	30%

<b>DEVELOPMENT STANDARDS (Cont.)</b>			
	Fences	Decks	Sheds
Side Yard Setback	0'	0' (4' on End Townhouse Units)	1'
Rear Yard Setback	0'	10'	1'
Maximum Height	6'	N/A	10' To Peak of Roof

<b>Residential Parking Calculations</b>	<b>Parking Count</b>
Spaces Required per 27-567(a)(1):	
Townhouse (563 x 2.04 sp)	1,149 Spaces
Two Family Attached (128 x 2.00 sp)	256 Spaces
Single Family Detached (344 x 2.00 sp)	688 Spaces
<b>Total</b>	<b>2,093 Spaces</b>
<b>Spaces Provided (Off-Street Parking)</b>	

Townhouses (562 Total Units)	
<b>Driveway Spaces</b>	<b>962 Spaces</b>
16' Rear Load Townhouses (68)	68 Driveway Space
20' Front Load Townhouses (95)	95 Driveway Spaces
20' Rear Rear Townhouses (223)	446 Driveway Spaces
24' Front Load Townhouses (93)	186 Driveway Spaces
24' Rear Rear Townhouses (83)	166 Driveway Spaces
<b>Garage Spaces</b>	<b>962 Spaces</b>
16' Rear Load Townhouses (68)	68 Driveway Space
20' Front Load Townhouses (95)	95 Driveway Spaces
20' Rear Rear Townhouses (223)	446 Driveway Spaces
24' Front Load Townhouses (93)	186 Driveway Spaces
24' Rear Rear Townhouses (83)	166 Driveway Spaces
<b>Two Family Attached (128 Units)</b>	
*Driveway Spaces	128 Spaces
Garage Spaces	128 Spaces
<b>Single Family Detached (345 Units)</b>	
Driveway Spaces	670 Spaces
Garage Spaces	670 Spaces
On-Street Parking	421 Spaces
<b>Total Parking Provided</b>	<b>3,979 Parking Spaces</b>

\*Per 27-551(a) and (e), driveway spaces cannot be counted towards meeting the requirements for parking due to condominium ownership issues. However, for this development, the HOA documents will contain language that provides that the driveway parking spaces located directly adjacent to a garage parking space assigned to a condominium owner are limited common elements and shall be for the sole use of that owner or their guest.

<b>Clubhouse Parking Calculations</b>	<b>Parking Count</b>
Spaces Required per 27-567(a):	
Lifeguard Office (177.14 s.f. / 2 seats)	1/250 s.f. = 1 Space
Fitness Room (1,333.18 s.f. / 27 occupants)	1/7 occupants = 4 Spaces
Yoga Room (425.27 s.f. / 9 occupants)	1/7 occupants = 2 Spaces
Game Room (556.14 s.f. / 37 seats)	1/80 s.f. = 7 Spaces
Conference Room (271.50 s.f. / 18 seats)	1/3 seats = 6 Spaces
Party Room (1,226.54 s.f. / 49 seats)	1/3 seats = 17 Spaces
Swimming Pool (224 bathers)	1/7 occupants = 32 Spaces
<b>Total (Required)</b>	<b>69 Parking Spaces</b>

<b>Spaces Provides</b>	
<b>Off-Street Parking</b>	
Standard Parking Spaces (19' x 9.5')	**50 Spaces
Compact Parking Spaces (16.5' x 8')	5 Spaces
<b>Total Parking Provided</b>	<b>55 Parking Spaces</b>

\*\*Two handicapped-accessible parking spaces have been provided and are included in the 50 standard spaces noted.

**Response:** It is anticipated that the trip generation calculations and parking analysis for the overall South Lake project will be a living document that will be updated as future Detailed Site Plans are submitted, including the application of internal trip captures between uses including the residential units within DSP 19023. According to the parking calculations on the DSP sheet and in the Transportation Improvement Analysis (TIA) prepared by Lenhart Traffic Consulting, Inc., the clubhouse would require 69 parking spaces by 27-567(a) while the DSP includes a provision of 55 spaces. In addition to the 55 spaces within the clubhouse parking lot, there are 22 on-street parking spaces available on Boulevard C, immediately adjacent to the clubhouse parking lot, resulting in a total of 77 spaces in proximity to the clubhouse which exceeds the 69 required spaces. The Clubhouse is incidental to the residential development, (e.g. the clubhouse is used by the residents) therefore it would not be appropriate to add the clubhouse parking requirements to the overall DSP requirements. However, the Applicant agrees that it is important to ensure that the clubhouse has adequate parking to serve the community. With that said, the TIA confirms that the clubhouse will be adequately parked with 55 spaces for the following reasons:

- The 69 required spaces is based on the breakdown of uses highlighted in the above table.
- Due to the variety of uses that may be available at the clubhouse facility during any given day, these uses would have different peak times. For example, the swimming pool would be expected to peak on weekend days during the Summer months, while the conference, activities/exercise, and party rooms would be expected to peak during evenings after the pool peaks are over.
- Given these considerations, the TIA supports that 55 spaces plus the 22 on-street parking spaces would adequately serve the clubhouse.

In summary, the proposed DSP will have more than enough parking spaces to serve the residents of this area. Furthermore, the DSP will not exceed the trip caps of the underlying preliminary plans.

<b>Existing Trip Cap</b>		
Preliminary Plan #	AM Cap	PM Cap
4-17027	48	56
4-04035	1,313	1,925
Total Tips Approved	1,361	1,981
DSP-19023 Will Generate	623	627
Total Trips Remaining	738	1,354

### **C. Zoning and Permitted Uses**

The Property is in the E-I-A Zone (Employment and Institutional Area) Zone. Per Section 27-500 (c) Uses of the Zoning Ordinance, “*A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10. The development shall meet all M-X-T Zone requirements in Part 10.*” The E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use.

The subject property was also recently annexed within the municipal boundary of the City of Bowie.

### **II. Prior Approvals**

The 2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B (The Master Plan) retained this property in the E-I-A (Employment and Institutional Area) Zone. CB-13-2002 was approved to permit the mixed-use planned community use within the E-I-A Zone for properties meeting specific criteria. Council Bill CB-73-2016 was enacted to allow alternate development regulations for mixed-use planned communities under specific circumstances utilizing the review process for the M-X-T Zone, which apply to the subject property. This legislation conditioned that a Mixed Use Planned Community shall conform to the purposes, regulations, and 6 required findings and review process set forth in Division 2 of this Part, for the 7 M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional 8 Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the defined regulations shall be advisory only.

On June 12, 2003, Prince George's County Planning Board approved CSP-02004 for the subject property (PGCPB Resolution No. 03-135). This decision affirmed by the Prince George's County District Council on January 27, 2004. On October 21, 2004, the Planning Board approved 4-04035 (PGCPB Resolution No. 04-247(C)). The Planning Board reconsidered the preliminary plan on December 15, 2016. The reconsideration was sought pursuant to the applicant's letter dated October 7, 2016, for the limited purpose of converting approximately 200 of the multifamily condominium units to fee simple townhouse lots and to allow for a modification to the phasing plan of off-site road improvements in addition to other changes that occurred subsequent to that original request. On February 16, 2017, the Planning Board heard testimony regarding the reconsideration and approved the reconsideration, with conditions, for approval of 800 lots and 110 parcels for 1,294 dwelling units subject to conditions (enclosed).

On December 8, 2005, DSP-05042 approved for grading, infrastructure, and construction of the central lake (PGCPB Resolution No. 05-258). A revision to DSP- 05042 was accepted by M-NCPPC in August of 2007 but was subsequently withdrawn. A second revision, DSP-05042-02, was filed for an Administrative – Planning Director level for review and approval on December 23, 2016, to reflect an updated public road configuration and to revise grading and utility locations necessary for such reconfiguration. That original application process was never finalized and was declared dormant on March 26, 2019; and is now being revived in this application.

On January 10, 2019, the Planning Board approved Resolution No. 19-06 for the South Lake Type 1 Tree Conservation Plan TCP1-048-02-04, and further approved the Preliminary Plan of Subdivision 4-17027 for 66 lots and 3 parcels. Technical plans have progressed through approval and permit issuance under the Stormwater Management Concept (SWM) #26947-2002-03, and that work is currently underway. There is a pending revision to the SWM Technical Plans and Permit that is also under review under the current Concept approval (26947-2002-03). The Technical revision matches what is shown, on this DSP and a copy is included with this application submission. There is not a need to revise SWM Concept #26947-2002-03 as the SWM Technical Plans and Permits supersede the concept approval.

Below is a comprehensive list of cases relating to Karington and South Lake as reported on the M-NCPPC Development Activity Monitoring System (DAMS) website.

Case Number	Case Title	Status	Accepted Date	Approval Date	Application Type
<a href="#">CSP-02004</a>	KARINGTON	APPROVED	09/20/2002	01/27/2004 DC	CSP
<a href="#">TCP1-048-02</a>	KARINGTON	PENDING	09/20/2002	08/05/2005 Cert	TCP_I
<a href="#">4-04035</a>	KARINGTON	APPROVED	05/06/2004	01/25/2018	PRELIM
<a href="#">TCP1-048-02-01</a>	KARINGTON	APPROVED	05/06/2004	08/05/2005 Cert	TCP_I
<a href="#">4-04132</a>	SOUTH LAKES II	APPROVED	09/13/2004	02/10/2005	PRELIM
<a href="#">DSP-05042</a>	KARINGTON	APPROVED	08/26/2005	12/08/2005	DSP
<a href="#">TCP2-126-05</a>	KARINGTON	APPROVED	08/26/2005	12/08/2005	TCP_II
<a href="#">5-06287</a>	KARINGTON SUBDIVISION, PLAT 1	APPROVED	10/06/2006	10/19/2006	FINAL
<a href="#">5-06288</a>	KARINGTON SUBDIVISION, PLAT 2	APPROVED	10/06/2006	10/19/2006	FINAL
<a href="#">DSP-05042-01</a>	KARINGTON	WITHDRAWN	08/01/2007	05/03/2017	DSP
<a href="#">TCP2-126-05-01</a>	KARINGTON	APPROVED	10/01/2007	10/15/2007	TCP_II
<a href="#">DSP-05042-02</a>	SOUTH LAKE (FORMERLY KARINGTON)	DORMANT	12/23/2016	03/28/2019	DSP
<a href="#">TCP2-126-05-02</a>	SOUTH LAKE (FORMERLY KARINGTON)	PENDING	12/23/2016	-----	TCP_II
<a href="#">TCP2-126-05-02</a>	SOUTH LAKE (FORMERLY KARINGTON)	PENDING	12/23/2016	-----	TCP_II
<a href="#">TCP1-048-02-02</a>	KARINGTON	APPROVED	01/18/2017	05/03/2018 Cert	TCP_I
<a href="#">NRI-104-2018</a>	SOUTH LAKES	APPROVED	07/05/2018	07/05/2018	NRI
<a href="#">4-17027</a>	SOUTH LAKE (FORMERLY KARINGTON)	APPROVED	07/16/2018	01/10/2019	PRELIM
<a href="#">TCP1-048-02-04</a>	SOUTH LAKE (FORMERLY KARINGTON)	PENDING	07/16/2018	-----	TCP_I
<a href="#">V-17006</a>	SOUTH LAKE PARTNERS LLC	PENDING	06/07/2019	-----	VACATION
<a href="#">DSP-05042-02</a>	SOUTH LAKE (FORMERLY KARINGTON)	PENDING	06/13/2019	-----	DSP

**III. Conformance with the Zoning Ordinance**

**A. Regulations for a Mixed-Use Planned Community in the E-I-A Zone**

**Section 27-500. - Uses.**

- (c) *A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10.*

**Response:** The overall South Lake development plan includes a mix of residential, employment, commercial retail, commercial office, hotels, and recreational uses and meets all M-X-T Zone requirements in Part 10. See below for a detailed discussion of the plan's conformance to the provisions of Part 10.

**Sec. 27-501 – Regulations.**

- (c) *Mixed-Use Planned Community regulations.*

- (1) *A Mixed-Use Planned Community shall meet all purposes and requirements applicable to the M-X-T Zone, as provided in Part 10, and shall be approved under the processes in Part 10.*

**Response:** The proposed Mixed-Use Planned Community meets all M-X-T Zone requirements in Part 10. See below for a detailed discussion of the plan's conformance to the requirements of Part 10.

- (2) *Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.*

**Response:** The Applicant shall comply with this standard.

**Sec. 27-544 – Regulations.**

- (e) *Mixed-Use Planned Community regulations.*

- (1) *A Mixed Use Planned Community shall conform to the purposes, regulations, and required findings and review process set forth in Division 2 of this Part, for the M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27- 500, and 27-501 of this Subtitle, the following regulations shall be advisory only.*

**Response:** The proposed Mixed-Use Planned Community conforms to the purposes, regulations, and required findings and review process set forth for the M-X-T Zone. See below for discussions of

the plan's conformance to these requirements. It is noted that the following regulations are advisory only.

**(2) It shall include retail, residential and office/employment uses. The use mixture shall consist of the following, based on the total gross floor area for residential, retail and office combined:**

<b>TOTAL GROSS FLOOR AREA</b>	<b>Min.</b>	<b>Max.</b>
Residential (at least two different types)	50%	90%
Retail	10%	20%
Office/Employment	0%	40%
Office/Employment	0%	40%

**Response:** The Applicant proposes a total Gross Floor Area (GFA) of 86.01 acres (3,746,697 square feet) and FAR of 0.27. Of that, 78 percent is residential (61.75 ac), fourteen (14) percent retail (10.95 acres), and eight (8) percent office (6.07 acres). There is some additional GFA that is not allocated into any of those categories (i.e., Hotel and Clubhouse 7.23 acres) which contributed to the calculated FAR. This DSP application accounts for 59.85 acres of the 61.75 acres of proposed residential GFA by proposing Two-Family Attached, Single Family Attached, and Single Family Detached uses. The remaining residential GFA is provided as part of DSP-16054 which proposes 325 apartments.

**(3) It may include hotel uses. Hotel use is not included in the residential, retail or office/employment categories for purposes of calculating gross floor area for percentages of use. There is no percentage restriction applied to the hotel uses.**

**Response:** A hotel may ultimately be proposed, and this space will not be included in the residential, retail, or office/employment category for purposes of calculating the GFA for percentages of uses. Full details relating to said uses would be provided within future DSP-19021 and DSP-19022 development applications.

**(4) It may provide at least one institutional or civic use, may have an integrated network of streets, sidewalks, and open space, public or private, and should give priority to public space and appropriate placement of institutional and civic uses.**

**Response:** The proposed development includes an integrated network of streets, sidewalks, and open space and prioritizes public space. The development is designed around a two-tier central lake area and surrounding public spaces for active and passive recreation. Full details of proposed integrated recreational amenities are submitted herein for review in conformance to the above requirement. The City of Bowie has annexed the site and specifically requested the use of Urban Street standards. The City of Bowie will own and maintain the streets and is the approving authority.

**(5) Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.**

**Response:** The Applicant agrees to comply with this standard.

*(6) The community should be focused on a central public space that is surrounded by a combination of commercial, civic, cultural or recreational facilities.*

**Response:** A central public space is proposed with the two-tier lake as the focal point and will be designed to be surrounded by a combination of commercial and recreational facilities. Full details of proposed integrated recreational amenities including architectural details and renderings of the 5,272 square foot clubhouse are submitted herein for review in conformance to the above requirement.

*(A) The space should be a minimum of twenty-five (25) acres and may include a lake.*

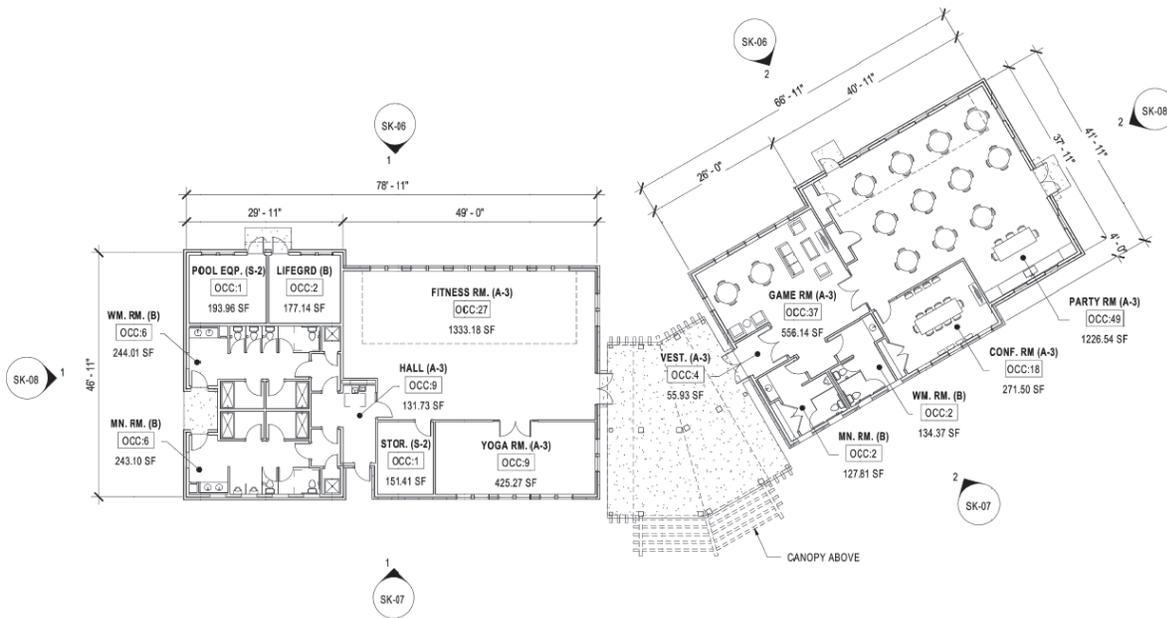
**Response:** The central public space is 25.35 acres and does include a two-tiered lake system.

*(B) It should be designed with adequate amenities to function as a fully shared space for the entire community.*

**Response:** The primary focus of South Lake’s recreational amenities is the integrated approximately 5,272 square foot clubhouse including the following features: Party Room, Conference Room, Game Room, Yoga Room, Fitness Room, and Lifeguard Office. Also integrated within South Lake recreational core include a swimming pool and patio area.

Use Category	Sq. Ft
Lifeguard Office	177.14
Fitness Room	1,133.18
Yoga Room	425.27
Game Room	556.14
Conference Room	271.50
Party Room	1,226.54
Support Areas/Spaces	1,282.32
<b>Total</b>	<b>5,272</b>

**CLUBHOUSE TEMPLATE**



(7) *The community should contain additional, linked open space in the form of squares, greens and parks that are accessible, visible, safe and comfortable.*

**Response:** The overall DSP development plan includes a central lake that features a large network of trails, a large assortment of active and passive recreational facilities within each residential section for both adults and children. Interspersed within the network of recreational features are pocket parks, tot lots, playgrounds, exercise stations, benches, and a dog park. The recreational features provided have been evenly distributed throughout the development. Special attention has been given to the townhouse section, in which recreational facilities are located within a 300’ walking distance from 90.5% of townhouse units and within 425’ of all townhouse units, well within what is considered a “walkable distance”, most commonly defined as a ¼ mile or approximately 1,300’, which can be walked in about 5 minutes. Most facilities are within a 90-second walk of each townhome, providing convenient recreation opportunities. The below table provides a detailed list of the proposed recreational features:

(A) *The open spaces should provide a variety of visual and physical experiences.*

<b>Recreational Facilities Provided</b>
2,302 SF Playground - two benches, trash can, play structure, surf rocker, mini spinner, 8' balance beam, Wallie the Whale spring animal, Izzie the Inchworm spring rider.
5,272 SF Clubhouse, 2,234 SF Swimming Pool, 452 SF Kiddie Pool, 1,200 SF Sport Court, 921 SF Patio

Pocket Park #1 - three benches, trash can, 5' diameter modular block planter, 365 SF of asphalt
9,600 SF Open Play Area (80' x 120')
3,668 SF Lakes and Trail Playground - six benches, trash can, play structure, rocks and boulders obstacle course, ground level activity center.
1,820 LF 8' Asphalt Trail, 1,998 LF 6' Asphalt Trail, and Fitness Stations
1,922 SF Tot Lot - two benches, trash can, play structure, swing set with two bucket swings, Eve the Elephant Spring Rider
2,786 SF Pre-Teen Lot - two benches, trash can, play structure, swing set with two swings, Double Stand Up Spinners
14,000 SF Open Play Area
Pocket Park #2 – four benches, trash can, 6' diameter modular block planter, 560 SF of asphalt
1,500 SF Dog Park
6,400 SF Dog Park

***(B) Some of these open spaces should be bordered by buildings and be visible from streets and buildings.***

**Response:** Most of the proposed recreation facilities are directly adjacent to residential units. Only the trail around the lakes and the fitness stations are not readily visible from the street and/or buildings.

***(8) The retail uses may be designed to:***

***(A) Create a sense of place by creating a design that provides amenities such as plazas, parks, recreational opportunities, entertainment and cultural activities, public services and dining; and provides attractive project gateways and public spaces.***

***(B) Create outdoor amenities, such as brick pavers, tree grates, decorative lighting, signs, banners, high quality street furniture and extensive landscaping, including mature trees.***

***(C) Create attractive architecture by: using high quality building materials such as stone, brick or split-face block, and providing architectural elements such as façade articulation in fifty (50) foot to seventy-five (75) foot increments, second floor levels, dormer windows, canopies, arcades, varied roofscapes and customized shopfronts to create a street-like rhythm.***

***(D) Promote attractiveness by designing attractive, quality façades of all commercial buildings where the façade is visible from public space; and completely screening loading, service, trash, HVAC and other unsightly functions.***

***(E) Creating a retail area where, if the front of a retail store fronts a street: pedestrians may travel with ease, with attractive walkways and continuous street front experiences to maximize the quality of the pedestrian environment; crosswalks may run through and across the parking lots and drive aisles to connect all buildings and uses; sidewalks may be wide, appealing, shaded and configured for safe and comfortable travel; pedestrian walkways may be separated from vehicular circulation by planting beds, raised planters, seating walls, on-street parallel parking and/or structures; walking distances through parking lots may be minimized and located to form logical and safe pedestrian crossings, and walkways may be made more pedestrian-friendly through the use of arcades, canopies, street trees, benches and tables and chairs.***

***(F) Shield and enhance the surrounding view through techniques such as screening views of parking lots along the main frontal streets with green bermed and landscaped strips, or a low brick (or other quality material) wall, in order to screen parking from the public frontage streets, and ensuring that attractive buildings are to be visible from the public frontage streets.***

***(G) Minimize expanse of parking lots through the use of landscape islands or the location of buildings and streets.***

***(H) Provide a hierarchy of pedestrian-scaled, direct and indirect, high quality, energy efficient lighting that illuminates walkways, ensures safety, highlights buildings and landmark elements, and provides sight lines to other retail uses.***

***(I) Create a signage package for high quality signs and sign standards and requirements for all retail and office tenants and owners, which shall address size, location, square footage, materials, logos, colors and lighting. For office and retail uses, a Conceptual Site Plan for Signage shall be approved prior to release of any sign permits. All sign permits shall conform to the approved Conceptual Site Plan for Signage.***

***(J) Enhance retail pad sites designs to be compatible with the main retail component. If the retail pad sites are located along the public frontage streets, parking should be located to the rear and sides of the pad sites.***

***(K) Green areas should be provided between pad sites.***

***(L) Restaurants adjacent to the central public space/lake should have attractive outdoor seating areas.***

**Response:** Full details for the estimated 467,010 square feet of commercial retail, 174,358 square feet of office/employment, and 301,604 square feet of hotel uses in phase 1 and 10,000 square feet of commercial retail, and 90,000 square feet of office/employment uses in phase 2, as well as said uses overall conformance to the above design standards will be submitted for evaluation in future DSP-19021 and DSP-19022 development applications for development of the commercial areas that are being finalized for submission to M-NCPPC in the coming weeks.

***(9) Residential uses should meet the following design standards:***

***(A) Single-family detached.***

***(i) There should be a range of lot sizes, with a minimum square footage on any lot of two thousand, two hundred (2,200) square feet of finished living space, except as modified herein below.***

**Response:** The for the single-family detached residential dwellings range in size from 6,600 to 17,143 square feet in size with a majority of the units having a minimum 2,200 square feet of living space.

***(ii) At least twenty percent (20%) of the houses should be a minimum of two thousand, six hundred (2,600) square feet of finished living space and a maximum of 20% of the houses may be less than two thousand, two hundred (2,200) square feet of finished living space.***

**Response:** As discussed in the above response (9)(A), the single-family detached residential builders are proposing dwellings with an average living space of approximately 2,750 square feet of living area (i.e., dependant upon amenities option to be chosen by individual purchasers). There will however be models offered below the 2,200 square foot threshold which will constitute no more than 69 of the total 345 single-family units in the project. These smaller models offer first-floor master bedrooms and are some of the most popular sellers in the market. Details will be provided with the Umbrella Architecture DSP for the project (DSP-19024).

***(iii) All streets, whether public or private, should have sidewalks.***

**Response:** All streets within South Lake are designed per Prince George's County engineering standards. Except for those streets where the 10-foot wide master plan trail parallels the road, all streets will be improved with a five (5) foot wide sidewalk on each side of the roadway.

**(B) Multifamily.**

**(i) Building materials should be high quality, enduring and distinctive.**

**(ii) Use of siding should be limited.**

**(iii) Amenities such as are typically provided for luxury rental and condo projects should be provided.**

**Response:** Full details and overall conformance to the above design standards submitted for evaluation within the 325 unit multifamily apartment DSP-16054 application.

**B. Conformance to the Requirements of the Zoning Ordinance for the M-X-T Zone**

**Section 27-548. Regulations**

Section 27-548, M-X-T Zone regulations, establishes additional standards for development. 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;**
- and**
- 2. With the use of the optional method of development – 8.0 FAR**

**Response:** The total maximum floor area ratio (FAR) base density for this project is 0.27 (86.01 ac of GFA/316.80 ac), which meets this requirement, without utilizing the optional method of development.

<b><u>Residential</u></b>	<b><u>GFA</u></b>	<b><u># of units</u></b>	<b><u>Total SF (GFA)</u></b>	<b><u>FAR</u></b>
Condominium	2,100	128	268,800	--
16-ft. TH	2,200	68	149,600	--
20-ft. FL TH	2,700	95	256,500	--
20-ft. RL TH	2,400	223	535,200	--
24-ft. FL TH	2,300	93	213,900	--
24-ft. RL TH	2,824	83	234,392	--
Single Family Detached	2,750	345	948,750	--
Multifamily Apts.		325	82,893	--
<b>TOTAL</b>		<b>1,360</b>	<b>2,690,035</b>	

<b>Retail</b>			477,010	--
<b>Office/Employment</b>			264,358	--
<b>Miscellaneous</b>				
Hotels			301,604	
Residential Clubhouse			5,272	
Multifamily Clubhouse			8,418	
<b>TOTAL GFA</b>			<b>3,746,697</b>	<b>0.27</b>

**(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.**

**Response:** The DSP-19023 application and subsequent DSP application being prepared for the South Lake M-X-T Zoned Mixed-Use Planned Community are designed in substantial conformance with the Preliminary Plan of Subdivisions 4-04035 and 4-17027, and Conceptual Site Plan CSP-02004. The applicant proposes to include the uses on the M-X-T-zoned property in more than one building and on more than one lot, as required by the M-X-T regulations. With phase of South Lake being proposed for development with a mixture of single-family, townhouse, attached condominium residential uses (i.e., DPS-19023), multifamily apartment buildings (i.e., DSP-16054), commercial-retail uses (i.e., DSP-19021 and DSP-05042-02), and office uses (i.e., DSP-19022), the applicant contends that the South Lake plan embodies an attractive multiuse design that faithfully honors both the letter and the spirit of the M-X-T Zone design standards.

**Response:** Phasing is as follows:

Phase	Condominium	Townhouse	Condo Townhouse	Single Family Detached
1A	128 (units 1-128 block A)	59 (lots 1-21, 34-43, 49-52 block A, lots 16-39 block B)	41 (lots 22-33, 44-48 & 53-76 block A)	0
1B	0	137 (lots 1-75 block C, lots 1-62 block D)	0	0
1C	0	219 (lots 1-15 block B, lots 1-51 block E, lots 1-37 block F, lots 1-68 block I, lots 1-48 block J)	0	0
2	0	0	0	139 (lots 1-74 block G, lots 1-65 block H)
3	0	106 (lots 1-106 block K)	0	206 (lots 1-32 block L, lots 1-91 block M, 1-83 block N)
<b>TOTAL</b>	<b>128</b>	<b>521</b>	<b>41</b>	<b>345</b>

- (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.*

**Response:** The detailed site plan displays all the required information.

- (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.*

**Response:** The detailed site plan complies with the Prince George's County Landscape Manual. For further details, please refer to the 57 sheet Landscape plan set incorporated in this application submittal package.

- (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.*

**Response:** As discussed above, the total maximum floor area ratio (FAR) base density for this project is 0.27, which meets this requirement, which was determined following the above methodology.

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

**Response:** The improvements for this project do not interfere with either the air space above or the below-ground public rights-of-way.

- (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.*

**Response:** Each lot is designed to 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.

- (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.***

**Response:** This DSP proposes 16-foot wide townhouses on lots of one thousand three hundred (1,300) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. Also, the DSP design proposes a minimum of four (4) and as many as seven (7) residential townhouses in a cluster. The townhouses shall include variations in exterior architectural materials, colors, articulations, and fenestrations in compliance with the above standards. Furthermore, the Applicant to make every attempt that is practicable to incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption.

Although Section 27-548(h) provides that the minimum building width in any continuous attached group shall be eighteen (18) feet, the County Council, with the adoption of CB-73-2016, specifically amended this section to delete the requirement that such townhouses are subject to all other requirements of the Zoning Ordinance and instead added that at the time of DSP for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to the regulations contained in Section 27-548(h) so long as the modification conforms to the particular development. South Lake is a mixed-use planned community, and the applicant is proposing a modification to this particular standard for specific townhouse units to accommodate a greater mix of product type, price point, resulting in better diversification among the townhouse units, which conforms with the vision and development of South Lake. It should be noted that the modification is only applicable to 68 units, which make up approximately 12% of all townhouse units and is only approximately 7% of the total number of residential units proposed in this DSP. This is the only modification requested with this application.

CB-73-2016 allows for a maximum of 20% of the single-family units to provide a finished living space below 2,200 square feet but also requires a minimum of 20% of the single-family units to provide a finished living space in excess of 2,600 square feet. Since the homebuyer will be selecting the models at the time of sale, it is impossible to specify these locations at this time. We have provided a tracking chart on sheet 51 of the DSP to ensure that these requirements are met as building permits are secured by the builders.

**Single Family Detached:**

345 total number of SFD units proposed

Minimum 69 number of units @ a minimum of 2,600 square feet (at least 20% should be a minimum of this size)

Maximum 69 number of units @ less than 2,200 sq. ft. (maximum of 20% may be less than this size)

The number of units between 2,200 – 2,600 square feet will vary depending on the number of units less 2,200 square feet (no more than 69 units) and number of units more than 2,600 square feet (no less than 69)

There are 0 units with garages detached, located in the rear (accessible by alleys or front street), attached and setback a minimum of 8' from the front façade or attached side entry.

**Townhouses:**

562 total number of townhouse units (includes 41 Condominium Townhouse units)

100 total number of building groups (includes 7 Condominium Townhouse building groups)

36 number of building groups with 6 units (includes 6 Condominium Townhouse building group with 6 units)

54 number of building groups with 6-8 units (includes 6 Condominium Townhouse building groups with 6-8 units)

0 number of building groups with more than 8 units

176 number of front-loaded townhouse units

386 number of rear-loaded townhouse units

- (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.***

**Response:** As the subject, DSP-19023 application does not involve the development of multifamily buildings. Full details and overall conformance to the above design standards will be submitted for evaluation in future DSP-16054 application for the proposed 325 unit apartment phase.

- (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). Notwithstanding any other provision of this Code, this regulation shall not apply to property subject to the provisions of Section 27-544(f)(2)(I), above.***

**Response:** A comprehensive land use planning study was not conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans; therefore, the above standard does not apply to this DSP application.

**C. Compliance With Evaluation Criteria For A Detailed Site Plan**

**Section 27-285 Planning Board Procedures (Detailed Site Plans):**

**(b) *Required findings for Detailed Site Plans***

**(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. If it cannot make these findings, the Planning Board may disapprove the Plan.***

**Response:** Based on the points and reasons provided herein, in addition to the plans and other evidence filed in conjunction with this application, the applicant contends that the South Lake plan embodies an attractive multiuse design that faithfully honors both the letter and the spirit of the M-X-T Zone design standards. The DSP application presents the 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 the intended uses.

**(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).***

**Response:** On July 3, 2003, the Planning Board reviewed and adopted the Conceptual Site Plan CSP-02004 (Corrected Resolution PGCPB No. 03-135(C)) for the subject property. The Planning Board approved the Conceptual Site Plan application with the following 42 conditions. Per the provisions of Section 27-282(g) which provides: "*A Detailed Site Plan application may amend an existing Conceptual Site Plan applicable to a proposal for development of the subject property*", the Applicant will provide their detailed discussion of the DSP's conformance with the approved Conceptual Site Plan CSP-02004 in the following section IV below.

**(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.***

**Response:** The Applicant's DSP-05042-02 Detailed Site Plan for Infrastructure was accepted for review by M-NCPPC on June 13, 2019, and is currently being reviewed by the Planning Staff. Based on the design utilized in the aforementioned DSP application, the site plan in this application

continues the same overall design; as such, it complies with an approved stormwater management concept plan; the tree conservation plan is designed to prevent offsite property damage and prevent environmental degradation. The plan also provides for woodland conservation and prevents excessive drainage, erosion, and pollution discharge.

These stormwater facilities will be attractively designed and planted in the context of their location and in accordance with Prince George's County and Maryland Department of the Environment requirements and will serve as visual amenities in addition to the water quality benefit features.

- (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).*

**Response:** The site has an approved Type I tree conservation plan (TCPI/48/02-02) and Type II tree conservation plan (TCPII/126/05). An approved stormwater management plan and concept approval letter submitted with the application. A Natural Resources Inventory Equivalency letter request has been submitted to M-NCPPC. Therefore, regulated environmental features will be preserved and restored in a natural state to the fullest extent practicable.

**Section 27-246 – Site Plan:**

(c) *In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

- (1) *The proposed drainage system;*

**Response:** Technical plans have progressed through approval and permit issuance under the Stormwater Management Concept (SWM) #26947-2002-03, and that work is currently underway. There is a pending revision to the SWM Technical Plans and Permit that is also under review under the current Concept approval (26947-2002-03). The Technical revision matches what is shown, on this DSP and a copy is included with this application submission. There is not a need to revise SWM Concept #26947-2002-03 as the SWM Technical Plans and Permits supersede the concept approval.

- (2) *All improvements and uses proposed on the property;*

**Response:** The detailed site plan set clearly defines all the required information.

- (3) *The proposed floor area ratio of the project, and detailed description of any bonus incentives to be used; and*

**Response:** As discussed above, the total maximum floor area ratio (FAR) base density for this project is 0.27, which meets this requirement, without utilizing the optional method of development. The below table provides a breakdown of the use types and area sizes involved in determining the South Lake FAR.

<b>Residential</b>	<b>GFA</b>	<b># of units</b>	<b>Total SF (GFA)</b>	<b>FAR</b>
Condominium	2,100	128	268,800	--
16-ft. TH	2,200	68	149,600	--
20-ft. FL TH	2,700	95	256,500	--
20-ft. RL TH	2,400	223	535,200	--
24-ft. FL TH	2,300	93	213,900	--
24-ft. RL TH	2,824	83	234,392	--
Single Family Detached	2,750	345	948,750	--
Multifamily Apts.		325	82,893	--
<b>TOTAL</b>		<b>1,360</b>	<b>2,690,035</b>	
<b>Retail</b>			477,010	--
<b>Office/Employment</b>			264,358	--
<b>Miscellaneous</b>				
Hotels			301,604	
Residential Clubhouse			5,272	
Multifamily Clubhouse			8,418	
<b>TOTAL GFA</b>			<b>3,746,697</b>	<b>0.27</b>

- (4) *Supporting evidence which shows that the proposed 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 or within 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 a specific public facilities financing and implementation program, 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 plan approval, whichever occurred last.*

**Response:** The area of DSP-19023 includes the entirety of Preliminary Plan 4-17027 which includes a trip cap of 48 AM and 56 PM trips, and it includes a portion of Preliminary Plan 4-04035 which includes a trip cap of 1,313 AM and 1,925 PM trips. Lenhart Traffic Consulting has prepared a memorandum dated February 6, 2020, for this DSP application. Exhibit 1 of that memo contains a trip generation analysis of DSP 19023 is overlaid onto Preliminary Plans 4-04035 and 4-17027. As shown in Exhibit 1, DSP uses up the entire trip cap of 4-17027 (48 AM and 56 PM trips) and a portion of the trip cap within 4-04035 (575 AM and 571 PM trips). It is

critical to note that this trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. It is anticipated that the trip generation calculations for the overall South Lake project will be a living document that will be updated as future Detailed Site Plans are submitted.

Based on the analyses contained in this report, the following conditions are recommended for the approval of 4-17027:

1. MD 214 at Church Road: Before the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. Convert the westbound right turn lane along MD 214 to operate as a shared through/right turn lane.
  - b. Restripe the northbound approach of Church Road. The approach is currently striped as a double left turn and a shared through/right. It is recommended the approach be restriped to one exclusive left-turn lane, one exclusive through lane, and one exclusive right turn lane, along with any signal modifications to reflect the change in lane use.
2. MD 214 at Old Central Avenue: Before the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

The applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour

- a. The applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency. A new warrant analysis will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed if and when signalization is warranted.
- b. In conjunction with the signalization of this intersection, the northbound approach of Old Central Avenue should be widened to include a double left-turn lane and one right turn lane at MD 214. (Note that the double left turn would not be needed or permitted until the intersection is signalized.)

3. US 301 at Old Central Avenue: Before the issuance of any building permits within the site, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. New warrant analyses will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed that signalization is or is not warranted.
4. US 301 at Wawa / Median Crossover: This preliminary plan of subdivision will not add any traffic to this intersection, nor will it result in the construction of the west leg of the intersection; therefore, there should be no conditions at this intersection as a result of 4-17027. The west leg of this intersection will be constructed in conjunction with 4-04035 which already contains conditions of approval for the ultimate intersection improvements and signalization.
5. Old Central Avenue at Site Access: Before the issuance of any building permits within the site, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersection of Old Central Avenue at Site Access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal before the release of any building permits within the subject property and install it at a time when directed by SHA. New warrant analyses will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed that signalization is or is not warranted.
6. Preliminary Plan of Subdivision 4-17027 should be approved with a trip cap of 48 AM and 56 PM peak hour trips. (Note that PPS 4-04035 will retain a trip cap of 1,313 AM peak hour trips and 1,925 PM peak hour trips.)

In light of the results of this study and the recommendations noted above, this project will satisfy the APFO requirements of Prince George's County and should be approved.

***(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:***

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

**Response:** The Planning Board previously determined that CSP-02004 was in conformance with the requirements of Part 10, Division 2, of the Zoning Ordinance. See section IV below for a detailed discussion of the DSP's conformance with the approved Conceptual Site Plan CSP-02004.

- (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;***

**Response:** As discussed above, the Property is in the E-I-A Zone (Employment and Institutional Area) Zone. Per Section 27-500 (c) Uses of the Zoning Ordinance, “A Mixed-Use Planned Community in the E-1-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10. The development shall meet all M-X-T Zone requirements in Part 10.” The E-1-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks; therefore, this standard does not apply to this application. The proposed Mixed-Use Planned Community is consistent with the E-I-A Zone design standards.

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

**Response:** Adjacent development to the west includes an existing single-family detached neighborhood and to the south includes an existing flex/warehouse/office employment park. Proposed uses have been located to promote compatibility by proposing single-family detached housing and open space within the western portion of the development and commercial/ retail/ hotel uses in the southern portion. Safeguards are being planned for implementation to preclude large commercial transport trucks servicing the adjacent Collington Business Park to the south from utilizing the South Lake road network.

Those safeguards were proposed by the Liberty Sports Park permit plans while this DSP was being developed. They included a “road diet” that proposed a median island with narrower paving and signage specifying “No Through Trucks”. Unfortunately, DPIE rejected this road diet and instead approved a narrower paving section and the “No Through Truck” signage. In addition, the City of Bowie has offered to assist should truck traffic become a problem for the development. The applicant will continue to work with DPIE and the City of Bowie to prevent truck traffic from entering the South Lake Community from the Collington Business Park.

Reiterating earlier discussions, the proposed Mixed-Use Planned Community will provide a strong pedestrian-friendly environment throughout the South Lake and overall Collington community. The design quality brought by the proposed development is designed with a

significant natural woodland buffer that will be consistent with the projects in the vicinity.

- (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;***

**Response:** The mix of uses in this case, including single-family, townhouse, two-family attached, and multifamily residential, commercial/retail, restaurant, hotel, and office uses, and the arrangement and design of buildings and other improvements reflect a cohesive development capable of sustaining an independent environment of continuous quality and stability as this purpose intends, while at the same time providing key elements to ensure that each building complex is successful. The design of numerous facades is in accordance with M-X-T Zone standards to create an active environment for residents. Additional sidewalks are also provided along both sides of all streets.

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

**Response:** The residential portion of this project consists of four major phases and 14 sub-phases of residential development. The Applicant envisions multiple sub-phases occurring at the same time depending on market conditions and pace of sales. Phase 1 originates at the project entrance off of Old Central Avenue and consists of 6 sub-phases and 469 townhouse and condominium units. Phase 2 is located in the southwestern portion of the site and consists of 138 single-family units. Phases 3 and 4 are broken down into 3 sub-phases each and are located west of phase 1 with 222 and 206 units, respectively.

Future phases will be submitting closely behind the above referenced DSP applications, an application for the multifamily section of the development (i.e., DSP-16054) proposed in the eastern part of the site, proximate to the Old Central Avenue and US 301 interchange. Full details for estimated 467,010 square feet of commercial retail, 174,358 square feet of office/employment, and 301,604 square feet of hotel uses and said uses overall conformance to the above design standards will be submitted for evaluation in future DSP-19021 and 10,000 square feet of commercial retail, and 90,000 square feet of office/employment uses in future DSP-19022 development applications for development of the commercial areas that are being finalized for submission to M-NCPPC in the coming weeks.

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

**Response:** The pedestrian system for the project consists of sidewalks along both sides of all internal streets. The sidewalk system of this project links directly to the County's Master Planned Trail system extending to both the north and south of the South Lake development, as well as connects with the project's internal recreational trail system. The entire system is convenient and has been comprehensively designed to create a pedestrian-friendly environment that includes

multiple active recreational features, seating areas, and sidewalk amenities along all major roadways and important destinations. The pedestrian system is designed to seamlessly interface with the future residential and commercial/retail phases of the project.

- (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*

**Response:** The submittal demonstrates an interconnected pedestrian system that is convenient and designed to encourage pedestrian activity and connect to amenities in neighboring phases of the development. Adequate attention has been paid to human scale, high-quality urban design, and other amenities, such as the types of paving materials, landscaping, street furniture, signage, and pedestrian-scale lighting of the public areas.

The Photometric Plan provided within the Landscape and Lighting Plan set cover only the private areas outside of the proposed public streets that are under the prevue of the City of Bowie. Those public streetlights are included in a Street Tree and Lighting Plan set and are spaced according to standard detail light spacing that will be permitted through the City of Bowie.

- (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.*

**Response:** The subject application is for approval of a detailed site plan. This requirement 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 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).***

**Response:** Not applicable. A finding of adequacy was made at the time of reconsideration of the Preliminary Plan of Subdivision in February 2017.

**(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.***

**Response:** As discussed in section I. A. above, the entire South Lake property consists of approximately 381.52 acres of land in the E-I-A Zone. In its entirety, the South Lake development program is to be segregated within the following use categories:

Use	DSP #	Square Footage	Acreage
Infrastructure Only	DSP-05042-02	564,171.30	12.95159093
Apartments	DSP-16054	691,252.36	15.86897070
Commercial Ph1	DSP-19021	2,606,237.92	59.83098985
Commercial Ph2	DSP-19022	431,566.79	9.90741017
<b>Residential</b>	<b>DSP-19023</b>	<b>12,326,043.13</b>	<b>282.96701400</b>
			-
Total Site Area		16,619,271.50	381.52597567

\*The DSP-19023 residential sections of the development are comprised of approximately 282.967 acres of land area.

**IV. Previous Approvals**

**Conceptual Site Plan CSP-02004:** On January 27, 2004, the District Council reviewed and approved the Conceptual Site Plan CSP-02004 (Corrected Resolution PGCPB No. 03-135(C)) for the subject property. The Planning Board approved the Conceptual Site Plan application with the following 51 conditions, ***highlighted in italic bold:***

**1. *Prior to certification of the Conceptual Site Plan...***

**Response:** The above condition(s) relating to the certified CSP do not apply to this DSP application.

2. *At the time of the first Detailed Site Plan (other than infrastructure), details of outdoor amenities such as brick pavers, tree grates, decorative lighting, signs, banners and high quality street furniture shall be approved by the Prince George's County Planning Board. A similar theme shall be established for the entire development.*

**Response:** The submittal demonstrates an interconnected pedestrian system that is convenient and designed to encourage pedestrian activity and connect to amenities in neighboring phases of the development. Adequate attention has been paid to human scale, high-quality urban design, and other amenities, such as the types of paving materials, landscaping, street furniture, signage, and pedestrian-scale lighting of the public areas. For further details, please refer to the 57 sheet Landscape plan set incorporated in this application submittal package. Plan sheets 52 – 57 of 57 provide for proposed lighting, recreational amenities locations and details; Detailed Site Plan sheets 47 – 49 provide cross-sections of the proposed trail, sidewalk and roadway configurations, as well as bike racks, fencing and retaining wall details.

3. *At the time of preliminary plan approval, right-of-way requirements shall be determined...*

**Response:** The above CSP condition(s) relating to the approval of the Preliminary Plan of Subdivision do not apply to this DSP application.

4. *MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (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:*

- a. *The addition of a northbound left-turn lane along Church Road.*

**Response:** The Applicant agrees to comply with this condition.

- b. *The addition of an eastbound left-turn lane along MD 214.*

**Response:** The Applicant agrees to comply with this condition.

- c. *The addition of a westbound left-turn lane along MD 214.*

**Response:** The Applicant agrees to comply with this condition.

- d. *Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.*

**Response:** The Applicant agrees to comply with this condition.

5. *MD 214 at Hall Road/site access: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access...*

**Response:** Direct access to MD 214 has been removed from the proposed development design; therefore, CSP-02004 condition 5 is no longer valid nor applicable to South Lake; however, a new traffic signal has been approved and designed at the MD 214 – Haul Road (Old Central) reconfigured intersection.

6. *Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.*

**Response:** These studies have been completed and it was determined that signalization is not warranted or approved by SHA.

7. *US 301 at site entrance/median crossover: Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:*
  - a. *The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.*

**Response:** This improvement is currently in the design and permitting process with SHA.

- b. The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301.*

**Response:** This improvement is currently in the design and permitting process with SHA.

- c. The construction of a northbound left-turn lane approaching the median crossing.*

**Response:** This improvement is currently in the design and permitting process with SHA.

- d. The construction of a southbound right-turn lane along the southbound US 301 approach.*

**Response:** This improvement is currently in the design and permitting process with SHA.

*The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.*

- 8. Merge of ramp from eastbound MD 214 onto US 301: Prior to the issuance of any building permits within Phase II, as defined in Condition 10, the following road improvements shall (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 for the extension of the northbound merge lane to a length of no less than 400 feet subject to available right-of-way or in the alternative the elimination of said ramp by utilization of other acceptable improvement.*

**Response:** Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within Phase II, as defined in Condition 10, this condition does not apply to this DSP application. However, it should be noted that this condition has already been satisfied. The northbound acceleration from eastbound MD 214 to northbound US 301 was lengthened to include an acceleration lane that is approximately 700-800 feet long with a taper of 200-300 feet.

- 9. US 301 widening:*

- a. Prior to the issuance of any building permits within Phase I (other than construction buildings or model homes), as defined in Condition 11, the following road improvement shall (1) have full financial assurances, (2) have been permitted for construction through the operating agency's permit process, and (3) have an agreed-upon timetable for construction with the appropriate operating agency for the addition of a new MD 301 southbound lane to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.*

**Response:** Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within Phase I, as defined in Condition 10, this condition does not apply to this DSP application. It should also be noted that this condition was revised in PPS Resolution 04-247(C-3)(A-2) to begin 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue to tie into the existing third southbound lane prior to Queen Anne Road.

- b. Prior to the issuance of any building permits within Phase II, as defined in Condition 11, the following road improvement shall (1) have full financial assurances, (2) have been permitted for construction through the operating agency's permit process, and (3) have an agreed-upon timetable for construction with the appropriate operating agency for the addition of new acceleration/ deceleration lanes from northbound US 301 at the site entrance.*

**Response:** Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within Phase II, as defined in Condition 10, this condition does not apply to this DSP application.

- c. The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction at the respective Phases, the applicant shall pay to Prince George's County a sum calculated as  $\$725,094.25 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ . This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined at the time of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Conditions 6, 8 and 9A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements. The scope of the improvements shall be determined at the time of preliminary plan.*

**Response:** The Applicant acknowledges this condition.

- 10. All off-site traffic improvements may be altered or modified at preliminary plan dependent upon phasing schedules.*

**Response:** Because the above CSP conditions 10 is predicated on its compliance at the time of the Preliminary Plan approval, this condition does not apply to the DSP-19023 application.

- 11. Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be*

*identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.*

**Response:** As discussed above, the area of DSP-19023 includes the entirety of Preliminary Plan 4-17027 which includes a trip cap of 48 AM and 56 PM trips, and it includes a portion of the Preliminary Plan 4-04035 which includes a trip cap of 1,313 AM and 1,925 PM trips. Lenhart Traffic Consulting has prepared a memorandum dated February 6, 2020, for this DSP application. Exhibit 1 of that memo contains a trip generation analysis of DSP 19023 is overlaid onto Preliminary Plans 4-04035 and 4-17027. As shown in Exhibit 1, DSP uses up the entire trip cap of 4-17027 (48 AM and 56 PM trips) and a portion of the trip cap within 4-04035 (575 AM and 571 PM trips). It is critical to note that this trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. It is anticipated that the trip generation calculations for the overall South Lake project will be a living document that will be updated as future Detailed Site Plans are submitted.

*12. At the time of preliminary plan review, all proposed "Street Sections" will be further reviewed with regard to specific development proposals of adjacent properties. All typical sections along public streets must conform to the requirements of the appropriate operating agency, and any deviations from the typical section of a public street must have the approval of that agency.*

**Response:** Sectional profiles/street section details of all street types proposed within the South Lake development are displayed on sheets 48 and 49 of the DSP plan set. However, because the above CSP condition is predicated on its compliance at the time of the Preliminary Plan approval, this condition does not technically apply to this DSP-19023 application.

*13. The plan shall be revised as follows:*

*a. On the north side of the lake, a street of type "E" should be extended all the way across the north side of the lake.*

**Response:** The subject DSP-05042-02 site plan pending DSP-19021 and DSP-19023 street layout reflect compliance with condition 13.

*14. Prior to preliminary plan signature approval, the applicant, his successors and/or assigns shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (County Department of Public Works and Transportation) or regional (Washington Metropolitan Area*

*Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan, transportation planning and DPW&T staff shall review bus routing plans.*

**Response:** The Applicant satisfied the requirement of condition 14 at the time of the Preliminary Plan's signature and certification.

15. *All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.*

**Response:** The subject DSP-19023 site plan complies with CSP condition 15.

16. *Prior to certification of the Conceptual Site Plan, TCPI/48/02 shall be revised as follows...*

**Response:** The above condition(s) relating to certified CSP certification and associated revisions to the TCP I plan do not apply to this DSP application.

17. *The Woodland Conservation threshold portion of the requirement (47.52 acres) shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.*

**Response:** DSP-05042-02 Detailed Site Plan for Infrastructure and the TCP II plan submitted in conjunction with said application that was accepted by M-NCPPC on June 13, 2019, and currently being reviewed by the planning staff reflect adjustments to the woodland conservation areas outlined in condition 17.

18. *The revised TCP I submitted with the Preliminary Plan of Subdivision shall include the following...*

**Response:** The above condition(s) relating to required revisions to the earlier TCP I plan do not apply to this DSP application.

19. *At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.*

**Response:** The prior approved Preliminary Plan of Subdivision and Type I Tree Conservation Plan had been revised per this condition of approval.

20. *The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.*

**Response:** The Applicant acknowledges this condition.

21. *Prior to the issuance of any grading permits which impact the Waters of the U.S., nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.*

**Response:** The Applicant agrees to comply with this condition and has obtained all required permits and approvals (# 06-PG-0070) associated with the development of South Lake.

22. *The proposed PMA impacts shall be further evaluated with each subsequent plan review.*

**Response:** The Applicant acknowledges this condition. The revised site layout did change some of the previously approved PMA impacts however there is no net increase in the amount of PMA being impacted over the earlier approvals.

23. *The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."*

**Response:** The Applicant acknowledges this condition and has secured a geotechnical analysis of the property that identifies any potential areas of impact by this soil type.

24. *Prior to certification of the Conceptual Site Plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.*

*"This plan provides a conceptual layout for the proposed development of this site which contains Marlboro clay. The location and characteristics of this clay may affect the developable area of this site."*

**Response:** The above condition relating to certified CSP certification and related revisions to the TCP I plan do not apply to this DSP-19023 application.

25. *The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the detailed site plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of detailed site plan.*

**Response:** According to the Phase I & II Noise Analysis prepared by Phoenix Noise and Vibration dated September 11, 2019, and submitted with this application...

*“According to the current site plan, there will be no outdoor activity areas or rear yards impacted by transportation noise levels above 65 dBA Ldn; therefore, no outdoor mitigation will be required for any outdoor activity areas.” (page 2, paragraph 4).*

*“Upon full build-out, ...36 two-over-two condominiums (72 units), will be impacted by noise levels above 65 dBA Ldn, with a maximum impact of 74 dBA Ldn upon the two-over-two condominiums closest to Crain Highway...” (page 2, paragraph 5).*

*Although noise levels above 65 dBA Ldn will impact these residences, the specified modifications to proposed building construction will provide enough reduction to maintain interior noise levels below 45 dBA Ldn. Modifications will be limited to either increased window/door STC ratings and exterior wall modifications, or just increased window/door STC ratings. If impacted units are constructed using the specified STC rated building elements, interior noise levels in all residential units will comply with the interior noise limit.” (page 2, paragraph 6).*

General Note 39 has been added to the cover sheet to address which condominium lots are subject to mitigation through construction techniques.

26. *The exact acreage and timing of dedication shall be determined at the time of Preliminary Plan.*

**Response:** The Applicant acknowledges this condition.

27. *The applicant shall construct an eight-foot-wide master-planned hiker/biker trail along the Collington Branch.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in greater detail in the discussion of 4-04035 below. The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS

realigned the stream valley trail along internal rights-of-way through the site as proposed by DSP-05042-02 and reflected for context on the DSP-19023 plans. The cross sections of all roads are shown on DSP sheets 47 and 48. The 10-foot wide hiker/biker trail is shown on cross section 6.

*28. The preliminary plan shall consider the extension of the master plan trail north to Central Avenue (MD 214) and south to the southern property boundary.*

*29. The applicant shall construct the master plan eight-foot-wide asphalt trail connector from the stream valley trail to the road adjoining the private park.*

**Response:** The Applicant has been working with M-NCPPC in reference to condition 27 and 28. Per the revised Preliminary Plan of Subdivision 4-04035 and 4-17027 the trail will be along South Lake Roads 'A', 'C', and 'D', as proposed under DSP-05042-02 and shown for context by this application.

*30. Prior to submission of the first detailed site plan for residential development, the applicant shall confer with the DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.*

**Response:** The Applicant has been working with the M-NCPPC Department of Recreation and Parks in reference to the implementation of condition 30. This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (File No. 4-04035) and is addressed in greater detail in the discussion of 4-04035 below. The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site as proposed by DSP-05042-02 and reflected on the DSP-19023 plans.

*31. The location of the trail shall be staked in the field and approved by DPR prior to construction.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in the discussion of 4-04035 below.

*32. The applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in the discussion of 4-04035 below.

33. *Prior to submission of the first detailed site plan for residential development, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.*

**Response:** The trail is designed to be constructed in accordance with the applicable standards and guidelines of the DPR.

34. *All master-planned trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.*

**Response:** The trail will be constructed in accordance with the applicable standards and guidelines of the DPR. This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in the discussion of 4-04035 below.

35. *The handicapped accessibility of all trails shall be reviewed during the review of the Detailed Site Plan.*

**Response:** The Applicant acknowledges this condition and will make every effort practicable to implement.

36. *In-road bicycle facilities shall be considered at the time of preliminary plan along the four-lane, divided roads entering the site from MD 214 and US 301, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities, per the concurrence of DPW&T.*

**Response:** The trail and sidewalk system incorporated within the DSP-19023 plan is designed in compliance with the above condition 36. The applicant acknowledges this condition that is set to trigger at the time of the preliminary plan review and approval. However, it is importantly noted that this condition was revised with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) to trigger “...prior to the first DSP for residential development...” and will be addressed in the discussion of 4-04035 below.

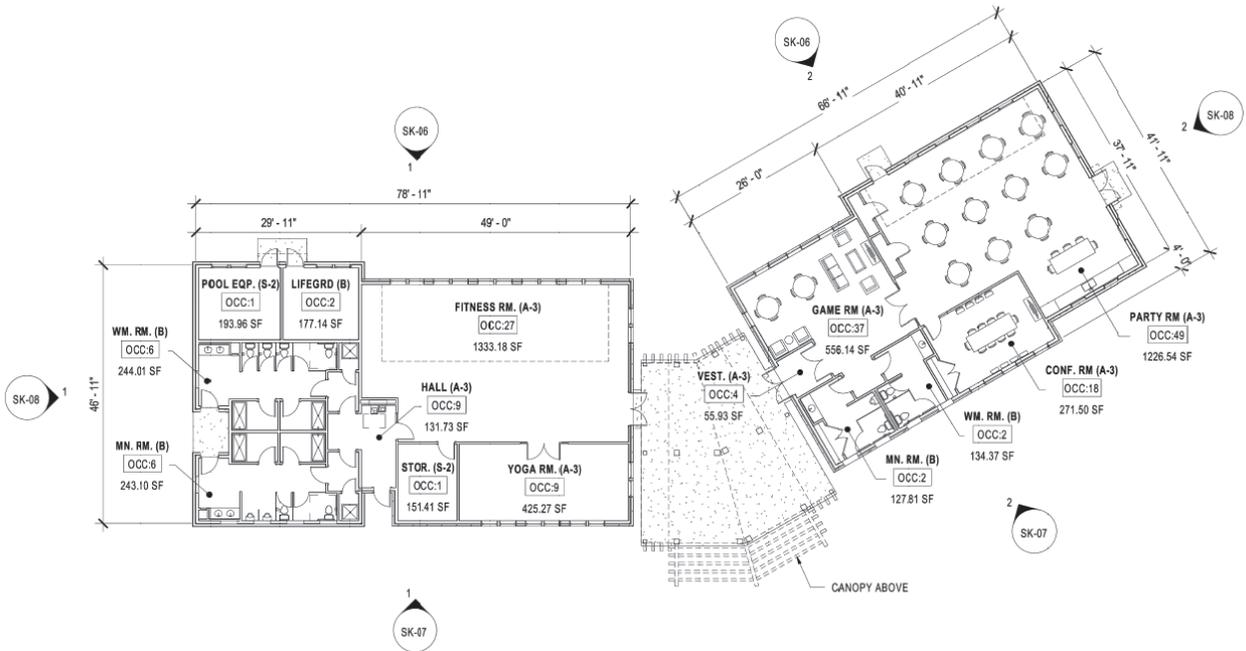
37. *The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a detailed site plan (other than infrastructure) by the Planning Board.*

**Response:** As discussed in section III of this justification statement, the overall DSP development plan includes central lake features, trail network, a large assortment of active and passive recreational

facilities within each residential section for both adults and children. Interspersed within the network of recreational features are pocket parks, tot lots, playgrounds, exercise stations, benches, and a dog park. The primary focus of South Lake’s recreational amenities is the integrated approximately 5,272 square foot clubhouse including the following features: Party Room, Conference Room, Game Room, Yoga Room, Fitness Room, and LifeGuard Office. Also integrated within South Lake recreational core include a swimming pool patio area.

Use Category	Sq. Ft
Lifeguard Office	177.14
Fitness Room	1,133.18
Yoga Room	425.27
Game Room	556.14
Conference Room	271.50
Party Room	1,226.54
Support Areas/Spaces	1,282.32
<b>Total</b>	<b>5,272</b>

**CLUBHOUSE TEMPLATE**



38. *The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a Detailed Site Plan (other than infrastructure) by the Planning Board.*

**Response:** The Applicant acknowledges this condition.

39. *The developer, his successors, 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.*

**Response:** The Applicant acknowledges this condition.

40. *Each Detailed Site Plan shall specify that all tree pits along the streets that have shops, restaurants, plazas, and/or other uses shall be connected with a continuous noncompacted soil volume under the sidewalk. Details of how this will be accomplished shall be included on the plans and shall be agreed upon by the Planning Board or its designee. The use of "CU-Soil" as a "structural soil" or other equal product for shade trees planted in tree pits is strongly encouraged.*

**Response:** Full details and overall conformance to the above design standards will be submitted for evaluation in future DSP-19021 and DSP-19022 development applications for development of the commercial areas that are being finalized for submission to M-NCPPC in the coming weeks.

41. *An amphitheater or other civic feature shall be provided in close proximity to the lake.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-17027 (PGCPB No. 19-06) and was revised by clarifying the improvement may be either a pool site or amphitheater. The Applicant's proposal to construct a centrally located multifunction clubhouse and swimming pool complex proximate to the lake feature fulfills the requisites of this condition.

42. *The 25-acre central open space shall contain facilities exclusively for the use of the entire community.*

**Response:** The Applicant acknowledges this condition.

43. *After approval of the Preliminary Plan of Subdivision and the detailed site plans and concurrent with the first residential grading permit, the developer shall:*

- a. *Contribute \$250,000 to a tax exempt 501 (c) (3) organization to be determined and to be restricted for release to a school facility used to reduce overcrowding for Bowie area schools.*

**Response:** In compliance with the District Council's conditional approval of CSP-02004 the applicant identified the United Cerebral Palsy as the non-profit organization that would be the recipient of a \$250,000 contribution pursuant to Condition #43 of the Karington Conceptual Site Plan. Attached are copies of the bank cancelled checks in evidence supporting the payment of a total of \$250,000 to the United Cerebral Palsy.

- b. Use its best efforts to locate alternative commercial or other useable space for the transitional school to permanently replace the Belair School Building. Developer services will be provided at no cost to the Board of Education of Prince George's County.*

**Response:** The Applicant acknowledges this condition which is set to implement after approval of both the Preliminary Plan of Subdivision and Detailed Site Plans.

- c. Serve on construction committee for new middle school to be located in the South Bowie area.*

**Response:** The Applicant acknowledges this condition.

- 44. No individual retail user shall exceed 125,000 square feet other than a grocery store(s).*

**Response:** Full details and overall conformance to the above design standards will be submitted for evaluation in future DSP-19021 and DSP-19022 development applications for development of the commercial areas that are being finalized for submission to M-NCPPC in the coming weeks.

- 45. The plan shall be revised to reduce the number of luxury residential rental units to a maximum of 490, excluding age-restricted senior units and live/work units.*

**Response:** The Applicant acknowledges this condition. Full details and overall conformance to the above condition will be submitted for evaluation in conjunction with the 325 unit multifamily DSP-16054 apartment application.

- 46. The plan shall be revised to authorize an increase in residential condominium units to a minimum of 210 units.*

**Response:** The Planning Board reconsidered and approved the preliminary plan 4-04035 on December 15, 2016. The reconsideration was sought pursuant to the applicant's letter dated October 7, 2016, for the limited purpose of converting approximately 200 of the multifamily condominium units to fee simple townhouse lots and to allow for a modification to the phasing plan of off-site road improvements in addition to other changes that occurred subsequent to that original request. The Applicant's proposal to construct a total of 128 two-family attached (condominium) units in conjunction with this DSP application complies with this condition of approval.

- 47. The Detailed Site Plan shall require a landscaped and/or brick wall buffer along the property line adjacent to US 301 and MD 214.*

**Response:** Landscaping has been provided both within the US 301 ROW (approved by SHA) as well as on-site to satisfy the condition.

- 48. A Karington Advisory Committee shall be established, appointed jointly by Council Members from Districts 4 and 6, with representation from surrounding residential communities to facilitate communication for discussion of uses in and status reports on Karington by having regular meetings attended by the developer.*

**Response:** The Karington Advisory Committee was established and held several meetings, workshops, bus tours, etc. The Applicant has fully cooperated and participated in all past meetings of the group and will participate in any future meetings as may be scheduled from time to time. Furthermore, since the imposition of the condition that references the Karington Advisory Committee, the property has been annexed into the City of Bowie and, as such, all development applications for South Lake are subject to the public notice and comment policies, including Public Stakeholder Meetings, of the City.

- 49. The height of any high-rise structure, including age-restricted senior units and hotels, shall be evaluated at detailed site plan.*

**Response:** The Applicant acknowledges this condition and will provide necessary plans and documents for review at the time of future DSP-16054 multifamily apartment, and DSP-19021 and DSP-19022 retail applications.

- 50. Developer will employ best efforts to ensure adequate representation of minority business participation in all phases and trades of project.*

**Response:** The Applicant acknowledges this condition and will make every effort practicable to implement.

- 51. Notwithstanding any conditions related to the proposed master plan trail or connections thereto, applicant will not be required to construct same until the M-NCPPC or assigns constructs the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leeland Road.*

**Response:** The Applicant acknowledges this condition.

**Detailed Site Plan (DSP-05042):** On January 5, 2006, the M-NCPPC Planning Board reviewed and adopted Detailed Site Plan DSP-05042 (Corrected Resolution PGCPB No. 05-258) for the subject property. The Planning Board approved the DSP application with the following five (5) conditions, *highlighted in italic bold:*

1. *Prior to certification of the DSP for infrastructure, the TCPII shall be revised to avoid impacts #5 and #6 as referenced in the preliminary plan until subsequent DSPs that pertain to said impacts are submitted for review of minimization efforts. Prior to approval of the grading permit for the rough grading of the site, a copy of an approved Erosion and Sediment Control Plan shall be submitted that shows the proposed phasing of the clearing and grading.*

**Response:** The TCP II plan was submitted in conjunction with the DSP-05042-02 application for infrastructure improvements (i.e., currently being reviewed by M-NCPPC) reflected adjustments to the site plan resulting impacts caused by soil and slope conditions outlined in PPS 4-04035 (PGCPB No. 04-247(C)). Further conformance with DSP condition 1 stated herein will occur prior to the certification of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

2. *Prior to certificate approval of the DSP for infrastructure, the October 12, 2005, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to include three additional slope stability cross sections at the south side of street A, south side of Street T, and the north side of Street K. The comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division. Certification of the study shall be received from the chief building inspector prior to certificate approval of the DSP that shows these areas to be disturbed.*

**Response:** The Applicant acknowledges and will provide an updated and revised geotechnical report to DPIE as outlined in this condition and to support the proposed site plan.

3. *Prior to certificate approval of the DSP for infrastructure, a list of the required road improvements for the project shall be provided and the TCPII shall be revised to show all off-site clearing on the TCPII. The worksheet shall be revised to provide for all off-site clearing at a ratio of 1:1.*

**Response:** The Applicant acknowledges and agrees to comply with condition 3 above prior to the certification of approval of the DSP application for infrastructure. The site layout reflected in the design for this DSP application and the TCP II plan submitted in conjunction with the application DSP application for infrastructure reflect adjustments outlined in this condition.

4. *Prior to certificate approval of the DSP for infrastructure, the TCPII shall be revised as follows:*
  - a. *Show all specimen trees and provide the required specimen tree table.*

**Response:** The TCP II / 126 / 05 approved October 15, 2007, provides the required specimen tree table on sheet 2 of 15 submitted within this application packet. The revised TCP II plan set submitted in conjunction with the DSP-05042-02 application for infrastructure was signed and dated

by the qualified professional that prepared the plan Mike Petrakis: COMAR 08.19.06.01 on May 9, 2019, and specimen tree table.

- b. Show the location of all preservation and specimen tree signs throughout the site. Show the preservation signs at a spacing of no more than 50 feet apart.*

**Response:** The approved TCP II / 126 / 05 approved October 15, 2007, provides the required specimen tree table on sheet 2 of 15 submitted within this application packet.

- c. Revise the cover sheet to show all the areas that are to be cleared as shaded and update the worksheet as needed.*

**Response:** The approved TCP II / 126 / 05 submitted within DSP-05042-02 application for infrastructure packet provides the revision defined in condition 4.c. referenced above.

- d. Show all proposed utility connections and off-site road improvements clearly and provide for the off-site clearing in the worksheet at a ratio of 1:1 or provide a note clearly stating what infrastructure features are proposed to be installed.*

**Response:** The accompanying TCP II / 126 / 05 plan set submitted within this application submission provides the information defined in condition 4.d. referenced above.

- e. Show only one limit of disturbance throughout the site.*
- f. Revise TCPII to address all other conditions of approval.*
- g. Revise the plan to eliminate the preservation of woodlands on lots (see sheet 13 of 15).*
- h. Revise the plans to correctly show the PMA as shown on the previously approved plans.*
- i. Have the revised plan signed and dated by the qualified professional that prepared the plan.*

**Response:** The revised TCP II / 126 / 05 submitted in conjunction with DSP-05042-02 application for infrastructure submission provides the information defined in conditions 4.e, f, g, h, and i above. The revised TCP II plan was signed by Mike Petrakis, COMAR 08.19.06.01 on May 9, 2019.

- 5. Prior to the issuance of a grading permit, a Phase I archeological investigation shall be conducted according to Maryland Historical Trust (MHT) guidelines,*

*Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1994) and report preparation shall follow MHT guidelines and the American Antiquity or Society of Historical Archeology style guide. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.*

**Response:** The Applicant previously conducted several archeological studies that were reviewed by the Development Review staff. All resources identified by those studies were inventoried and transmitted to the Maryland Historical Trust. No additional material was documented.

**Preliminary Plan of Subdivision (4-04035):** On February 15, 2018, the Planning Board reviewed and adopted Preliminary Plan of Subdivision 4-04035 (Corrected Resolution PGCPB No. 04-247(C/3)(A/2)) for the subject property. The Planning Board approved the Preliminary Plan of Subdivision application with the following 47 conditions, ***highlighted in italic bold:***

1. *Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/48/02-01 (see -02 revision for reconsidered TCPI), shall be revised as follows...*

**Response:** The above PPS condition/sub-conditions articulated in condition 1 relating to the approval of the Preliminary Plan of Subdivision do not apply to this DSP application.

2. *Prior to signature approval of the preliminary plan of subdivision, the preliminary plan and the Type I tree conservation plan shall be revised...*

**Response:** The above PPS condition/sub-conditions articulated in condition 1 relating to the approval of the Preliminary Plan of Subdivision do not apply to this DSP application.

3. *Development of this subdivision shall be in compliance with an approved Type I tree conservation plan †[(TCPI/48/02-01)] (TCPI/48/02-02). 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/48/02-01), 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.”*

4. *The detailed site plan for the area that includes proposed Street ‘K’ shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.*

**Response:** Per PPS 4-17027 street 'K' has been removed from the project development site plan.

5. *The detailed site plan submittal which includes Lots 210 – 246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.*

**Response:** The revised geotechnical analysis for the proposed grading conditions states the mitigated 1.5 factor of safety will not affect the residential development. There are no 1.5 safety factor lines to include within the detailed site plan limits.

6. *Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.*

**Response:** The identified geotechnical report was updated per condition 6 above for the review and approval of DSP-05042.

7. *Prior to approval of the detailed site plan and the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.*

**Response:** The "revised" TCP II / 126 / 05 submitted in conjunction with this application submission provides the information defined in condition 7 above. The revised TCP II plan was signed by Mike Petrakis, COMAR 08.19.06.01, on May 9, 2019.

8. *The final plat of subdivision shall show a minimum 50-foot building restriction line (unless a lesser restriction is approved by DER) from the limits of the mitigated 1.5 slope safety factor line.*

**Response:** The above PPS condition/sub-conditions articulated in condition 1 relating to the approval of the Preliminary Plan of Subdivision do not apply to this DSP. The revised geotechnical analysis for the proposed grading conditions states the mitigated 1.5 factor of safety will not affect the residential development. There are no 1.5 safety factor lines or 50-foot building restriction lines with the current design.

9. *The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George's County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for*

*initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.*

**Response:** The revised TCP II / 126 / 05 submitted in conjunction with this application submission provides the information defined in conditions 9 above. The revised TCP II plan was prepared by or under the supervision of Mike Petrakis, who signed the plan under COMAR 08.19.06.01 on May 9, 2019.

*10. At time of final plat, a conservation easement shall be described by bearings and distances...*

**Response:** This condition does not apply to the DSP-19023-02 application but will be included on the plat in the future.

*11. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.*

**Response:** The Applicant agrees to comply with this condition and has obtained all required permits and approvals associated with the development of South Lake.

*12. Prior to the issuance of any building permits for this site an approved stormwater management plan that is consistent with the approved detailed site plan and the Type II tree conservation plan shall be submitted to the Environmental Planning Section.*

**Response:** The Applicant agrees to comply with this condition as the South Lake development progresses through its construction.

*13. Failure to obtain either federal and/or state permits for the construction of the proposed lake will be considered a major change to the overall concept of this application and will require the submission and approval of a new preliminary plan of subdivision.*

**Response:** The Applicant understands and agrees to comply with this condition.

*14. Prior to submission of the first detailed site plan for residential development, other than for multifamily development for the first 400 units, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact realignment of the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue through the project to the southern property line, as further*

*depicted in Applicant's Exhibit A. The alternate alignment shall be approved by DPR consistent with the master plan. If the alternate master plan trail is located within a private right-of-way or any privately owned land, the applicant, prior to the approval of the applicable record plat, shall provide M-NCPPC with a public access easement to ensure public access to the alternate master plan trail located within the private right-of-way or privately owned land.*

**Response:** The trail will be shown consistent with Condition 14 of 4-247 (C2/A2) on all required plans. The DSP for Infrastructure, DSP for residential development, DSP for Apartments, and DSP for Commercial will include the trail in a location and section consistent with Applicant's Exhibit A that was submitted and approved by DPR in conjunction with the Reconsideration approval memorialized by the aforementioned 4-247 (C2/A2).

15. *The applicant, his successors, and/or assignees shall construct the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue to the southern property line in phase with road construction with the exception of the southern connection of private Street W in accordance with Condition 39. Private Street W shall be platted in phase with development, at which time the applicant, his successors, and/or assigns shall provide an easement for the alternate 10 foot wide master plan trail to ensure ultimate connectivity to the southern property line.*

**Response:** The Applicant has been working with the M-NCPPC Department of Recreation and Parks in reference to the implementation of the above requirement. The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site. The roadway which contains the Alternate Trail is proposed under DSP-05042-02 and is also not subject to review under this application. M-NCPPC staff has accepted DSP-05042-02 for review but has yet to provide comments for that application. Any changes to the proposed Alternate Trail will be correctly reflected on all subsequent DSP applications for the project including this one.

16. *Prior to certificate approval of the detailed site plan for infrastructure (or an amendment thereto) that includes a portion of the proposed alternate master plan trail, the applicant shall submit detailed construction drawings for the relevant portion of the alternate master-planned trail to DPR for review and approval. The trail within the public or private right-of-way shall be designed in accordance with Applicant's Exhibit A.*

**Response:** The site plan set submitted in conjunction with the DSP-05042-02 application included the construction details required by conditions 16.

17. *The 10-foot-wide alternate master-planned trail shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.*

**Response:** The site plan set submitted in conjunction with the DSP-05042-02 application included the construction details required by conditions 17 to assure dry passage of trail users.

18. *In-road bicycle facilities and/or trail facilities designed in accordance with Applicant's Exhibit A shall be considered along with the DSP for infrastructure (or any amendment thereto) along public roads entering the site from MD 214/Old Central Avenue and US 301 at the main site entrance, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.*

**Response:** The site plan set submitted in conjunction with the DSP-05042-02 application included the construction details required by conditions 18.

19. *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.”*

**Response:** Condition 19 is not applicable to this DSP application.

20. *Prior to signature approval of the preliminary plan...*

**Response:** This condition does not apply to the DSP-19023 application.

21. *Prior to the issuance of permits \*(other than infrastructure), the applicant, his heirs, successors and/or assignees shall have the scrap tires hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt shall be turned in to the Health Department.*

**Response:** The Applicant understands and agrees to comply with this condition.

22. *MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:*

- a. *The addition of a northbound left-turn lane along Church Road.*
- b. *The addition of an eastbound left-turn lane along MD 214.*
- c. *The addition of a westbound left-turn lane along MD 214.*
- d. *Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.*

**Response:** Compliance with the above condition is set to trigger at the time of issuance of any building permit within the subject property; therefore, this condition does not apply to this DSP application.

23. *Old Central Avenue at Site Access: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.*
24. *US 301 at Old Central Avenue: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.*
25. *US 301 at site entrance/median crossover: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, other than for infrastructure, model homes, or signage, within the*

*subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, other than for infrastructure, model homes or signage, within the subject property, the following road improvements shall (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:*

- a. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.*
- b. The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301.*
- c. The construction of a northbound left-turn lane approaching the median crossing.*
- d. The construction of a southbound right-turn lane along the southbound US 301 approach.*
- e. Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).*

**Response:** Lenhart Traffic Consulting prepared a Traffic Impact Analysis and Traffic Signal Warrant Studies as part of the reconsideration request for 4-04035 to eliminate the site access on MD 214 at Hall Road. The date of the Traffic Impact Study for this reconsideration request was December 7, 2017, and it included signal warrant analyses for MD 214 and Old Central Avenue and at Old Central Avenue and the site access. SHA reviewed and approved this traffic study and warrant analyses in a letter dated April 20, 2018.

Traffic signal warrant analyses were previously submitted to SHA in a letter report dated April 14, 2016. The report revealed that the intersections of North Bound and South Bound US 301 at Old Central Avenue do not and will not satisfy the warrants for signalization with the full build-out of South Lake. The report also revealed that the intersection of US 301 and the Wawa Crossover satisfies the warrants under existing conditions. SHA letter dated October 19, 2016, approved the letter report.

**26. US 301 widening:**

- a. Prior to the issuance of any permits, other than for infrastructure, signage, or model homes...*

**Response:** The Applicant agrees to comply with this condition as the South Lake development progresses through its construction phases.

27. *MD 214 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes)...*

**Response:** The Applicant understands and agrees to comply with this condition.

28. *Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than 1,047 AM and 1,421 PM net off-site peak-hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.*

**Response:** As discussed above, the area of DSP-19023 includes the entirety of Preliminary Plan 4-17027 which includes a trip cap of 48 AM and 56 PM trips, and it includes a portion of Preliminary Plan 4-04035 which includes a trip cap of 1,313 AM and 1,925 PM trips. Lenhart Traffic Consulting has prepared a memorandum dated February 6, 2020 for this DSP application. Exhibit 1 of that memo contains a trip generation analysis of DSP 19023 as overlaid onto Preliminary Plans 4-04035 and 4-17027. As shown in Exhibit 1, DSP uses up the entire trip cap of 4-17027 (48 AM and 56 PM trips) and a portion of the trip cap within 4-04035 (575 AM and 571 PM trips). It is critical to note that this trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. It is anticipated that the trip generation calculations for the overall South Lake project will be a living document that will be updated as future Detailed Site Plans are submitted.

29. *Prior to detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.*

**Response:** Sectional profiles/street cross-section details of all street types proposed within the South Lake development are displayed on sheets 48 and 49 of the DSP site plan set. are designed in compliance with condition 29. As the subject property was recently annexed within the municipal boundary of the City of Bowie and all sections will be reviewed through the City of Bowie permit review process. On September 11, 2019, Mr. Joseph Meinert, Director of Planning and Community Development for the City of Bowie provided a letter addressed to Mr. Tom Masog indicating approval of the use of the Prince George's County Urban Street Design Standards for the South Lake project.

*30. Prior to approval of the final plat of subdivision...*

**Response:** Condition 30 that is set for implementation at the time of approval of the final plat of subdivision does not apply to this DSP application.

*31. Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.*

**Response:** The Applicant understands and agrees to comply with this condition.

*32. Prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant's heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to M-NCPPC, including the additional land to be conveyed pursuant to the reconsideration approved January 25, 2018. Land to be conveyed shall be subject to the following...*

**Response:** Condition 32 that is set for implementation at the time of approval of the first final plat of subdivision does not apply to DSP-19023.

*33. The subdivider, his successors and/or assignees shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plan of subdivision.*

**Response:** This condition is set to implement at the completion stage of recreation features, does not apply to this DSP application.

*34. At a time to be determined at detailed site plan, the applicant shall construct a publicly accessible trailhead in the location generally shown on Applicant's Exhibit A, or in an alternate location mutually agreeable to the applicant and DPR. Trailhead facilities may include a parking lot and a shelter. The timing of construction and the trailhead facilities shall be determined at the time of any detailed site plan that includes the trailhead location.*

**Response:** The required trailhead is located within the Phase 1 Commercial section which is covered by DSP-19021 and therefore is not subject to review under this application. A symbol has been added to the plans identifying its approximate location.

35. *Proposed PMA impacts #5 and #6 shall be further evaluated during the review of the first Detailed Site Plan proposing these specific PMA impacts in order to further minimize and/or avoid the impacts once more detailed topographic, Geotechnical and grading information becomes available. If proposed PMA impact #5 cannot be sufficiently minimized the proposed pool and clubhouse shall be relocated and Parcel 79 shall be eliminated.*

**Response:** The street configuration and project layout have been modified since the PPS and the clubhouse and pool have been relocated. As a result of these modifications parcel 79 no longer exists.

36. *The applicant shall submit three original, executed recreational facilities agreements (RFA) for trail construction to DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.*

**Response:** This condition which is set to implement before submission of the final plat, does not apply to this DSP application.

37. *In accordance with Condition 34, prior to the issuance of the fine grading permit or building permit(s) for any portion of the alternate master plan trail and related trailhead facility to be located outside of the public right-of-way, the applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR.*

**Response:** This condition, which is set to implement at the fine grading permit issuance, does not apply to this DSP application.

38. *The approval of the first detailed site plan for residential development (other than infrastructure) shall establish the timing for the submission of the recreational facilities agreements and associated bonding requirements for the public trail construction and the private recreational facilities.*

**Response:** Typically, the bonding of recreation facilities occurs with the approval of Recreation Facilities Agreements. The Landscape Plan submitted with this application includes a detailed list of proposed recreation facilities, their costs, and permit triggers for their implementation.

39. *Notwithstanding any condition related to the ultimate connection of the proposed alternate Master Plan trail to the southern property line, the applicant will not be required to bond, permit, or actually construct the ultimate connection to the southern property line along Street W until Street W and Prince George's Boulevard are graded and actually connected. If private Street W is not ultimately constructed, an easement for the master plan trail*

*connection to the southern property line of the site shall still be provided in accordance with Condition 14.*

40. *Pursuant to the Planning Board reconsideration action on February 16, 2017, the preliminary plan of subdivision (PPS) and TCPI (-02) shall be recertified prior to approval of a detailed site plan (not infrastructure)...*

**Response:** The Applicant understands and agrees to comply with these conditions.

41. *Prior to approval of the final plat...*

**Response:** Condition 41 that is set to implement at the time of the final plat, does not apply to this DSP application.

42. *Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised as follows...*

**Response:** Condition 42 that is set to implement at the time of preliminary plan approval, does not apply to this DSP application.

43. *Prior to approval of a detailed site plan for residential development (not infrastructure), the following shall be demonstrated on the plans:*

- a. *Private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, in at least three locations with each location being within a 100-foot radius of the proposed townhouses.*
- b. *To provide adequate pedestrian circulation and access, homeowners association open space windows, which are a minimum of eight feet-wide, shall be provided between the end unit lot lines of single-family attached (townhouse) building sticks where appropriate, as determined at the time of detailed site plan.*
- c. *Homeowners association (HOA) open space shall be provided between groups of lots, which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements shall be provided every (15) fifteen contiguous single-family detached units, or as determined at the time of detailed site plan.*

**Response:** The subject DSP application complies with conditions 43 a, b, and c. This application submission includes an exhibit, with tables, indicating the recreational facilities/open spaces approved through 4-04035 and 4-17027 and those proposed through this DSP application. The table also includes the acreage of the approved and proposed open spaces/parks.

44. *Pursuant to the Planning Board reconsideration action on January 25, 2018, the preliminary plan of subdivision and TCPI (-03) shall be recertified prior to approval of a detailed site plan and shall include the following revisions...*

**Response:** Condition 44 that is set to implement at the time of preliminary plan recertification, does not apply to this DSP application.

45. *Prior to the approval of any permits, the applicant shall vacate the right-of-way previously dedicated for the western access to MD 214 and file a plat of correction, to the plat recorded at REP 215-89, to be approved and recorded reflecting the area which has been vacated and is to be incorporated into land previously platted with REP 215-89. The plat of correction shall include all land previously shown on plat REP 215-89. With the plat of correction, the applicant shall enter into a memorandum of understanding (MOU) with DPW&T for the maintenance of the master plan trail within the public right-of-way and the Liber and folio of the of the MOU shall be reflected on the final plat prior to recordation, unless the operating agency agrees to maintain the master plan trail within the right-of-way.*

**Response:** Condition 45 that is set to occur at the time of permit approval, does not apply to this DSP application.

46. *At the time of detailed site plan, appropriate transitions from in-road bicycle facilities to the master plan hiker/biker trail shall be shown.*

**Response:** Bicyclists will enter onto the master plan trail from Old Central Avenue using the proposed ADA ramp at the intersection of Old Central Avenue and Road C. That ramp as well as the master plan trail within Road C are proposed under DSP-05042 and reflected on the subject application for context only.

47. *At the time of detailed site plan, which includes the access at Old Central Avenue, the Type 2 tree conservation plan shall account for the off-site woodland clearing associated with the proposed traffic circle graphically on the plan, in updates to the off-site clearing table, and in the woodland conservation worksheet, unless the traffic circle is no longer required.*

**Response:** The accompanying revised TCP II / 126 / 05 plan set submitted within this application submission provides the information defined in condition 47 above.

**Preliminary Plan of Subdivision (4-17027):** On January 10, 2019, the Planning Board reviewed and adopted the Preliminary Plan of Subdivision 4-17027 (PGCPB No. 19-06) for the subject property. The Planning Board approved the Preliminary Plan of Subdivision application with the following conditions, *highlighted in italic bold:*

1. *Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:*
  - a. *Provide an inset on the PPS, which reflects staff's "Exhibit for Typical Minimum Lot Layout." Modifications to the "Typical Minimum Lot Layout" may be considered at the time of detailed site plan.*
  - b. *Remove the 'B' (22–24-foot-wide) and 'C' (34-foot-wide) private street cross sections.*
  - c. *Revise the general notes to indicate that the mandatory parkland dedication requirements, in addition to those provided under Preliminary Plan of Subdivision 4-04035, may be satisfied with private on-site recreational facilities. At the time of detailed site plan, the applicant shall demonstrate that adequate private on-site recreational facilities have been provided to satisfy the mandatory dedication requirement for the dwelling units proposed in this PPS.*
  - d. *Remove the 'B' (22–24-foot-wide) and 'C' (34-foot-wide) private street cross-sections.*
  - e. *Revise the number of parcels shown on the PPS and in the general notes to be consistent.*

**Response:** Conditions 1. a., b., c., d., and e. which relate to the certification of 4-17024 PPS, do not apply to the DSP-19023 application.

2. *Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:*
  - a. *Show the limits of the current PPS on the plan.*
  - b. *Revise the QR code approval block to reference the subject PPS number.*

**Response:** Conditions 2. a. and b. which relate to the certification of 4-17024 PPS, do not apply to the DSP-19023 application.

3. *A substantial change to the uses or site layout on the subject property that affects Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to the approval any building permits.*

**Response:** The DSP-19023 application and subsequent DSP application being prepared for the South Lake mixed-use planned use community are designed in substantial conformance with the Preliminary Plan of Subdivisions 4-04035 and 4-17027, and Conceptual Site Plan CSP-02004.

4. *Development of this site may be in conformance with approved Stormwater Management Concept Plan 26947-2002-03 and any subsequent revisions.*

**Response:** The subject application is in compliance with an approved stormwater management concept plan.

5. *Old Central Avenue at Site Access: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.*

**Response:** The Applicant agrees to comply with this condition as the South Lake development progresses through its construction phases.

6. *US 301 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to the Maryland State Highway Administration (SHA) for the intersections of northbound and southbound US 301 (Robert Crain Highway) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA.*

**Response:** The Applicant agrees to comply with this condition as the South Lake development progresses through its construction phases.

7. *MD 214 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage, or model homes), the applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration (SHA) for a possible signal at the intersection of MD 214 (Central Avenue) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency. In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.*

**Response:** The Applicant agrees to comply with this condition as the South Lake development progresses through its construction phases.

The Traffic Impact Analysis prepared by Lenhart Traffic Consulting, Inc. dated June 14, 2018, recommends for: MD 214 at Old Central Avenue: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

The applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour

- a. The applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency. A new warrant analysis will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed if and when signalization is warranted.

In conjunction with the signalization of this intersection, the northbound approach of Old Central Avenue should be widened to include a double left-turn lane and one right turn lane at MD 214. (Note that the double left turn would not be needed or permitted until the intersection is signalized.)

8. ***MD 214 at Church Road: Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:***
  - a. ***The restriping of the westbound right-turn lane along MD 214 to operate as a shared through/right-turn lane.***
  - b. ***The restriping of the northbound approach of Church Road to operate as one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane, along with any signal modifications to reflect the change in lane use.***

**Response:** Compliance with the PPS and CSP condition is set to trigger at the time of issuance of any building permit within the subject property, this condition does not apply to this DSP application.

9. *Total development within the subject property shall be limited to uses, which generate no more than a total of 48 AM and 56 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.*

**Response:** As discussed above, the area of DSP-19023 includes the entirety of Preliminary Plan 4-17027 which includes a trip cap of 48 AM and 56 PM trips, and it includes a portion of Preliminary Plan 4-04035 which includes a trip cap of 1,313 AM and 1,925 PM trips. Lenhart Traffic Consulting has prepared a memorandum dated February 6, 2020 for this DSP application. Exhibit 1 of that memo contains a trip generation analysis of DSP 19023 as overlaid onto Preliminary Plans 4-04035 and 4-17027. As shown in Exhibit 1, DSP uses up the entire trip cap of 4-17027 (48 AM and 56 PM trips) and a portion of the trip cap within 4-04035 (575 AM and 571 PM trips). It is critical to note that this trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. It is anticipated that the trip generation calculations for the overall South Lake project will be a living document that will be updated as future Detailed Site Plans are submitted.

10. *At the time of detailed site plan, details of the private street cross sections shall be provided, and final design shall be consistent with the overall approved South Lake (Karrington) development.*

**Response:** Sectional profiles/street cross-section details of all street types proposed within the South Lake development are displayed on sheets 48 and 49 of the DSP plan set.

11. *In accordance with Conditions 1c, 20, and 22 and pursuant to Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.*

**Response:** The Applicant acknowledges this condition and will make every effort practicable to comply with it.

12. *Prior to approval of the final plat (other than for public road infrastructure), the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Development Review Division (DRD), to ensure that the rights of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department are included. The Liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.*

**Response:** This condition that is set for implementation at the time of final plat, does not apply to this DSP application.

13. *Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowner's association (HOA) land as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following, which shall be included in the declaration of covenants:*
- a. *A copy of the deed for the property to be conveyed shall be submitted to the Subdivision and Zoning Section of the Development Review Division, Upper Marlboro, Maryland.*
  - b. *All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.*
  - c. *The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.*
  - d. *Any disturbance of land to be conveyed to a HOA shall be in accordance with an approved site plan. 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.*
  - e. *Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, in accordance with the approved detailed site plan.*

**Response:** Conditions 13. a., b., c., d., and e. do not apply to this DSP application.

14. *Prior to acceptance of a detailed site plan (DSP), a geotechnical soils report and proposed grading plan shall be submitted. If a slope analysis is required as a result of the review of the geotechnical report, it shall also be submitted during the review of the DSP, but no later than 55 days prior to the Prince George's County Planning Board hearing. The unmitigated safety factor line shall be shown on all plans, if applicable. Any buildings within 25 feet of the unmitigated safety factor line shall be relocated outside. If a mitigated safety factor line is determined, all buildings shall be located at least 25 feet from that line.*

**Response:** The Applicant acknowledges and will provide an updated and revised geotechnical report to M-NCPPC as outlined in this condition.

*15. The final plat shall contain the following note:*

*“The subject property contains areas of Marlboro clay that are subject to a safety factor line. All buildings are subject to a 25-foot building restriction line from the safety factor line in accordance with Section 24-131 of the Subdivision Regulations as shown on a detailed site plan.”*

**Response:** The Applicant acknowledges and will comply with this condition prior to certification of the final plat.

*16. Prior to issuance of any building permit for units within this Preliminary Plan of Subdivision, 4-17027, the following improvements shall be in place, under construction, or bonded and permitted:*

- a. At US 301/Trade Zone Avenue, if the US 301 CIP/CTP project is fully funded at time of building permit issuance, the applicant and the applicant’s heirs, successors, and/or assignees shall pay to Prince George’s County, a fee calculated as  $\$950.78$  per residential building permit  $\times$  (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd Quarter, 1989) as its share of costs for improvements to US 301.*
- b. At US 301/Trade Zone Avenue, if the US 301 CIP/CTP project is not fully funded at time of building permit issuance, the applicant and the applicant’s heirs, successors, and/or assignees shall bond and permit the following transportation facilities mitigation plan improvement prior to issuance of building permits:*
  - (1). Construct a third eastbound left-turn lane along Trade Zone Avenue onto northbound US 301; and*
  - (2). Construct a third receiving lane along northbound US 301 with the appropriate length to be determined by the operating agency.*

**Response:** Conditions 16. a., and b. (1) and (2) do not apply to this DSP application.

*17. Prior to approval of each final plat, the applicant shall demonstrate that public and private streets, connecting this development to the external public street system, have been dedicated and/or platted to support the associated development.*

**Response:** The Applicant acknowledges and will comply with this condition prior to certification of the final plat.

- 18. At the time of final plat, the applicant and the applicant’s heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public and private rights-of-way.*

**Response:** The Applicant acknowledges and will comply with this condition prior to certification of the final plat to every extent that is practicable.

- 19. In accordance with Conditions 1c, 20, and 22, 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 the private recreational facilities on-site prior to the 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 reflected on the final plat prior to recordation.*

**Response:** This condition which is set to implement prior to submission of the final plat, does not apply to this DSP application.

- 20. In accordance with Condition 1c, the applicant and the applicant’s heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private on-site recreational facilities within the common open space land. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department for adequacy, proper siting, and triggers for construction with the review of the detailed site plan.*

**Response:** The subject DSP-19023 application complies with condition 20 above by providing a comprehensive recreational program that is integrated within the fabric of the South Lake development. Following is a summary of the proposed recreational facilities:

<b>Recreational Facilities Provided</b>
2,302 SF Playground - two benches, trash can, play structure, surf rocker, mini spinner, 8' balance beam, Wallie the Whale spring animal, Izzie the Inchworm spring rider.
5,272 SF Clubhouse, 2,234 SF Swimming Pool, 452 SF Kiddie Pool, 1,200 SF Sport Court, 921 SF Patio
Pocket Park #1 - three benches, trash can, 5' diameter modular block planter, 365 SF of asphalt

9,600 SF Open Play Area (80' x 120')
3,668 SF Lakes and Trail Playground - six benches, trash can, play structure, rocks and boulders obstacle course, ground level activity center.
1,820 LF 8' Asphalt Trail, 1,998 LF 6' Asphalt Trail, and Fitness Stations
1,922 SF Tot Lot - two benches, trash can, play structure, swing set with two bucket swings, Eve the Elephant Spring Rider
2,786 SF Pre-Teen Lot - two benches, trash can, play structure, swing set with two swings, Double Stand Up Spinners
14,000 SF Open Play Area
Pocket Park #2 – four benches, trash can, 6' diameter modular block planter, 560 SF of asphalt
1,500 SF Dog Park
6,400 SF Dog Park

21. *In accordance with Conditions 1c, 20, and 22, prior to issuance of any residential building permits, 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.*

**Response:** Conformance with condition 21 and it’s stated compliance is set for compliance prior to issuance of any residential building permits do not apply to this DSP application.

22. *In accordance with Condition 1c, prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant’s heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC), pursuant to the requirements of Preliminary Plan of Subdivision 4-04035, approved on January 25, 2018. Land to be conveyed shall be subject to the following:*

- a. *An original, special warranty deed for the property to be conveyed, (signed by the Washington Suburban Sanitary Commission assessment supervisor) shall be submitted to the Subdivision Section of the Development Review Division, M-NCPPC, along with the final plat for the parkland.*
- 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 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 prior written consent of the Prince George's County Department of Parks and Recreation (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, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.*
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County 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.*
- 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 Prince George's County Department of Parks and Recreation 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 Prince George's County Department of Parks and Recreation (DPR).*
- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.*
- i. No stormwater management facilities or utility easements shall be on land owned by or to be conveyed to M-NCPPC without prior written consent of the Prince George's County Department of Parks and Recreation (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.*

**Response:** Conditions 22. a. thru i. that is set for implementation at the time of approval of the final plat of subdivision do not apply to DSP-19023.

*23. In accordance with Conditions 1c, 20, and 22, prior to approval of a detailed site plan for residential development (not infrastructure), private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, shall be located within the community to be reasonably accessible to the proposed attached dwellings and shall be demonstrated on the plans.*

**Response:** Condition 23 of 4-17-027 states that recreation facilities shall be located within the community to be reasonably accessible to the proposed attached dwellings. Landscape Plan Sheet 53 contains an inset plan showing the locations of the 11 recreation facilities proposed by this application. Of those 11 proposed, facilities 1-3 and 7-11 are located within the attached dwelling (townhouse and condominium) sections of the plan, thus making them directly accessible to those residents and satisfying the condition.

As discussed in section III of this justification statement, the overall DSP development plan includes central lake features, trail network, a large assortment of active and passive recreational facilities within each residential section for both adults and children. Interspersed within the network of recreational features are pocket parks, tot lots, playgrounds, exercise stations, benches and a dog park. The primary focus of South Lake's recreational amenities is the integrated approximately 5,272 square foot clubhouse including the following features: Party Room, Conference Room, Game Room, Yoga Room, Fitness Room, and LifeGuard Office. Also integrated within South Lake recreational core include a swimming pool and pool patio.

#### **V. Compliance With Woodland Conservation and Tree Preservation Requirements**

**Response:** A Forest Stand Delineation (FSD) was previously reviewed in conjunction with the approval of the Conceptual Site Plan, CSP-02004 and previously approved Preliminary Plan of Subdivisions 4-04035, 4-17027 and Detailed Site Plan DSP-05042. At that time the Forest Stand Delineation was found to address the requirements of a Detailed Forest Stand Delineation by the Prince George's County Woodland Conservation Ordinance. Because the prior approval occurred within the last two years and no significant changes have occurred, a revised FSD is not required. No further information is required concerning the Forest Stand Delineation.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is more than 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site. A grading permit is required and greater than 5,000 square feet will be cleared.

This 381.52-acre property has a net tract area of 381.52 acres and a Woodland Conservation Threshold (WCT) of 15 percent, or 57.23 acres. The site has a woodland conservation requirement of 108.19 acres.

The plans as currently submitted propose to satisfy the 108.19-acre requirement with 48.37 acres of on-site preservation of 109.05 acres.

#### **VI. Patuxent River Primary Management Area**

**Response:** Streams, wetlands, 100-year floodplain, severe slopes over 25 percent, and steep slopes between 15 and 25 percent with high erodible soils are found on this property. These features along with their respective buffers compose the Patuxent River Primary Management Area or PMA. Each of these features and the associated buffers are clearly shown on the plans, along with the ultimate limit of the PMA. At the time of the Preliminary Plan of Subdivision review and approval, the Environmental Planning Section concurs with the PMA limits as shown on approved TCP 1-048-02 I of the wetland study concerning the presence and extent of the wetlands on this site.

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, date-stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to address each of the proposed PMA impacts. The TCPI and Letter of Justification propose a total of nine PMA impacts including two impacts for stormwater management outfalls, three impacts for sewer outfalls, one for road construction, one for the proposed lake, one for a parking lot, and one that includes a road, swimming pool, and clubhouse. Each of the proposed impacts was addressed in detail with the Conceptual Site Plan and Preliminary Plan of Subdivision.

#### **VII. Water and Sewer Categories**

**Response:** The Water and Sewer Categories are W-3 and S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. Public systems will serve the property.

#### **VIII. Bowie-Collington-Mitchellville & Vicinity Master Plan**

**Response:** The property is in the Planning Area 74A/Employment Area. It is in the Developing Tier as described by the 2002 General Plan. 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.

Preliminary Plan of Subdivision plan 4-04035 and 4-17027 for the development of a mixed-use planned community is generally consistent with the 2002 General Plan Development Pattern goals and policies for land use in the Developing Tier. The Bowie-Collington-Mitchellville & Vicinity Master Plan (1991) designates this property as part of Employment Area 6. It was formerly known as the Collington Corporate Center and had an approved Basic Plan and Comprehensive Design Plan. The Basic Plan approved a maximum potential of 4.5 million square feet of development. The master plan shows private open space areas surrounding the

property in the northern, western, central, and southern portion of the property. Also, the plan recommends a trail connecting the internal road network to a trail along Collington Branch Stream Valley Park.

The Bowie-Collington-Mitchellville & Vicinity Sectional Map Amendment (1991) retained the E-I-A Zone. Subsequently, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A Zone. The approved preliminary subdivision plan does not conform to the Bowie-Collington-Mitchellville & Vicinity Master Plan, which recommends employment land use for the subject property. However, Council Bill CB-13-2002 defined a mixed-use planned community as a permitted use for employment areas classified in the E-I-A Zone. Subsequently, Conceptual Site Plan CSP-02004 approved this type of development for the site.

**X. Conclusion**

Based upon the analysis and discussion presented herein, the Applicant respectfully requests that the Planning Board approve the Detailed Site Plan (DSP-19023) application designed in compliance with the approved Conceptual Site Plan CSP-02004, Preliminary Plan of Subdivisions 4-04035, 4-17027, and DSP-05042-02.

Your favorable consideration of this request is greatly appreciated.

Respectfully submitted

  
Arthur J. Horne, Jr.

cc: Scott Rouk  
Jamie Atkinson  
Kevin Kennedy  
Nat Ballard  
Paul Woodburn

AJH/fms

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\*Also admitted in the District of Columbia

November 26, 2019

**VIA HAND DELIVERY**

Mr. Adam Bossi  
Development Review Division  
Prince George's County Planning Department  
14741 Governor Oden Bowie Drive  
Upper Marlboro, MD 20772

**RE: Statement of Justification for South Lake (formerly Karington),  
Conceptual Site Plan (CSP-02004)**

Dear Mr. Adam Bossi:

On behalf of our client, South Lake Partners, LLC, Shipley and Horne, P.A., hereby submits this Statement of Justification in support of a proposed application for the above captioned subject property. The ranges of uses proposed in this application are anticipated to include open space, pedestrian ways, recreation, residential, office, hotel, and various retail and recreational uses. The proper arrangement and mixing of these uses will promote maximum interaction. This Conceptual Site Plan ("CSP") submission is required to be submitted for review under the M-X-T Zone.

This CSP application is submitted pursuant to the request made by M-NCPPC review staff voiced at a pre-acceptance meeting held in the County Administrative Building on November 18, 2019. The request is made pursuant to the requirements of Section 27-273 and in accordance with the required findings contained in Section 27-276 of the Zoning Ordinance for Prince George's County. The proposal also reflects substantial conformance with the suggested development concepts and exhibits contained within the *2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B*.

**I. Nature of Request and Background:**

**A. Summary Background:** The South Lake development, as initially approved in CSP-02004 and 4-04035, consisted of 381.52 gross acres, in the E-I-A Zone (Employment and Industrial Area) with 463 lots; 86 parcels; 300,000 square feet of commercial/retail space; 700,000 square feet of employment space; 25,000 square feet for an annex to the Prince George's County

Community College; 300 hotel rooms; and 1,294 total dwelling units divided between 170 detached units, 272 attached units, 600 multifamily rental units, 112 condominium units, 120 high rise units, and 20 live-work units.

On October 27, 2016, the Planning Board approved a waiver of its Rules and granted a request for reconsideration (“First Reconsideration”), the primary purposes of which were to further define the numbers of approved lots and parcels, adjust the proposed mix of uses, and revise the site layout. On February 16, 2017, the Planning Board heard testimony regarding the First Reconsideration, and with the adoption of PGCPB No. 04-247(C/2)(A) approved 800 lots and 110 parcels for 1,294 dwelling units, along with the associated layout changes.

Then, on July 27, 2017, the Planning Board approved a waiver of its Rules and granted a request for reconsideration (“Second Reconsideration”), primarily for revising the overall site layout, eliminating a site access point and revising another access point, and providing for the alternate master plan trail alignment. On January 25, 2018, the Planning Board heard testimony regarding the Second Reconsideration, and with the adoption of PGCPB No. 04-247(C/3)(A/2) adjusted the site access, circulation, and alternate master plan trail alignment. Finally, on January 10, 2019, the Planning Board approved an additional Preliminary Plan of Subdivision (4-17027) with the adoption of PGCPB No. 19-06 to allow for the addition of 66 residential lots and 3 parcels, along with associated adjustments to the proposed site layout, which finally brought the underlying subdivision approvals into line with the current proposed density mix.

**B. Description of Subject Property:** The purpose of this application is to provide the details for the implementation of the design associated with the residential sections of South Lake site plan. The Maryland-National Capital Park and Planning Commission (M-NCPPC) is currently reviewing the overall road layout and site grading for that site’s design represented by the DSP-05042-02 application for infrastructure. The DSP for infrastructure application includes revising the internal public roads layout to include Streets A, B, C, D, and E, removal of one public access to US 301 (i.e., Street G from the Preliminary Plan of Subdivisions 4-04035 and 4-17027). The site plan also creates Outparcels C thru H and adds a public road connection to meet the existing Prince George’s Boulevard located within the Collington Center to the south. Said roadway is designed as a public right of way versus a private street on Parcel 109 (as approved on Preliminary Plan of Subdivisions 4-04035 and 4-17027). The application revises the proposed grades slightly to facilitate the current planning practices better, as reflected in the proposed development of the site. Due to sub-surface conditions, the design for the lake has been revised from a single facility to a two-tier facility. The DSP-05042-02 site plan implements slight adjustments to the limits of disturbance and tree conservation plan Type 2 to facilitate the new infrastructure and layout, removing the impacts resulting from the removal of the northwest road connection to MD 214 (as approved within Preliminary Plan of Subdivisions 4-04035 and 4-17027). The plan also includes the new road sections, updated street construction phasing, and the master-planned trail alignment.

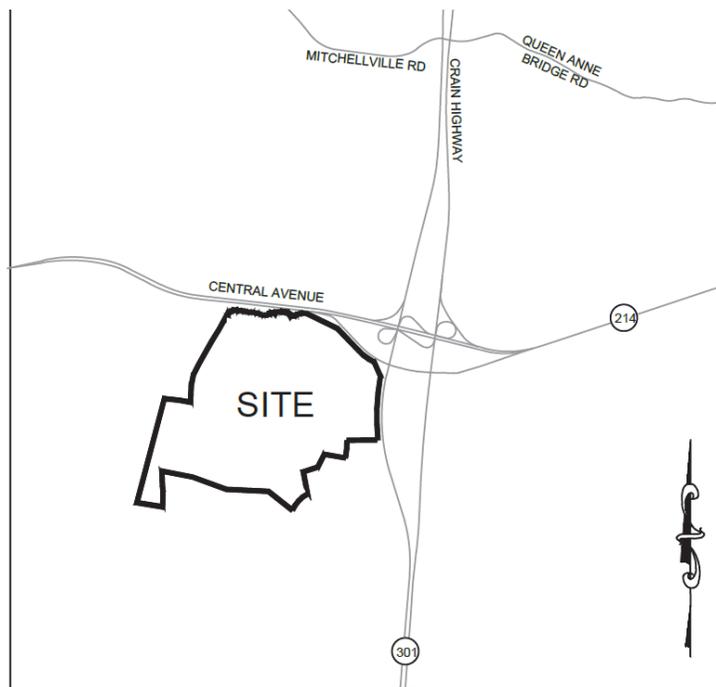
**Site Location and Characteristics**

The subject site is located at the southwest quadrant of the intersection of MD 214 and US 301 (Robert Crain Highway). The property is in Planning Area 74A within the area included in the *2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B*. The entire South Lake property consists of approximately 381.52 acres of land in the E-I-A Zone. In its entirety, the South Lake development program is to be segregated within the following use categories:

**North and East:** To the north and east of the subject property are the rights-of-way of MD 214, Old Central Avenue and US 301.

**West:** The property is bounded to the west by undeveloped property owned by M-NCPPC in the R-O-S Zone and a Consolidated Rail Group right-of-way/tracks.

**South:** To the south of the property, are undeveloped parcels owned by Prince George's County and M-NCPPC, located in the E-I-A and R-O-S Zones.



The Applicant is seeking approval of the subject CSP application to allow a mixed-use development consisting of:

Location	Use	DSP #	Acreage
	Infrastructure Only	DSP-05042-02	12.95
POD 1	Single Family Attached & Single Family Detached	DSP-19023 & DSP-19024	105.5
POD 2	Single Family Detached	DSP-19023 & DSP-19024	35.1
POD 3	Commercial Ph1	DSP-19021	53.0
POD 4	Apartments	DSP-16054	15.8
POD 5	Commercial Ph2	DSP-19022	5.0
	Green Area (Including _ acres of parkland dedication to MNCPPC)	DSP-19023	154.17
	Total Site Area		381.52

CSP-02004	EXISTING	PROPOSED
Zone	E-I-A	E-I-A / M-X-T
Use(s)	Vacant	Single-family Detached/Attached/ Two Family Attached
Acreage	381.52	381.52
Lots	0	907
Outlots/Parcels	2	5
Parcels	0	60-65
Dwelling Units:	0	1,035
Detached	0	345
Townhouse	0	562
Two Family Attached	0	128
Apartments	0	325
Total	0	1,360
Commercial Retail Space (SF)	0	477,010
Commercial Employment Space (SF)	0	264,358

**II. Zoning and Development History:**

The 2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B (The Master Plan) retained this property in the E-I-A (Employment and Institutional Area) Zone. CB-13-2002 was approved to permit the mixed-use planned community use within the E-I-A Zone for properties meeting specific criteria. Council Bill CB-73-2016 was enacted to allow alternate development regulations for mixed-use planned communities under specific circumstances

utilizing the review process for the M-X-T Zone, which apply to the subject property. This legislation conditioned that a Mixed Use Planned Community shall conform to the purposes, regulations, and 6 required findings and review process set forth in Division 2 of this Part, for the 7 M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional 8 Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the defined regulations shall be advisory only.

On June 12, 2003, Prince George's County Planning Board approved CSP-02004 for the subject property (PGCPB Resolution No. 03-135). This decision affirmed by the Prince George's County District Council on January 27, 2004. On October 21, 2004, the Planning Board approved 4-04035 (PGCPB Resolution No. 04-247(C)). The Planning Board reconsidered the preliminary plan on December 15, 2016. The reconsideration was sought pursuant to the applicant's letter dated October 7, 2016, for the limited purpose of converting approximately 200 of the multifamily condominium units to fee simple townhouse lots and to allow for a modification to the phasing plan of off-site road improvements in addition to other changes that occurred subsequent to that original request. On February 16, 2017, the Planning Board heard testimony regarding the reconsideration and approved the reconsideration, with conditions, for approval of 800 lots and 110 parcels for 1,294 dwelling units subject to conditions (enclosed).

On December 8, 2005, DSP-05042 approved for grading, infrastructure, and construction of the central lake (PGCPB Resolution No. 05-258). A revision to DSP- 05042 was accepted by M-NCPPC in August of 2007 but was subsequently withdrawn. A second revision, DSP-05042-02, was filed for an Administrative – Planning Director level for review and approval on December 23, 2016, to reflect an updated public road configuration and to revise grading and utility locations necessary for such reconfiguration. That original application process was never finalized and was declared dormant on March 26, 2019; and is now being revived in this application.

On January 10, 2019, the Planning Board approved Resolution No. 19-06 for the South Lake Type 1 Tree Conservation Plan TCP1-048-02-04, and further approved the Preliminary Plan of Subdivision 4-17027 for 66 lots and 3 parcels. Technical plans have progressed through approval and permit issuance under the Stormwater Management Concept (SWM) #26947-2002-03, and that work is currently underway. There is a pending revision to the SWM Technical Plans and Permit that is also under review under the current Concept approval (26947-2002-03). The Technical revision matches what is shown, on the accompanying DSP-19023 and a copy is included with this application submission. There is not a need to revise SWM Concept #26947-2002-03 as the SWM Technical Plans and Permits supersede the concept approval.

The subject property was also recently annexed within the municipal boundary of the City of Bowie.

### **III. Relationship to County Plans and Policies:**

**Response:** —The property is in the Planning Area 74A/Employment Area. It is in the Developing Tier as described by the 2002 General Plan. 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.

Preliminary Plan of Subdivision plan 4-04035 and 4-17027 for the development of a mixed-use planned community is generally consistent with the 2002 General Plan Development Pattern goals and policies for land use in the Developing Tier. The Bowie-Collington-Mitchellville & Vicinity Master Plan (1991) designates this property as part of Employment Area 6. It was formerly known as the Collington Corporate Center and had an approved Basic Plan and Comprehensive Design Plan. The Basic Plan approved a maximum potential of 4.5 million square feet of development. The master plan shows private open space areas surrounding the property in the northern, western, central, and southern portion of the property. Also, the plan recommends a trail connecting the internal road network to a trail along Collington Branch Stream Valley Park.

the 2006 *Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B*. The entire South Lake property consists of approximately 381.52 acres of land in the E-I-A Zone. Subsequently, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A Zone. The approved preliminary subdivision plan does not conform to the Bowie-Collington-Mitchellville & Vicinity Master Plan, which recommends employment land use for the subject property. However, Council Bill CB-13-2002 defined a mixed-use planned community as a permitted use for employment areas classified in the E-I-A Zone. Subsequently, Conceptual Site Plan CSP-02004 approved this type of development for the site.

#### **IV. Compliance with Woodland Conservation and Tree Preservation Requirements**

**Response:** A Forest Stand Delineation (FSD) was previously reviewed in conjunction with the approval of the Conceptual Site Plan, CSP-02004 and previously approved Preliminary Plan of Subdivisions 4-04035, 4-17027 and Detailed Site Plan DSP-05042. At that time the Forest Stand Delineation was found to address the requirements of a Detailed Forest Stand Delineation by the Prince George's County Woodland Conservation Ordinance. Because the prior approval occurred within the last two years and no significant changes have occurred, a revised FSD is not required. No further information is required concerning the Forest Stand Delineation.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is more than 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site. A grading permit is required and greater than 5,000 square feet will be cleared.

This 381.52-acre property has a net tract area of 381.52 acres and a Woodland Conservation Threshold (WCT) of 15 percent, or 57.23 acres. The site has a woodland conservation requirement of 108.19 acres.

The plans as currently submitted propose to satisfy the 106.22-acre requirement with on-site preservation of 108.66 acres.

**V. Patuxent River Primary Management Area**

**Response:** Streams, wetlands, 100-year floodplain, severe slopes over 25 percent, and steep slopes between 15 and 25 percent with high erodible soils are found on this property. These features along with their respective buffers compose the Patuxent River Primary Management Area or PMA. Each of these features and the associated buffers are clearly shown on the plans, along with the ultimate limit of the PMA. At the time of the Preliminary Plan of Subdivision review and approval, the Environmental Planning Section concurs with the the PMA limits as shown on approved TCP 1-048-02 I of the wetland study concerning the presence and extent of the wetlands on this site.

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, date stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to address each of the proposed PMA impacts. The TCPI and Letter of Justification propose a total of nine PMA impacts including two impacts for stormwater management outfalls, three impacts for sewer outfalls, one for road construction, one for the proposed lake, one for a parking lot, and one that includes a road, swimming pool, and clubhouse. Each of the proposed impacts was addressed in detail with the Conceptual Site Plan and Preliminary Plan of Subdivision.

**VI. Water and Sewer Categories**

**Response:** The Water and Sewer Categories are W-3 and S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. Public systems will serve the property.

**VII. Relationship to Requirements of the Zoning Ordinance:**

***PART 3 ADMINISTRATION.***  
***DIVISION 9. SITE PLANS.***  
**SUBDIVISION 2. REQUIREMENTS FOR CONCEPTUAL SITE PLAN**

**Section 27-272 - Purpose of Conceptual Site Plans.**

***(b) General purposes.***

***(1) The general purposes of Conceptual Site Plans are:***

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient, and economical development contained in the General Plan, Master Plan or other approved plan;***
- (B) To help fulfill the purposes of the zone in which the land is located;***
- (C) To provide for development in accordance with the site design guidelines established in this Division; and***

- (D) To provide approval procedures that are easy to understand and consistent for all types of Conceptual Site Plans.**

**RESPONSE:** The proposed CSP has been designed and developed in accordance with these specific purposes with the intent to implement the recommendations within *Plan Prince George's 2035 Approved General Plan (Plan Prince George's 2035)*, and the *2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B*. and fulfill the purposes of the M-X-T Zone.

**(c) Specific purposes.**

**(1) The specific purposes of Conceptual Site Plans are:**

- (A) To explain the relationships among proposed uses on the subject site, and between the uses on the site and adjacent uses;**
- (B) To illustrate approximate locations where buildings, parking lots, streets, green areas, and other similar physical features may be placed in the final design for the site;**
- (C) To illustrate general grading, woodland conservation areas, preservation of sensitive environmental features, planting, sediment control, and storm water management concepts to be employed in any final design for the site; and**
- (D) To describe, generally, the recreational facilities, architectural form of buildings, and street furniture (such as lamps, signs, and benches) to be used on the final plan.**

**RESPONSE:** The proposed CSP has been designed and developed in accordance with these specific purposes. The site has an approved Type I tree conservation plan (TCPI/48/02-02) and Type II tree conservation plan (TCPII/126/05). An approved stormwater management plan and concept approval letter submitted with the application. A Natural Resources Inventory Equivalency letter request has been submitted to M-NCPPC. The TCP II plan was submitted in conjunction with the DSP-05042-02 application for infrastructure improvements (i.e., currently being reviewed by M-NCPPC) reflected adjustments to the site plan resulting impacts caused by soil and slope conditions outlined in PPS 4-04035 (PGCPB No. 04-247(C)). Further conformance with DSP condition 1 stated herein will occur prior to the certification of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development. Therefore, regulated environmental features will be preserved and restored in a natural state to the fullest extent practicable.

**Section 27-273. Submittal requirements.**

**RESPONSE:** The CSP and supporting documentation and plans have been submitted pursuant to all requirements in this section.

**Section 27-274. Design Guidelines.**

**RESPONSE:** The proposed CSP incorporates many of the following design guidelines.

**(a) *The Conceptual Site Plan shall be designed in accordance with the following guidelines:***

**(1) *General.***

**(A) *The Plan should promote the purposes of the Conceptual Site Plan.***

**RESPONSE:** The proposed CSP has been designed and developed in accordance with many of the following design guidelines.

**(B) *The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.***

**RESPONSE:** As discussed above, the proposed CSP demonstrates compliance with the general and specific purposes for CSPs. The proposal reflects compliance with the general townhouse design guidelines discussed in Section 11 below. Details will be demonstrated at the time of Detailed Site Plan review.

**(2) *Parking, loading, and circulation.***

**(A) *Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:***

- (i) *Parking lots should generally be provided to the rear or sides of structures;***
- (ii) *Parking spaces should be located as near as possible to the uses they serve;***
- (iii) *Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;***
- (iv) *Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and***
- (v) *Special areas for van pool, car pool, and visitor parking should be located with convenient pedestrian access to buildings.***

- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:**
- (i) Loading docks should be oriented toward service roads and away from major streets or public view; and**
  - (ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:**
- (i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;**
  - (ii) Entrance drives should provide adequate space for queuing;**
  - (iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;**
  - (iv) Parking areas should be designed to discourage their use as through-access drives;**
  - (v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;**
  - (vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;**
  - (vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;**
  - (viii) Pedestrian access should be provided into the site and through parking lots to the major destinations on the site;**
  - (ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;**
  - (x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and**
  - (xi) Barrier-free pathways to accommodate the handicapped should be provided.**

**RESPONSE:** The proposed CSP incorporates separate vehicular and pedestrian circulation systems that minimize conflicts. Parking areas are provided through the use of surface parking. Details of each element will be provided for review at the time of Detailed Site Plan. To facilitate connectivity with the surrounding community, the site has been designed with a bikeway through the subject property with connectivity to the M-NCPPC trail system. A cross section of this bikeway is provided in this submittal. All bikeway location recommendations are being

coordinated with the Department of Public Works and Transportation (DPW&T) and shall be designed to comply with the Adequate Public Pedestrian and Bikeway Facilities in Centers and Corridors Bill (CB-2-2012) and meet or exceed County and State standards. Details of each element are provided with the Detailed Site Plan application submission.

**(3) Lighting.**

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:**
- (i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;**
  - (ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;**
  - (iii) The pattern of light pooling should be directed on-site;**
  - (iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;**
  - (v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and**
  - (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.**

**RESPONSE:** Lighting standards to be utilized will be designed to utilize full cut-off optics lighting fixtures, with details to be provided at the time of Detailed Site Plan review.

**(4) Views.**

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

**RESPONSE:** The Applicant's proposal demonstrates a compact mixed-use development capable of complementing nearby residential, commercial and employment areas with a variety of residential and mixed commercial uses. The project will provide appropriate open space and recreational amenities that will enhance pedestrian connections to existing and future trail systems and promote walkability to and from the subject property and among the variety of mixed land uses located therein. Lots facing southeast have a scenic view of the proposed recreation features and all lots adjacent to arterial roadways are buffered accordingly.

**(5) Green area.**

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:**
- (i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;**
  - (ii) Green area should link major site destinations such as buildings and parking areas;**
  - (iii) Green area should be well-defined and appropriately scaled to meet its intended use;**
  - (iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;**
  - (v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;**
  - (vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and**
  - (vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.**
- (B) The application 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).**

**RESPONSE:** The proposed development includes an integrated network of streets, sidewalks, and open space and prioritizes public space. The development is designed around a two-tier central lake area and surrounding public spaces for active and passive recreation. Full details of proposed integrated recreational amenities are submitted herein for review in conformance to the above requirement.

**(6) Site and streetscape amenities.**

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:**
- (i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;**
  - (ii) The design of amenities should take into consideration the color, pattern, texture, and scale of structures on the site,**

- and when known, structures on adjacent sites, and pedestrian areas;*
- (iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;*
  - (iv) Amenities should be functional and should be constructed of durable, low maintenance materials;*
  - (v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;*
  - (vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and*
  - (vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.*

**RESPONSE:** The proposed CSP has been prepared in recognition of the above guidelines; details will be provided for review at the time of Detailed Site Plan.

**(7) Grading.**

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:*
  - (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;*
  - (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;*
  - (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;*
  - (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged to soften the appearance of the slope; and*
  - (v) Drainage devices should be located and designed so as to minimize the view from public areas.*

**RESPONSE:** The Applicant's DSP-05042-02 Detailed Site Plan for Infrastructure was accepted for review by M-NCPPC on June 13, 2019 and is currently being reviewed by the Planning Staff. Based on the design utilized in the aforementioned DSP application, the site plan in this application continues the same overall design; as such, complies with an approved stormwater management

concept plan; the tree conservation plan is designed to prevent offsite property damage and prevent environmental degradation. The plan also provides for woodland conservation and prevents excessive drainage, erosion, and pollution discharge.

These stormwater facilities will be attractively designed and planted in the context of their location and in accordance with Prince George's County and Maryland Department of the Environment requirements and will serve as visual amenities in addition to the water quality benefit features.

The Applicant agrees to comply with this condition and has obtained all required permits and approvals (# 06-PG-0070) associated with the development of South Lake.

**(8) Service areas.**

- (A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:**
- (i) Service areas should be located away from primary roads, when possible;**
  - (ii) Service areas should be located conveniently to all buildings served;**
  - (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and**
  - (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.**

**RESPONSE:** Service areas details will be provided for review at the time of Detailed Site Plan approval.

**(9) Public spaces.**

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:**
- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;**
  - (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;**
  - (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;**
  - (iv) Public spaces should be readily accessible to potential users; and**
  - (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be scaled for anticipated circulation.**

**Response:** The proposed development includes an integrated network of streets, sidewalks, and open space and prioritizes public space. The development is designed around a two-tier central lake area and surrounding public spaces for active and passive recreation. Full details of proposed integrated recreational amenities are submitted herein for review in conformance to the above requirement.

**(10) Architecture.**

- (A) *When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.***
- (B) *The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.***
- (C) *These guidelines may be modified in accordance with Section 27-277.***

**RESPONSE:** Architectural details and materials will be provided for review at the time of Detailed Site Plan(s).

**(11) Townhouses and three-family dwellings.**

- (A) *Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.***
- (B) *Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.***
- (C) *Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.***
- (D) *To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this***

*individuality guideline, creative or innovative product design may be utilized.*

- (E) *To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.*

**RESPONSE:** Townhouses have been arranged to maximize access to open space. Lots front onto private streets and are buffered from public rights of way and parking lots. Landscaping will be provided and both natural areas and planned trails and plazas are easily accessible through a network of sidewalks and trails. Architectural details and materials will be reviewed in conjunction with the Detailed Site Plan DSP-19023 and DSP-19024 application submissions.

**Section 27-276. Planning Board procedures.**

**(b) Required Findings.**

- (1) *The Planning Board may approve a Conceptual Site Plan if it finds 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. If it cannot make this finding, the Planning Board may disapprove the Plan.*

**RESPONSE:** The proposed CSP represents the most reasonable alternative for complying with the 2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B design principles and the above design guidelines for preparing a CSP. The proposed mixed uses and their arrangement present a reasonable alternative to the sector plan's recommended medium density residential use by providing a small amount of locally serving commercial space at the intersection of a major collector road and industrial road pursuant to the mixed-use character intended by the M-X-T Zone.

- (2) *The Planning Board may approve a Conceptual Site Plan for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone if it finds that the property and the Plan satisfy all criteria for M-X-T Zone approval in Part 3, Division 2; the Plan and proposed development meets the purposes and applicable requirements of the M-X-T Zone; the Plan meets all requirements stated in the definition of the use; and the Plan shows a reasonable alternative for satisfying, in a high-quality, well-integrated mixed-use community, all applicable site design guidelines.*

**Response:** The overall South Lake development plan includes a mix of residential, employment, commercial retail, commercial office, hotels, and recreational uses and meets all M-X-T Zone requirements in Part 10. (See submitted DSP applications for a detailed discussion of the plan's conformance to the provisions of Part 10.)

- (3) *The Planning Board may approve a Conceptual Site Plan for a Regional Urban Community in the M-X-T Zone if it finds that proposed development meet the purposes and applicable requirements of the M-X-T Zone and the Plan meets all requirements stated in the definition of the use and Section 27-544 of this Code.*

**RESPONSE:** A Regional Urban Community is not proposed in this application.

- (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).*

**Response:** The site has an approved Type I tree conservation plan (TCPI/48/02-02) and Type II tree conservation plan (TCPII/126/05). An approved stormwater management plan and concept approval letter submitted with the application. A Natural Resources Inventory Equivalency letter request has been submitted to M-NCPPC. Therefore, regulated environmental features will be preserved and restored in a natural state to the fullest extent practicable.

## **VII. Section 27-542 - Purpose of M-X-T Zones**

- (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, 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;*

**RESPONSE:** The subject property is in the M-X-T Zone and E-I-A Zone and has already been determined to be compatible with the purposes of the M-X-T Zone by the 2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B.

- (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;*

**RESPONSE:** As discussed above, the proposed CSP has been designed and developed in accordance with these specific purposes with the intent to implement the recommendations within Plan Prince George's 2035 Approved General Plan (Plan Prince George's 2035), and the 2006

*Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B* and fulfill the purposes of the M-X-T Zone. The Applicant's proposal demonstrates a compact mixed-use development capable of complementing nearby residential, commercial and employment areas with a variety of mixed commercial uses and expanded quality housing opportunities. The subdivision process will ensure the adequacy of public facilities and services; and the subsequent DSP process will ensure a high-quality design. The project will provide appropriate open space and recreational amenities that will enhance pedestrian connections and promote walkability to and from the subject property and among the variety of mixed land uses located therein.

- (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;*

**RESPONSE:** The recently approved rezoning of the subject property to the M-X-T Zone increases the value and tax base of the subject property by providing a properly sized development envelope at a location capable of accommodating more intensive development. The proposed mixed-use development when completed will meet several sector plan policies and strategies for mixed-use development at strategic locations; providing supporting services within walking distance to the adjacent Collington Business Park to the south, such as retail, restaurant, lodging, health, fitness, business and employment services, including residential uses, for the purpose of reducing vehicle trips.

- (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;*

**RESPONSE:** The proposed CSP locates residences and employment opportunities proximate to each other to encourage walking, bicycling, and the potential for public transportation for daily commuting.

- (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;*

**RESPONSE:** The ranges of uses proposed are anticipated to include open space, recreation, office, hotel, and various retail and entertainment uses. The proper arrangement and mixing will these uses will promote maximum interaction of uses within the proposed development, as well as the surrounding community.

- (6) *To encourage an appropriate horizontal and vertical mix of land uses which blend together harmoniously;*

**Response:** The overall South Lake development plan includes a mix of residential, employment, commercial retail, commercial office, hotels, and recreational uses and meets all M-X-T Zone requirements defined by this standard.

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

**RESPONSE:** The proposed CSP illustrates how the site can be developed to enhance functional relationships between uses and provide distinctive open space amenities that link the various uses and provide a distinctive visual character and identity. Details of these relationships will be demonstrated at the time of Detailed Site Plan review.

- (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.*

**RESPONSE (Items 8 through 10):** The proposed CSP is compatible with all of the above purposes for the M-X-T Zone as discussed herein.

**Section 27-547 (b) - TABLE OF USES:**

**RESPONSE:** Both the instant CSP application and associated DSP applications submitted provide a full range of residential and commercial uses required in the M-X-T Zone.

**Section 27-544 Regulations:**

- (a) *Except as provided in Subsection (b), additional regulations concerning the location, size, and other provisions for all buildings and structures in the M-X-T Zone are as provided for in Divisions 3 and 4 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.*

**Response:** The proposed Mixed-Use Planned Community conforms to the purposes, regulations, and required findings and review process set forth for the M-X-T Zone. See below for discussions of the plan's conformance to these requirements. South Lakes compliance with said standards are detailed in associated with the DSP applications submitted in conjunction with this CSP case matter. It is noted that the following regulations are advisory only.

- (b) *For property placed in the M-X-T Zone through a Sectional Map Amendment or through a Zoning Map Amendment intended to implement land use recommendations for*

***mixed-use development recommended by a Master Plan or Sector Plan that is approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation:***

- (1) 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 a referenced exhibit of record for the property shall provide guidance for the development regulations to be incorporated into the Conceptual Site Plan.***

**Response:** As discussed above, the Property is in the E-I-A Zone (Employment and Institutional Area) Zone. Per Section 27-500 (c) Uses of the Zoning Ordinance, “*A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10. The development shall meet all M-X-T Zone requirements in Part 10.*” The E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks; therefore, this standard does not apply to this application. The proposed Mixed-Use Planned Community is consistent with the E-I-A Zone design standards.

- (2) The limitations on the maximum percentages of townhouses contained in Section 27-547(b)(7), footnote 7 and the lot size and lot width requirements in Section 27-548(h) shall not apply. However, the Planning Board or District Council may impose similar restrictions where appropriate, only to implement the recommendations of the Master Plan or Sector Plan.***

**Response:** The DSP applications submitted in conjunction with this CSP case matter, propose 16-foot wide townhouses on lots of one thousand three hundred (1,300) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. Also, the DSP design proposes a minimum of four (4) and as many as seven (7) residential townhouses in a cluster. The townhouses shall include variations in exterior architectural materials, colors, articulations, and fenestrations in compliance with the above standards. Furthermore, the Applicant to make every attempt that is practicable to incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption.

Although Section 27-548(h) provides that the minimum building width in any continuous attached group shall be eighteen (18) feet, the County Council, with the adoption of CB-73-2016, specifically amended this section to delete the requirement that such townhouses are subject to all other requirements of the Zoning Ordinance, and instead added that at the time of DSP for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to the regulations contained in Section 27-548(h) so long as the modification conforms to the particular development. South Lake is a mixed-use planned community, and the applicant is proposing a modification to this particular standard for certain townhouse units to accommodate a greater mix of

product type, price point, resulting in better diversification among the townhouse units, which conforms with the vision and development of South Lake. It should be noted that the modification is only applicable to 68 units, which make up approximately 12% of all townhouse units and is only approximately 7% of the total number of residential units proposed in this DSP.

*(c) Notwithstanding the provisions of Section 27-270, a grading permit may be issued as long as it is in conformance with an approved Conceptual Site Plan.*

**Response:** The Applicant agrees to comply with this condition and has obtained all required permits and approvals (# 06-PG-0070) associated with the development of South Lake.

*(d) Mixed-Use Planned Community Regulations.*

**RESPONSE:** The entirety of the subject property is within the M-X-T Zone. The overall property is not designated as a Mixed-Use Planned Community (pursuant to Section 27-107.01 (151.01) of the Zoning Ordinance. However, the Applicant is proposing a well-integrated and mixed-use development that does comply with M-X-T Zone criteria, purposes, requirements, and use definitions.

*(e) Regional Urban Community Regulations.*

**RESPONSE:** Subsection (e) is not applicable because the subject property is not proposed as a component of a Regional Urban Community (pursuant to Section 27-107.01 (197.1) of the Zoning Ordinance.

#### **VIII. Section 27-546 – M-X-T Zone Site Plans.**

*(a) A Conceptual Site Plan and a Detailed Site Plan shall be approved for all uses and improvements, in accordance with Part 3, Division 9, of this Subtitle.*

*(b) In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included on Plans in the M-X-T Zone:*

*(1) A general description of the pedestrian system proposed;*

**RESPONSE:** The Applicant has been working with the M-NCPPC Department of Recreation and Parks in reference to the implementation of the above requirement. The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site. The roadway which contains the Alternate Trail is proposed under DSP-05042-02 and is also not subject to review under this application. M-NCPPC staff has accepted DSP-05042-02 for review but has yet to provide comments for that application. Any changes to the proposed

Alternate Trail will be correctly reflected on all subsequent DSP applications for the project including this one.

**(2) The proposed floor area ratio;**

TOTAL GROSS FLOOR AREA	MIN.	MAX.
Residential (at least two different types)	50%	90%
Retail	10%	20%
Office/Employment	0%	40%

**Response:** The Applicant proposes a total Gross Floor Area (GFA) of 86.01 acres (3,746,697 square feet) and FAR of 0.23. Of that, 78 percent is residential (61.75 ac), fourteen (14) percent retail (10.95 acres), and eight (8) percent office (6.07 acres). There is some additional GFA that is not allocated into any of those categories (i.e., Hotel and Clubhouse 7.23 acres) which contributed into the calculated FAR. The accompanying DSP-19023 application accounts for 59.97 acres of the 62.06 acres of proposed residential GFA by proposing Two-Family Attached, Single Family Attached, and Single Family Detached uses. The remaining GFA is provided as part of other DSP applications for the project.

**(3) The type and location of uses proposed, and the range of square footage anticipated to be devoted to each;**

**RESPONSE:** The location of uses ranges of square footages for the various uses are provided on the Conceptual Site Plan.

**(4) A general description of any incentives to be used under the optional method of development;**

**Response:** As discussed above, the total maximum floor area ratio (FAR) base density for this project is 0.23, which meets this requirement, without utilizing the optional method of development. The below table provides a breakdown of the use types and area sizes involved in determining the South Lake FAR.

<b>Residential</b>	<b>GFA</b>	<b># of units</b>	<b>Total SF (GFA)</b>	<b>FAR</b>
Condominium	2,100	128	268,800	
16-ft. TH	2,200	68	149,600	
20-ft. FL TH	2,700	95	256,500	
20-ft. RL TH	2,400	223	535,200	
24-ft. FL TH	2,300	93	213,900	
24-ft. RL TH	2,824	83	234,392	
Single Family Detached	2,750	345	948,750	
Multifamily		325	82,893	
<b>TOTAL</b>		<b>1,360</b>	<b>2,690,035</b>	

<b>Retail</b>			477,010	
<b>Office/Employment</b>			264,358	
<b>Miscellaneous</b>				
Hotels			301,604	
Residential Clubhouse			5,272	
Multifamily Clubhouse			8,418	
<b>TOTAL GFA</b>			<b>3,746,697</b>	<b>0.23</b>

**(5) Areas proposed for landscaping and screening;**

**RESPONSE:** Design details will be proposed at time of Detailed Site Plan review.

**(6) The proposed sequence of development; and**

**RESPONSE:** The residential portion of this project consists of four major phases and 14 sub-phases of residential development. The Applicant envisions multiple sub-phases occurring at the same time depending on market conditions and pace of sales. Phase 1 originates at the project entrance off of Old Central Avenue and consists of 6 sub-phases and 469 townhouse and condominium units. Phase 2 is located in the southwestern portion of the site and consists of 138 single-family units. Phases 3 and 4 are broken down into 3 sub-phases each and are located west of phase 1 with 222 and 206 units respectively. The multifamily section of the development proposed in the eastern part of the site, proximate to the Old Central Avenue and US 301 interchange. The commercial portions of this project consist of an estimated 467,010 square feet of commercial retail, 174,358 square feet of office/employment, and 301,604 square feet of hotel uses in phase 1 and 10,000 square feet of commercial retail, and 90,000 square feet of office/ employment uses in phase 2.

**(7) The physical and functional relationship of the project uses and components.**

**RESPONSE:** The CSP plan sheets illustrate the physical and functional relationships of land uses and other components. Details will be demonstrated at the time of Detailed Site Plan review.

**(8) Property placed in the M-X-T Zone by a Sectional Map Amendment shall provide supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program.**

**RESPONSE:** As discussed above, the 2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B (The Master Plan) retained this property in the E-I-A (Employment and Institutional Area) Zone. CB-13-2002 was approved to permit the mixed-use planned community use within the E-I-A Zone for properties meeting specific criteria. Council Bill

CB-73-2016 was enacted to allow alternate development regulations for mixed-use planned communities under specific circumstances utilizing the review process for the M-X-T Zone, which apply to the subject property. This legislation conditioned that a Mixed Use Planned Community shall conform to the purposes, regulations, and 6 required findings and review process set forth in Division 2 of this Part, for the 7 M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional 8 Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the defined regulations shall be advisory only.

***(c) In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:***

- (1) The proposed drainage system;***
- (2) All improvements and uses proposed on the property;***
- (3) The proposed floor area ratio of the project, and detailed description of any bonus incentives to be used; and***
- (4) Supporting evidence which shows that the proposed 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 or within the current State Consolidated Transportation Program, will be provided by the applicant, or are incorporated in a specific public facilities financing and implementation program, 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.***

**RESPONSE (Items 1 through 4):** The proposed CSP is compatible with all of the above purposes for the M-X-T Zone as discussed in conjunction with associated DSP applications.

***(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:***

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

**Response:** The Planning Board previously determined that CSP-02004 was in conformance with the requirements of Part 10, Division 2, of the Zoning Ordinance. See section IV below for a detailed discussion of the DSP-19023 application's conformance with the approved Conceptual Site Plan CSP-02004.

- (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;***

**Response:** As discussed above, the Property is in the E-I-A Zone (Employment and Institutional Area) Zone. Per Section 27-500 (c) Uses of the Zoning Ordinance, “*A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10. The development shall meet all M-X-T Zone requirements in Part 10.*” The E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks; therefore, this standard does not apply to this application. The proposed Mixed-Use Planned Community is consistent with the E-I-A Zone design standards.

- (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;***

**RESPONSE:** The proposed development is designed to be physically integrated with both existing and future adjacent development and will be a catalyst to spur further development in the area. The CSP is visually integrated with existing and future uses through the use of connecting streets, pedestrian systems, open space buffers, and landscaping, elements that will be illustrated at the times of Detailed Site Plan review(s).

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

**RESPONSE:** As explained in Item (3) above, the proposed CSP is designed to be compatible with surrounding land 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;***

**RESPONSE:** The proposed CSP strives to organize a complementary mix and cohesive arrangement of uses and amenities that contribute to a vibrant community by locating residences proximate to locally servicing commercial uses and recreational amenities.

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

**RESPONSE:** Phasing will be geared to market conditions but each building phase will be managed to be a self-sufficient entity while also allowing for effective integration with subsequent construction phases.

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

**Response:** The pedestrian system for the project consists of sidewalks along both sides of all internal streets. The sidewalk system of this project links directly to the County's Master Planned Trail system extending to both the north and south of the South Lake development, as well as connects with the project's internal recreational trail system. The entire system is convenient and has been comprehensively designed to create a pedestrian-friendly environment that includes multiple active recreational features, seating areas, and sidewalk amenities along all major roadways and important destinations. The pedestrian system is designed to seamlessly interface with the future residential and commercial/retail phases of the project.

***(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***

**Response:** The submittal demonstrates an interconnected pedestrian system that is convenient and designed to encourage pedestrian activity and connect to amenities in neighboring phases of the development. Adequate attention has been paid to human scale, high-quality urban design, and other amenities, such as the types of paving materials, landscaping, street furniture, signage, and pedestrian-scale lighting of the public areas.

***(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, 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.***

**Response:** The area of DSP-19023 includes the entirety of Preliminary Plan 4-17027 which includes a trip cap of 48 AM and 56 PM trips, and it includes a portion of Preliminary Plan 4-04035 which includes a trip cap of 1,313 AM and 1,925 PM trips. Lenhart Traffic Consulting has prepared a memorandum dated July 24, 2019, for the DSP-19023 application. Exhibit 1 of that memo contains a trip generation analysis of DSP-19023 as overlaid onto Preliminary Plans 4-04035 and 4-17027. As shown on Exhibit 1, DSP uses up the entire trip cap of 4-17027 (48 AM and 56 PM trips) and a portion of the trip cap within 4-04035 (694 AM and 806 PM trips). It is critical to note that this trip generation analysis does not include any internal trip reductions because the DSP-

19023 does not include any commercial uses, nor do any prior DSP's. It is anticipated that the trip generation calculations for the overall South Lake project will be a living document that will be updated as future DSP's are submitted, including the application of internal trip captures between uses including the residential units within DSP-19023.

Based on the analyses contained in this report, the following conditions are recommended for the approval of 4-17027:

1. MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:
  - a. Convert the westbound right turn lane along MD 214 to operate as a shared through/right turn lane.
  - b. Restripe the northbound approach of Church Road. The approach is currently striped as a double left turn and a shared through/right. It is recommended the approach be restriped to one exclusive left-turn lane, one exclusive through lane, and one exclusive right turn lane, along with any signal modifications to reflect the change in lane use.
2. MD 214 at Old Central Avenue: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:

The applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour

- a. The applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency. A new warrant analysis will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed if and when signalization is warranted.
- b. In conjunction with the signalization of this intersection, the northbound approach of Old Central Avenue should be widened to include a double left-turn lane and one right

turn lane at MD 214. (Note that the double left turn would not be needed or permitted until the intersection is signalized.)

3. US 301 at Old Central Avenue: Prior to the issuance of any building permits within the site, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. New warrant analyses will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed that signalization is or is not warranted.
4. US 301 at Wawa / Median Crossover: This preliminary plan of subdivision will not add any traffic to this intersection nor will it result in the construction of the west leg of the intersection; therefore, there should be no conditions at this intersection as a result of 4-17027. The west leg of this intersection will be constructed in conjunction with 4-04035 which already contains conditions of approval for the ultimate intersection improvements and signalization.
5. Old Central Avenue at Site Access: Prior to the issuance of any building permits within the site, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersection of Old Central Avenue at Site Access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. New warrant analyses will not be required if the SHA determines that this condition has been satisfied and that recent studies have confirmed that signalization is or is not warranted.
6. Preliminary Plan of Subdivision 4-17027 should be approved with a trip cap of 48 AM and 56 PM peak hour trips. (Note that PPS 4-04035 will retain a trip cap of 1,313 AM peak hour trips and 1,925 PM peak hour trips.)

In light of the results of this study and the recommendations noted above, this project will satisfy the APFO requirements of Prince George's County and should be approved.

***(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.*

**RESPONSE:** This finding pertains to DSPs and is not applicable at this time.

**(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.***

**Response:** As discussed in section I. A. above, the entire South Lake property consists of approximately 381.52 acres of land in the E-I-A Zone. In its entirety, the South Lake development program is to be segregated within the following use categories:

Use	DSP #	Square Footage	Acreage
Infrastructure Only	DSP-05042-02	564,171.30	12.95159093
Apartments	DSP-16054	691,252.36	15.86897070
Commercial Ph1	DSP-19021	2,606,237.92	59.83098985
Commercial Ph2	DSP-19022	431,566.79	9.90741017
<b>Residential</b>	<b>DSP-19023</b>	<b>12,326,043.13</b>	<b>282.96701400</b>
			-
Total Site Area		16,619,271.50	381.52597567

**IV. 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 -- 8.00 FAR.***

**Response:** The total maximum floor area ratio (FAR) base density for this project is 0.33, which meets this requirement, without utilizing the optional method of development.

**(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.***

**RESPONSE:** Proposed uses will be located in more than one (1) building, and on more than one (1) lot.

**(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.*

**Response:** This is understood.

**(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.*

**Response:** This is understood.

**(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.*

**RESPONSE:** This is understood, gross floor area will be determined during Detailed Site Plan review.

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

**RESPONSE:** No such structures are proposed.

**(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.*

**Response:** Each lot is designed to 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.

**(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 eight hundred (1,800) 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 six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six*

*(6) dwelling units (but not more than eight (8) 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 six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) 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 (1/2) 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, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty-two (22) 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 are preferred to 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 District Council may approve a request to substitute townhouses, proposed for development as condominiums, for multifamily dwellings that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a revision to any previous plan approvals. Further, such townhouses are subject to all other requirements of the Zoning Ordinance.*

**Response:** The accompanying DSP-19023 application proposes 16-foot wide townhouses on lots of one thousand three hundred (1,300) square feet in size, and shall have at least sixty percent (60%)

of the full front facades constructed of brick, stone, or stucco. Also, the DSP design proposes a minimum of four (4) and as many as seven (7) residential townhouses in a cluster. The townhouses shall include variations in exterior architectural materials, colors, articulations, and fenestrations in compliance with the above standards. Furthermore, the Applicant to make every attempt that is practicable to incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption.

Although Section 27-548(h) provides that the minimum building width in any continuous attached group shall be eighteen (18) feet, the County Council, with the adoption of CB-73-2016, specifically amended this section to delete the requirement that such townhouses are subject to all other requirements of the Zoning Ordinance, and instead added that at the time of DSP for a Mixed-Use Planned Community, the Planning Board or the District Council may approve modifications to the regulations contained in Section 27-548(h) so long as the modification conforms to the particular development. South Lake is a mixed-use planned community, and the applicant is proposing a modification to this particular standard for certain townhouse units to accommodate a greater mix of product type, price point, resulting in better diversification among the townhouse units, which conforms with the vision and development of South Lake. It should be noted that the modification is only applicable to 68 units, which make up approximately 12% of all townhouse units and is only approximately 7% of the total number of residential units proposed in DSP-19023. This is the only modification requested with this application.

*(i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet.*

**RESPONSE:** Full details and overall conformance to the above design standards will be submitted for evaluation in future DSP-16054 application for the proposed 325 unit apartment phase.

*(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).*

**Response:** A comprehensive land use planning study was not conducted by Technical Staff prior to initiation, regulations for Conceptual or Detailed Site Plans; therefore, the above standard does not apply to the DSP-19023 application.

**X. Previous Approvals**

**Conceptual Site Plan CSP-02004:** On January 27, 2004, the District Council reviewed and approved the Conceptual Site Plan CSP-02004 (Corrected Resolution PGCPB No. 03-135(C)) for the subject property. The Planning Board approved the Conceptual Site Plan application with the following 51 conditions, *highlighted in italic bold:*

1. *Prior to certification of the Conceptual Site Plan...*

**Response:** This is understood.

2. *At the time of the first Detailed Site Plan (other than infrastructure), details of outdoor amenities such as brick pavers, tree grates, decorative lighting, signs, banners and high quality street furniture shall be approved by the Prince George's County Planning Board. A similar theme shall be established for the entire development.*

**Response:** The DSP-19023 submittal demonstrates an interconnected pedestrian system that is convenient and designed to encourage pedestrian activity and connect to amenities in neighboring phases of the development. Adequate attention has been paid to human scale, high-quality urban design, and other amenities, such as the types of paving materials, landscaping, street furniture, signage, and pedestrian-scale lighting of the public areas. For further details, please refer to the 57 sheet Landscape plan set incorporated in this application submittal package. Plan sheets 52 – 57 of 57 provide for proposed lighting, recreational amenities locations and details; Detailed Site Plan sheets 47 – 49 provide cross-sections of the proposed trail, sidewalk and roadway configurations, as well as bike racks, fencing and retaining wall details.

3. *At the time of preliminary plan approval, right-of-way requirements shall be determined...*

**Response:** This is understood.

4. *MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (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:*

- a. *The addition of a northbound left-turn lane along Church Road.*

**Response:** The Applicant agrees to comply with this condition.

- b. *The addition of an eastbound left-turn lane along MD 214.*

**Response:** The Applicant agrees to comply with this condition.

*c. The addition of a westbound left-turn lane along MD 214.*

**Response:** The Applicant agrees to comply with this condition.

*d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.*

**Response:** The Applicant agrees to comply with this condition.

*5. MD 214 at Hall Road/site access: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access...*

**Response:** Access directly to MD 214 has been removed from the proposed development design, thus CSP-02004 condition 5 is no longer valid nor applicable to South Lake, however a new traffic signal has been approved and designed at the MD 214 – Haul Road (Old Central) reconfigured intersection.

*6. Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.*

**Response:** These studies have been completed and it was determined that signalization is not warranted or approved by SHA.

*7. US 301 at site entrance/median crossover: Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits within*

*the subject property, the following road improvements shall (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:*

- a. *The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.*

**Response:** This improvement is currently in the design and permitting process with SHA.

- b. *The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301.*

**Response:** This improvement is currently in the design and permitting process with SHA.

- c. *The construction of a northbound left-turn lane approaching the median crossing.*

**Response:** This improvement is currently in the design and permitting process with SHA.

- d. *The construction of a southbound right-turn lane along the southbound US 301 approach.*

**Response:** This improvement is currently in the design and permitting process with SHA.

*The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.*

8. *Merge of ramp from eastbound MD 214 onto US 301: Prior to the issuance of any building permits within Phase II, as defined in Condition 10, the following road improvements shall (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 for the extension of the northbound merge lane to a length of no less than 400 feet subject to available right-of-way or in the alternative the elimination of said ramp by utilization of other acceptable improvement.*

**Response:** Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within Phase II, as defined in Condition 10, this condition does not apply to this DSP application. However, it should be noted that this condition has already been satisfied. The northbound acceleration from eastbound MD 214 to northbound US 301 was lengthened to include an acceleration lane that is approximately 700-800 feet long with a taper of 200-300 feet.

9. *US 301 widening:*

- a. *Prior to the issuance of any building permits within Phase I (other than construction buildings or model homes), as defined in Condition 11, the following road improvement shall (1) have full financial assurances, (2) have been permitted for construction through the operating agency's permit process, and (3) have an agreed-upon timetable for construction with the appropriate operating agency for the addition of a new MD 301 southbound lane to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.*

**Response:** Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within Phase I, as defined in Condition 10, this condition does not apply to the DSP-19023 application. It should also be noted that this condition was revised in PPS Resolution 04-247(C-3)(A-2) to begin 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue to tie into the existing third southbound lane prior to Queen Anne Road.

- b. *Prior to the issuance of any building permits within Phase II, as defined in Condition 11, the following road improvement shall (1) have full financial assurances, (2) have been permitted for construction through the operating agency's permit process, and (3) have an agreed-upon timetable for construction with the appropriate operating agency for the addition of new acceleration/ deceleration lanes from northbound US 301 at the site entrance.*

**Response:** Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within Phase II, as defined in Condition 10, this condition does not apply to the DSP-19023 application.

- c. *The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction at the respective Phases, the applicant shall pay to Prince George's County a sum calculated as  $\$725,094.25 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ . This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined at the time of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Conditions 6, 8 and 9A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements. The scope of the improvements shall be determined at the time of preliminary plan.*

**Response:** The Applicant acknowledges this condition.

10. *All off-site traffic improvements may be altered or modified at preliminary plan dependent upon phasing schedules.*

**Response:** This is understood.

11. *Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.*

**Response:** The area of accompanying DSP-19023 includes the entirety of Preliminary Plan 4-17027 which includes a trip cap of 48 AM and 56 PM trips, and it includes a portion of Preliminary Plan 4-04035 which includes a trip cap of 1,313 AM and 1,925 PM trips. Lenhart Traffic Consulting has prepared a memorandum dated July 24, 2019 for the DSP-19023 application. Exhibit 1 of that memo contains a trip generation analysis of DSP-19023 as overlaid onto Preliminary Plans 4-04035 and 4-17027. As shown on Exhibit 1, the accompanying DSP uses up the entire trip cap of 4-17027 (48 AM and 56 PM trips) and a portion of the trip cap within 4-04035 (694 AM and 806 PM trips). It is critical to note that this trip generation analysis does not include any internal trip reductions because the DSP does not include any commercial uses, nor do any prior DSP's. It is anticipated that the trip generation calculations for the overall South Lake project will be a living document that will be updated as future DSP's are submitted, including the application of internal trip captures between uses including the residential units within DSP-19023.

12. *At the time of preliminary plan review, all proposed "Street Sections" will be further reviewed with regard to specific development proposals of adjacent properties. All typical sections along public streets must conform to the requirements of the appropriate operating agency, and any deviations from the typical section of a public street must have the approval of that agency.*

**Response:** Sectional profiles/street section details of all street types proposed within the South Lake development are displayed on sheets 48 and 49 of the accompanying DSP-19023 plan set. However, because the above CSP condition is predicated on its compliance at the time of the Preliminary Plan approval, this condition does not technically apply to the accompanying DSP-19023 application.

13. *The plan shall be revised as follows:*

- a. *On the north side of the lake, a street of type “E” should be extended all the way across the north side of the lake.*

**Response:** The DSP-05042-02 site plan pending DSP-19021 and DSP-19023 street layout’s reflect compliance with condition 13.

14. *Prior to preliminary plan signature approval, the applicant, his successors and/or assigns shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (County Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan, transportation planning and DPW&T staff shall review bus routing plans.*

**Response:** The Applicant satisfied the requirement of condition 14 at the time of the Preliminary Plan’s signature and certification.

15. *All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.*

**Response:** The accompanying DSP-19023 site plan complies with CSP condition 15.

16. *Prior to certification of the Conceptual Site Plan, TCPI/48/02 shall be revised as follows...*

**Response:** This is understood.

17. *The Woodland Conservation threshold portion of the requirement (47.52 acres) shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.*

**Response:** The DSP-05042-02 Detailed Site Plan for Infrastructure and the TCP II plan submitted in conjunction with said application that was accepted by M-NCPPC on June 13, 2019 and currently being reviewed by the planning staff reflect adjustments to the woodland conservation areas outlined in condition 17.

18. *The revised TCP I submitted with the Preliminary Plan of Subdivision shall include the following...*

**Response:** The above condition(s) relating to required revisions to the earlier TCP I plan do not apply to either to this CSP nor accompanying DSP applications.

19. *At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.*

**Response:** The prior approved Preliminary Plan of Subdivision and Type I Tree Conservation Plan had been revised in accordance with this condition of approval.

20. *The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.*

**Response:** The Applicant acknowledges this condition.

21. *Prior to the issuance of any grading permits which impact the Waters of the U.S., nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.*

**Response:** The Applicant agrees to comply with this condition and has obtained all required permits and approvals (# 06-PG-0070) associated with the development of South Lake.

22. *The proposed PMA impacts shall be further evaluated with each subsequent plan review.*

**Response:** The Applicant acknowledges this condition. The revised site layout did change some of the previously approved PMA impacts however there is no net increase in the amount of PMA being impacted over the earlier approvals.

23. *The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."*

**Response:** The Applicant acknowledges this condition and has secured a geotechnical analysis of the property that identifies any potential areas of impact by this soil type.

24. *Prior to certification of the Conceptual Site Plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.*

*“This plan provides a conceptual layout for the proposed development of this site which contains Marlboro clay. The location and characteristics of this clay may affect the developable area of this site.”*

**Response:** This is understood.

25. *The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the detailed site plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of detailed site plan.*

**Response:** In response to condition 25, the attached noise study entitled “South Lake Noise Analysis” by Phoenix Noise & Vibration, was prepared in accordance with this condition’s stated compliance with the potential highway noise.

26. *The exact acreage and timing of dedication shall be determined at the time of Preliminary Plan.*

**Response:** The Applicant acknowledges this condition.

27. *The applicant shall construct an eight-foot-wide master-planned hiker/biker trail along the Collington Branch.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in greater detail in the discussion of 4-04035 below. The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site as proposed by DSP-05042-02 and reflected for context on the DSP-19023 plans. The cross sections of all roads are shown on DSP sheets 47 and 48. The 10-foot wide hiker/biker trail is shown on cross section 6.

28. *The preliminary plan shall consider the extension of the master plan trail north to Central Avenue (MD 214) and south to the southern property boundary.*

29. *The applicant shall construct the master plan eight-foot-wide asphalt trail connector from the stream valley trail to the road adjoining the private park.*

**Response:** The Applicant has been working with M-NCPPC in reference to condition 27 and 28. Per revised Preliminary Plan of Subdivision 4-04035 and 4-17027 the trail will be along South Lake Roads 'A', 'C', and 'D', as proposed under DSP-05042-02 and shown for context by this application.

30. *Prior to submission of the first detailed site plan for residential development, the applicant shall confer with the DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.*

**Response:** The Applicant has been working with the M-NCPPC Department of Recreation and Parks ("DPR") in reference to the implementation of condition 30. This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (File No. 4-04035) and is addressed in greater detail in the discussion of 4-04035 below. The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site as proposed by DSP-05042-02 and reflected on the DSP-19023 plans.

31. *The location of the trail shall be staked in the field and approved by DPR prior to construction.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in the discussion of 4-04035 below.

32. *The applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in the discussion of 4-04035 below.

33. *Prior to submission of the first detailed site plan for residential development, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.*

**Response:** The trail is designed to be constructed in accordance with the applicable standards and guidelines of the DPR.

34. *All master-planned trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.*

**Response:** The trail will be constructed in accordance with the applicable standards and guidelines of the DPR. This condition was changed with the last approval of the preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) and is addressed in the discussion of 4-04035 below.

35. *The handicapped accessibility of all trails shall be reviewed during the review of the Detailed Site Plan.*

**Response:** The Applicant acknowledges this condition and will make every effort practicable to implement.

36. *In-road bicycle facilities shall be considered at the time of preliminary plan along the four-lane, divided roads entering the site from MD 214 and US 301, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities, per the concurrence of DPW&T.*

**Response:** The trail and sidewalk system incorporated within the accompanying DSP-19023 plan is designed in compliance with above condition 36. Applicant acknowledges this condition that is set to trigger at the time of preliminary plan review and approval. However, it is importantly noted that this condition was revised with the last approval of preliminary plan of subdivision 4-04035 (PGCPB No. 04-247(C)) to trigger “...prior to the first DSP for residential development...” and will be addressed in the discussion of 4-04035 below.

37. *The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a detailed site plan (other than infrastructure) by the Planning Board.*

**Response:** As discussed in the accompanying DSP-19023 justification statement, the overall DSP development plan includes central lake features, trail network, a large assortment of active and passive recreational facilities within each residential section for both adults and children. Interspersed within the network of recreational features are pocket parks, tot lots, playgrounds, exercise stations, benches and a dog park. The primary focus of South Lake’s recreational amenities is the integrated community center which includes a swimming pool patio area.

38. *The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a Detailed Site Plan (other than infrastructure) by the Planning Board.*

**Response:** The Applicant acknowledges this condition.

39. *The developer, his successors, 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.*

**Response:** The Applicant acknowledges this condition.

40. *Each Detailed Site Plan shall specify that all tree pits along the streets that have shops, restaurants, plazas, and/or other uses shall be connected with a continuous noncompacted soil volume under the sidewalk. Details of how this will be accomplished shall be included on the plans and shall be agreed upon by the Planning Board or its designee. The use of "CU-Soil" as a "structural soil" or other equal product for shade trees planted in tree pits is strongly encouraged.*

**Response:** Full details and overall conformance to the above design standards will be submitted for evaluation in future DSP-19021 and DSP-19022 development applications for development of the commercial areas that are being finalized for submission to M-NCPPC in the coming weeks.

41. *An amphitheater or other civic feature shall be provided in close proximity to the lake.*

**Response:** This condition was changed with the last approval of the preliminary plan of subdivision 4-17027 (PGCPB No. 19-06) and was revised by clarifying the improvement may be either a pool site or amphitheater. The Applicant's proposal to construct a centrally located multifunction clubhouse and swimming pool complex proximate to the lake feature fulfills the requisites of this condition.

42. *The 25-acre central open space shall contain facilities exclusively for the use of the entire community.*

**Response:** The Applicant acknowledges this condition.

43. *After approval of the Preliminary Plan of Subdivision and the detailed site plans and concurrent with the first residential grading permit, the developer shall:*

- a. *Contribute \$250,000 to a tax exempt 501 (c) (3) organization to be determined and to be restricted for release to a school facility used to reduce overcrowding for Bowie area schools.*

**Response:** In compliance with the District Council's conditional approval of CSP-02004 the applicant identified the United Cerebral Palsy as the non-profit organization that would be the recipient of a \$250,000 contribution pursuant to Condition #43 of the Karington Conceptual Site Plan. Attached are copies of the bank cancelled checks in evidence supporting the payment of a

total of \$250,000 to the United Cerebral Palsy. Said documentation is provided in the accompanying DSP-19023 application materials.

- b. Use its best efforts to locate alternative commercial or other useable space for the transitional school to permanently replace the Belair School Building. Developer services will be provided at no cost to the Board of Education of Prince George's County.*

**Response:** The Applicant acknowledges this condition which is set to implement after approval of both the Preliminary Plan of Subdivision and Detailed Site Plans.

- c. Serve on construction committee for new middle school to be located in the South Bowie area.*

**Response:** The Applicant acknowledges this condition.

- 44. No individual retail user shall exceed 125,000 square feet other than a grocery store(s).*

**Response:** Full details and overall conformance to the above design standards will be submitted for evaluation in future DSP-19021 and DSP-19022 development applications for development of the commercial areas that are being finalized for submission to M-NCPPC in the coming weeks.

- 45. The plan shall be revised to reduce the number of luxury residential rental units to a maximum of 490, excluding age-restricted senior units and live/work units.*

**Response:** The Applicant acknowledges this condition. Full details and overall conformance to the above condition will be submitted for evaluation in conjunction with the 325-unit multifamily DSP-16054 apartment application.

- 46. The plan shall be revised to authorize an increase in residential condominium units to a minimum of 210 units.*

**Response:** The Planning Board reconsidered and approved the preliminary plan 4-04035 on December 15, 2016. The reconsideration was sought pursuant to the applicant's letter dated October 7, 2016, for the limited purpose of converting approximately 200 of the multifamily condominium units to fee simple townhouse lots and to allow for a modification to the phasing plan of off-site road improvements in addition to other changes that occurred subsequent to that original request. The Applicant's proposal to construct a total of 128 two-family attached (condominium) units in conjunction with the DSP application complies with this condition of approval.

- 47. The Detailed Site Plan shall require a landscaped and/or brick wall buffer along the property line adjacent to US 301 and MD 214.*

**Response:** Landscaping has been provided both within the US 301 ROW (approved by SHA) as well as on-site to satisfy the condition.

- 48. A Karington Advisory Committee shall be established, appointed jointly by Council Members from Districts 4 and 6, with representation from surrounding residential communities to facilitate communication for discussion of uses in and status reports on Karington by having regular meetings attended by the developer.*

**Response:** The Karington Advisory Committee was established and held several meetings, workshops, bus tours, etc. The Applicant has fully cooperated and participated in all past meetings of the group and will participate in any future meetings as may be scheduled from time to time. Furthermore, since the imposition of the condition that references the Karington Advisory Committee, the property has been annexed into the City of Bowie and, as such, all development applications for South Lake are subject to the public notice and comment policies, including Public Stakeholder Meetings, of the City.

- 49. The height of any high-rise structure, including age-restricted senior units and hotels, shall be evaluated at detailed site plan.*

**Response:** The Applicant acknowledges this condition and will provide necessary plans and documents for review at the time of future DSP-16054 multifamily apartment, and DSP-19021 and DSP-19022 retail applications.

- 50. Developer will employ best efforts to ensure adequate representation of minority business participation in all phases and trades of project.*

**Response:** The Applicant acknowledges this condition and will make every effort practicable to implement.

- 51. Notwithstanding any conditions related to the proposed master plan trail or connections thereto, applicant will not be required to construct same until the M-NCPPC or assigns constructs the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leeland Road.*

**Response:** The Applicant acknowledges this condition.

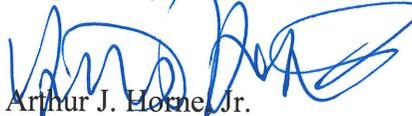
## **XI. Conclusion:**

Based upon the analysis and discussion presented herein, the Applicant respectfully requests that the Planning Board approve the Conceptual Site Plan (CSP-02004) application designed in compliance with the Prince George's County Planning Board's existing conditions of approval for approved Conceptual Site Plan CSP-02004, Preliminary Plan of Subdivisions 4-04035, 4-17027, and DSP-05042-02.

November 26, 2019  
CSP-02004  
Page 46

Your favorable consideration of this request is greatly appreciated.

Respectfully submitted,



Arthur J. Horne, Jr.

cc: Scott Rouk  
Jamie Atkinson  
Kevin Kennedy  
Nat Ballard  
Paul Woodburn

AJH/fms

N:\Chesapeake\_Custom\_Homes\_LLC\South Lake Residential\CSP-02004\CSP-02004 SOJ\CSP-02004 SOJ 11-26-2019.docx

Case No. SP-02004

Applicant: The Michael Companies, Inc.

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

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 03-135, to approve a conceptual site plan for a mixed-use planned community on property described as approximately 361.53 acres of land in the E-I-A Zone, known as Karington, located on the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Crain Highway), Bowie, is hereby:

AFFIRMED, for the reasons stated by the Planning Board, 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 conceptual site plan:
  - a. Ten (10) exercise stations or other acceptable recreational facilities shall be provided along the trail around the lake.
  - b. The Conceptual Site Plan Pedestrian Path Diagram shall be revised to provide the location of all walkways that are intended to be brick. At a minimum, brick walkways shall be provided along streets with retail shops, hotels, restaurants and around all village greens.
  - c. The plan shall be revised to eliminate the finger of townhouses in the northwest corner of the development near the entrance road off of MD 214. A trailhead shall be provided in this location, connecting to the master plan trail in the stream valley. The trail behind the proposed northern hotel site shall be deleted.
  - d. The Phasing Plan shall be revised to include a minimum 50,000 to 75,000 square feet of retail in Phase I.
  - e. Move northern hotel site to the northeast corner of the project and convert area vacated by hotel to residential (revise FAR chart accordingly).

2. At the time of the first detailed site plan (other than infrastructure), details of outdoor amenities such as brick pavers, tree grates, decorative lighting, signs, banners and high quality street furniture shall be approved by the Prince George's County Planning Board. A similar theme shall be established for the entire development.
3. At the time of preliminary plan approval, right-of-way requirements shall be determined along the following facilities:
  - a. US 301 southbound
  - b. MD 214
  - c. The MD 214/Hall Road intersection
4. **MD 214 at Church Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (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:
  - a. The addition of a northbound left-turn lane along Church Road.
  - b. The addition of an eastbound left-turn lane along MD 214.
  - c. The addition of a westbound left-turn lane along MD 214.
  - d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.
5. **MD 214 at Hall Road/site access:** Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the responsible permitting agency. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:
  - a. The addition of an eastbound exclusive right-turn lane along MD 214.
  - b. The addition of a westbound left-turn lane along MD 214.

- c. The construction of the northbound approach to include two left-turn lanes and a shared through/right-turn lane.

The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.

- 6. **US 301 at Old Central Avenue:** Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.
- 7. **US 301 at site entrance/median crossover:** Prior to the approval of the first detailed site plan for the subject property other than a detailed site plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:
  - a. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.
  - b. The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301.
  - c. The construction of a northbound left-turn lane approaching the median crossing.
  - d. The construction of a southbound right-turn lane along the southbound US 301 approach.

The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.

- 8. **Merge of ramp from eastbound MD 214 onto US 301:** Prior to the issuance of any building permits within Phase II, as defined in Condition 10, the following road

improvements shall (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 for the extension of the northbound merge lane to a length of no less than 400 feet subject to available right-of-way or in the alternative the elimination of said ramp by utilization of other acceptable improvement.

9. **US 301 widening:**
  - a. Prior to the issuance of any building permits within Phase I (other than construction buildings or model homes), as defined in Condition 11, the following road improvement shall (1) have full financial assurances, (2) have been permitted for construction through the operating agency's permit process, and (3) have an agreed-upon timetable for construction with the appropriate operating agency for the addition of a new MD 301 southbound lane to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.
  - b. Prior to the issuance of any building permits within Phase II, as defined in Condition 11, the following road improvement shall (1) have full financial assurances, (2) have been permitted for construction through the operating agency's permit process, and (3) have an agreed-upon timetable for construction with the appropriate operating agency for the addition of new acceleration/ deceleration lanes from northbound US 301 at the site entrance.
  - c. The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction at the respective Phases, the applicant shall pay to Prince George's County a sum calculated as  $\$725,094.25 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2}^{\text{nd}} \text{ quarter, 1989})$ . This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined at the time of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Conditions 6, 8 and 9A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements. The scope of the improvements shall be determined at the time of preliminary plan.
10. All off-site traffic improvements may be altered or modified at preliminary plan dependent upon phasing schedules.
11. Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip

satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.

12. At the time of preliminary plan review, all proposed "Street Sections" will be further reviewed with regard to specific development proposals of adjacent properties. All typical sections along public streets must conform to the requirements of the appropriate operating agency, and any deviations from the typical section of a public street must have the approval of that agency.
13. The plan shall be revised as follows:
  - a. On the north side of the lake, a street of type "E" should be extended all the way across the north side of the lake.
14. Prior to preliminary plan signature approval, the applicant, his successors and/or assigns shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (County Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan, transportation planning and DPW&T staff shall review bus routing plans.
15. All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.
16. Prior to certification of the conceptual site plan, TCPI/48/02 shall be revised as follows:
  - a. The Worksheet shall be revised as follows:
    - (1) Reflect the correct area of existing woodland on the "Net Tract" not the total woodland on the property.
    - (2) Show the correct area of proposed woodland clearing based on this conceptual plan.
  - b. Delete the TCPII notes from the plan and add the correct TCPI notes.
  - c. Add the following notes to the TCPI in large bold type.

- (1) "This TCPI is a conceptual plan associated with the conceptual site plan only and does not approve the locations of roads, lots or utilities."
  - (2) "TCPI/48/02 shall be revised with the Preliminary Plan of Subdivision and the proposed PMA impacts will be evaluated at that time. The PMA impacts shown on this plan are not considered approved with this plan."
  - (3) "Conceptual grading, conceptual structure locations and the limit of disturbance will be evaluated with the revised TCPI during the review of the Preliminary Plan of Subdivision."
- d. The plans shall be sealed, signed and dated by the licensed landscape architect, licensed forester or other qualified professional who prepared the plans.
17. The Woodland Conservation threshold portion of the requirement (47.52 acres) shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.
  18. The revised TCPI submitted with the Preliminary Plan of Subdivision shall include the following:
    - a. Show conceptual grading, structure locations, and the limit of disturbance.
    - b. An attempt shall be made to eliminate isolated Woodland Conservation Areas by adjusting the layout and providing larger contiguous forest areas in the vicinity of the PMA and thus further minimizing proposed PMA impacts.
    - c. Show the location of all anticipated stormdrain, sewer and water outfalls including those connecting to existing facilities located outside the limits of this application.
    - d. Any clearing for off-site infrastructure connections shall be mitigated at a 1:1 ratio for all woodlands cleared as part of TCPI/48/02.
  19. At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.
  20. The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.

21. Prior to the issuance of any grading permits which impact the Waters of the US, nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.
22. The proposed PMA impacts shall be further evaluated with each subsequent plan review.
23. The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."
24. Prior to certification of the conceptual site plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.

“This plan provides a conceptual layout for the proposed development of this site which contains Marlboro Clay. The location and characteristics of this clay may affect the developable area of this site.
25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the detailed site plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of detailed site plan.
26. The exact acreage and timing of dedication shall be determined at the time of preliminary plan.
27. The applicant shall construct an eight-foot-wide master-planned hiker/biker trail along the Collington Branch.
28. The preliminary plan shall consider the extension of the master plan trail north to Central Avenue (MD 214) and south to the southern property boundary.
29. The applicant shall construct the master plan eight-foot-wide asphalt trail connector from the stream valley trail to the road adjoining the private park.
30. Prior to submission of the first detailed site plan for residential development, the applicant shall confer with the DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.
31. The location of the trail shall be staked in the field and approved by DPR prior to construction.

32. The applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.
33. Prior to submission of the first detailed site plan for residential development, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*.
34. All master-planned trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.
35. The handicapped accessibility of all trails shall be reviewed during the review of the detailed site plan.
36. In-road bicycle facilities shall be considered at the time of preliminary plan along the four-lane, divided roads entering the site from MD 214 and US 301, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities, per the concurrence of DPW&T.
37. 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*. The complete recreational package shall, at a minimum, include facilities provided for on the conceptual site plan.
38. The private recreational facilities shall be reviewed by the Urban Design Review Section of Development Review Division (DRD) for adequacy and proper siting, prior to approval of a detailed site plan (other than infrastructure) by the Planning Board.
39. The developer, his successors, 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.
40. Each detailed site plan shall specify that all tree pits along the streets that have shops, restaurants, plazas, and/or other uses shall be connected with a continuous noncompacted soil volume under the sidewalk. Details of how this will be accomplished shall be included on the plans and shall be agreed upon by the Planning Board or its designee. The use of "CU-Soil" as a "structural soil" or other equal product for shade trees planted in tree pits is strongly encouraged.
41. An amphitheater or other civic feature shall be provided in close proximity to the lake.
42. The 25-acre central open space shall contain facilities exclusively for the use of the entire community.

43. After approval of the Preliminary Plan of Subdivision and the detailed site plans and concurrent with the first residential grading permit, the developer shall:
  - a. Contribute \$250,000 to a tax exempt 501 (c) (3) organization to be determined and to be restricted for release to a school facility used to reduce overcrowding for Bowie area schools.
  - b. Use its best efforts to locate alternative commercial or other useable space for the transitional school to permanently replace the Belair School Building. Developer services will be provided at no cost to the Board of Education of Prince George's County.
  - c. Serve on construction committee for new middle school to be located in the South Bowie area.
44. No individual retail user shall exceed 125,000 square feet other than a grocery store(s).
45. The plan shall be revised to reduce the number of luxury residential rental units to a maximum of 490, excluding age-restricted senior units and live/work units.
46. The plan shall be revised to authorize an increase in residential condominium units to a minimum of 210 units.
47. The Detailed Site Plan shall require a landscaped and/or brick wall buffer along the property line adjacent to US 301 and MD 214.
48. A Karington Advisory Committee shall be established, appointed jointly by Council Members from Districts 4 and 6, with representation from surrounding residential communities to facilitate communication for discussion of uses in and status reports on Karington by having regular meetings attended by the developer.
49. The height of any high-rise structure, including age-restricted senior units and hotels, shall be evaluated at detailed site plan.
50. Developer will employ best efforts to ensure adequate representation of minority business participation in all phases and trades of project.
51. Notwithstanding any conditions related to the proposed master plan trail or connections thereto, applicant will not be required to construct same until the M-NCPPC or assigns constructs the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leeland Road.

Ordered this 27th day of January, 2004, by the following vote:

In Favor: Council Members Knotts, Dean, Dernoga, Exum, Harrington, Peters and Shapiro

Opposed: Council Member Bland

Abstained:

Absent: Council Member Hendershot

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: \_\_\_\_\_  
Tony Knotts, Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council



May 21, 2018

Karington LLC  
10100 Business Parkway  
Lanham, MD 20706

Re: Notification of Planning Board Action on  
**Subdivision Section 4-04035**  
**Karington, LLC**

Dear Applicant:

Enclosed please find a Corrected Resolution for the above referenced case. The purpose of this Corrected Resolution is to correct a minor administrative error in the subject decision. The mail out of this Corrected Resolution does not change the action of the Planning Board, nor does it affect notice and appellate rights.

Please direct any future communication or inquiries regarding this matter to the Development Review Division at (301) 952-3530.

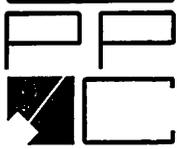
Very truly yours,

Retha Pompey-Green  
Development Review Division

Enclosure: PGCPB No. **04-247(C/3)(A/2)**

cc: Persons of Record

MIN  
THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION



14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.mncppc.org/pgco

PGCPB No. 04-247(C/3)(A/2)

File No. 4-04035

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

WHEREAS, Karington, LLC is the owner of a 381.52-acre parcel of land known as Parcels 119 and 139, Tax Map 70C, Grid 2, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned E-I-A; and

WHEREAS, on May 6, 2004, Karington, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 463 lots and 86 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04035 for Karington 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 October 21, 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 October 21, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

†WHEREAS, by letter dated October 7, 2016, Matthew Tedesco and Arthur Horne, Jr., representing the owner/applicant Karington, LLC, requested a waiver and reconsideration for the conversion of certain dwelling units to lots and a modification to the phasing of transportation improvements and related findings;

†WHEREAS, on October 27, 2016, the Planning Board approved the waiver and request for reconsideration for good cause and in furtherance of substantial public interest (Rules of Procedure, Section 10(e)); and

†WHEREAS, on February 16, 2017, the Planning Board heard testimony regarding the reconsideration and approved the reconsideration, with conditions, for approval of 800 lots and 110 parcels for 1,294 dwelling units.

††Denotes (2018) Amendment

†Denotes (2017) Amendment

\*\*\*Denotes (2018) Correction

\*\*Denotes (2017) Correction

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

††WHEREAS, by letter dated July 12, 2017 Matthew Tedesco and Arthur Horne, Jr., representing the owner/applicant Karington, LLC, requested a waiver and reconsideration for the adjustment of access, circulation, and master plan trail alignment;

††WHEREAS, on ~~\*\*\*[July 27, 2016]~~ July 27, 2017, the Planning Board approved the waiver and request for reconsideration for good cause and in furtherance of substantial public interest (Rules of Procedure, Section 10(e)); and

††WHEREAS, on January 25, 2018, the Planning Board heard testimony regarding the reconsideration and approved the reconsideration, with conditions, for adjustment of access, circulation, and master plan trail alignment.

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/48/02)]~~ (TCPI/48/02-02), and further APPROVED Preliminary Plan of Subdivision 4-04035, Karington, LLC for ~~†[Lots 1-463]~~ Lots 1-800 and ~~†[Parcels 1-86]~~ Parcels 1-110 with the following conditions:

1. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/48/02-01 (see -02 revision for reconsidered TCPI), shall be revised as follows:

~~††[a. \*Whenever feasible, [R] revise the alignment of the neighborhood trails so that they are located at the top of the slopes or the bottom of the slopes, not midway up the slopes where significant grading and woodland clearing will be required.~~

††[b] a. Add information to the TCPI that identifies the locations of all off-site road improvements that will be required and indicate which of those improvements may require the clearing of woodlands.

††[e] b. Show the location of the mitigated 1.5 safety factor line on the TCPI and the preliminary plan of subdivision and adjust the lot layout for proposed Lots 210-246, Block 'A,' so that the lots are located entirely outside the limits of the mitigated 1.5 safety factor line.

††[d] c. Prior to DSP, revise the Type I tree conservation plan to minimize the portion of PMA Impact #5 associated with the construction of the clubhouse and swimming pool. Also, revise PMA Impact 6 to further minimize and/or eliminate the proposed impact.

††Denotes (2018) Amendment

†Denotes (2017) Amendment

\*\*\*Denotes (2018) Correction

\*\*Denotes (2017) Correction

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

- ††[e] d. Revise the preliminary plan of subdivision and the Type I tree conservation plan to reflect the revised lot layout and the location of the mitigated 1.5 safety factor line based on “Marlboro Clay Safety Factor Exhibit A.”
2. Prior to signature approval of the preliminary plan of subdivision, the preliminary plan and the Type I tree conservation plan shall be revised:
- So that no portion of the Patuxent River Primary Management Area (PMA) outside of the approved PMA impact area is located within the limits of a lot or parcel less than two acres in size.
  - To include the 10-foot-wide public utility easement parallel and contiguous to all public rights-of-way.
3. Development of this subdivision shall be in compliance with an approved Type I tree conservation plan †[(TCPI/48/02-01)] (TCPI/48/02-02). 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/48/02-01)] (TCPI/48/02-02) 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.”
4. The detailed site plan for the area that includes proposed Street ‘K’ shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.
5. The detailed site plan submittal which includes Lots 210 – 246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.
6. Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.

††Denotes (2018) Amendment

†Denotes (2017) Amendment

\*\*\*Denotes (2018) Correction

\*\*Denotes (2017) Correction

\*Denotes Correction

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7. Prior to approval of the detailed site plan and the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.
8. The final plat of subdivision shall show a minimum 50-foot building restriction line (unless a lesser restriction is approved by DER) from the limits of the mitigated 1.5 slope safety factor line.
9. The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George's County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.
10. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section for accuracy prior to approval. In addition, 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 permitted.”
11. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.
12. Prior to the issuance of any building permits for this site an approved stormwater management plan that is consistent with the approved detailed site plan and the Type II tree conservation plan shall be submitted to the Environmental Planning Section.
13. Failure to obtain either federal and/or state permits for the construction of the proposed lake will be considered a major change to the overall concept of this application and will require the submission and approval of a new preliminary plan of subdivision.

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- ††[14. ~~Subject to Condition <sup>\*</sup>[41] 43, the applicant, his heirs, successors and/or assignees shall construct the master plan eight foot wide asphalt trail connector from the stream valley trail to the road adjoining the private park. The trail shall be a minimum of eight feet wide and asphalt.]~~
- ††[15. ~~Prior to submission of the first detailed site plan for residential development, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.]~~
- ††14. Prior to submission of the first detailed site plan for residential development, other than for multifamily development for the first 400 units, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact realignment of the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue through the project to the southern property line, as further depicted in Applicant's Exhibit A. The alternate alignment shall be approved by DPR consistent with the master plan. If the alternate master plan trail is located within a private right-of-way or any privately owned land, the applicant, prior to the approval of the applicable record plat, shall provide M-NCPPC with a public access easement to ensure public access to the alternate master plan trail located within the private right-of-way or privately owned land.
- ††[16. ~~Subject to Condition <sup>\*</sup>[41] 43, the location of the trail shall be staked in the field and approved by DPR prior to construction.]~~
- ††[17. ~~Subject to Condition <sup>\*</sup>[41] 43, the applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600th residential building permit, the trail construction shall be completed.]~~
- ††15. The applicant, his successors, and/or assignees shall construct the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue to the southern property line in phase with road construction with the exception of the southern connection of private Street W in accordance with Condition 39. Private Street W shall be platted in phase with development, at which time the applicant, his successors, and/or assigns shall provide an easement for the alternate 10 foot wide master plan trail to ensure ultimate connectivity to the southern property line.
- ††[18. ~~Subject to Condition <sup>\*</sup>[41] 43, the applicant shall submit detailed construction drawings for the master planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines* and all standards related to handicapped accessibility.]~~

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††16. Prior to certificate approval of the detailed site plan for infrastructure (or an amendment thereto) that includes a portion of the proposed alternate master plan trail, the applicant shall submit detailed construction drawings for the relevant portion of the alternate master-planned trail to DPR for review and approval. The trail within the public or private right-of-way shall be designed in accordance with Applicant's Exhibit A.

††[19] 17. ††[AH] The 10-foot-wide alternate master-planned ††[trails] trail shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.

††[20]. ~~In-road bicycle facilities shall be considered prior to the first DSP for residential development along the four-lane, divided roads entering the site from MD 214 and US 301, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.]~~

††18. In-road bicycle facilities and/or trail facilities designed in accordance with Applicant's Exhibit A shall be considered along with the DSP for infrastructure (or any amendment thereto) along public roads entering the site from MD 214/Old Central Avenue and US 301 at the main site entrance, as well as along the main loop road (two-way street) through the subject site in conformance with the 1999 AASHTO Guide for the Development of Bicycle Facilities. Wider outside curb lanes or parking lanes may be recommended at the time of detailed site plan to more adequately accommodate bicycle traffic along the designated bicycle routes, per the concurrence of DPW&T.

††[21] 19. 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."

††[22] 20. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Prior to approval of the detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and

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preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines. This condition shall not apply if the applicant can provide evidence that these studies have been reviewed and approved.

††[23] 21. Prior to the issuance of permits ~~\*(other than infrastructure)~~, the applicant, his heirs, successors and/or assignees shall have the scrap tires hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt shall be turned in to the Health Department.

††[24] 22. **MD 214 at Church Road:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- a. The addition of a northbound left-turn lane along Church Road.
- b. The addition of an eastbound left-turn lane along MD 214.
- c. The addition of a westbound left-turn lane along MD 214.
- d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.

††[25. ~~MD 214 at Hall Road/site access:~~ Prior to the approval of the detailed site plan for the subject property ~~(other than infrastructure)~~, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, ~~†other than for infrastructure, signage, or model homes~~ within the subject property and install it at a time when directed by the responsible permitting agency. ~~†[Also, prior to the issuance of any building permits within the subject property,] Prior to any building permit that generates more than 1,047 AM and/or 1,421 PM net off-site peak hour trips or any building permit, other than for infrastructure, model homes, or signage that is otherwise within 1,400 linear feet of the proposed MD 214/Hall Road intersection, the following road improvements shall, †if deemed to be necessary by the operating agency, (a) have full financial assurances, (b) have been permitted for construction through the~~

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operating agency's access permit process, and (e) have an agreed upon timetable for construction with the appropriate operating agency:

- [a. The addition of an eastbound exclusive right turn lane along MD 214.
- [b. The ~~†~~[addition of a] provision of an exclusive westbound left turn lane along MD 214 at the site access.
- [c. The construction of the northbound approach to include two left turn lanes and a shared through/right turn lane, ~~† or lane use otherwise required by SHA.~~]

**††23. Old Central Avenue at Site Access:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

**††[26] 24. US 301 at Old Central Avenue:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. ††In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.

**††[27] 25. US 301 at site entrance/median crossover:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, †other than for infrastructure, model homes, or signage, within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, †other than for infrastructure, model homes or signage, within the

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subject property, the following road improvements shall (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:

- a. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.
- b. The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301
- c. The construction of a northbound left-turn lane approaching the median crossing.
- d. The construction of a southbound right-turn lane along the southbound US 301 approach.
- e. †Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).

††[28] 26. US 301 widening:

- a. Prior to the issuance of any permits, †other than for infrastructure, signage, or model homes, within ~~†[Phase I (other than construction buildings and model homes)]~~ Phase II, as defined in the trip cap condition contained in this report, the following road improvement shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of a new US 301 southbound lane †[to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.] beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue, to tie into the existing third southbound lane that already exists at Queen Anne Road, for a total distance of approximately 2,800 feet.
- b. Prior to the issuance of any permits within ~~†[Phase II]~~ Phase I that require the construction of a new access point(s) along southbound US 301, as defined in the trip cap condition contained in this report, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of new

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acceleration/deceleration lanes along †~~[northbound]~~ southbound US 301 at the site entrance(s).

- c. The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction of the respective Phases, the applicant shall pay to Prince George's County a sum calculated as \$725,094.25 x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989). This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined prior to signature approval of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Condition 28A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements less the cost of the SHA mandated access improvements.

††~~[29]~~ 27. MD 214 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.

††~~[30]~~ 28. Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to †~~[774 AM and 1,242 PM]~~ 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than †~~[774 AM and 1,242 PM]~~ 1,047 AM and 1,421 PM net off-site peak-hour trips ††~~[or is within 1,400 linear feet of the proposed MD 214/Hall Road intersection]~~. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.

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~~††[31]. The preliminary plan of subdivision and detailed site plan(s) shall reflect the staging line of 1,400 linear feet from the Central Avenue (MD 214) and Hall Road intersection for transportation analysis.~~

††[30] [32] 29. Prior to ~~\*[signature approval of the preliminary plan]~~ detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.

††[31] [33] 30. Prior to approval of the final plat of subdivision, the applicant, his successors and/or assignees shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately-funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan (other than infrastructure), transportation planning and DPW&T staff shall review bus routing plans.

††[32] [34] 31. Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.

††[34] [35] 32. Prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant's heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to M-NCPPC, ††including the additional land to be conveyed pursuant to the reconsideration approved January 25, 2018. Land to be conveyed shall be subject to the following:

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- a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat for the parkland.
- b. 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 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 Department of Parks and Recreation (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, 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 M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by 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 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.

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- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
- i. No stormwater management facilities, ††~~[or tree conservation]~~ or utility easements shall be proposed on land owned by or to be conveyed to 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.

††~~[35]~~ ~~[36]~~ 33. The subdivider, his successors and/or assignees shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plan of subdivision.

††~~[36]~~ ~~[37.~~ Subject to Condition \*~~[41]~~ 43, the applicant shall construct an eight foot wide master planned trail from the stream valley trail to the road adjoining the private park.]

††~~[37]~~ ~~[38.~~ At a time to be determined at detailed site plan, the applicant shall construct a trailhead at the main access road (Street A); facilities shall be determined at the time of the DSP and may include a parking lot and a shelter.]

††34. At a time to be determined at detailed site plan, the applicant shall construct a publicly accessible trailhead in the location generally shown on Applicant's Exhibit A, or in an alternate location mutually agreeable to the applicant and DPR. Trailhead facilities may include a parking lot and a shelter. The timing of construction and the trailhead facilities shall be determined at the time of any detailed site plan that includes the trailhead location.

††~~[38]~~ ~~[39]~~ 35. Proposed PMA impacts #5 and #6 shall be further evaluated during the review of the first Detailed Site Plan proposing these specific PMA impacts in order to further minimize and/or avoid the impacts once more detailed topographic, Geotechnical and grading information becomes available. If proposed PMA impact #5 cannot be sufficiently minimized the proposed pool and clubhouse shall be relocated and Parcel 79 shall be eliminated.

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- ††[39] [40] 36. The applicant shall submit three original, executed recreational facilities agreements (RFA) for trail construction to DPR for their approval, three weeks prior to a submission of a final plat of subdivision. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
- ††[40] [41]. ~~The applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR, within at least two weeks prior to applying for building permits.]~~
- ††37. In accordance with Condition 34, prior to the issuance of the fine grading permit or building permit(s) for any portion of the alternate master plan trail and related trailhead facility to be located outside of the public right-of-way, the applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by DPR.
- ††[41] [42] 38. The approval of the first detailed site plan for residential development (other than infrastructure) shall establish the timing for the submission of the recreational facilities agreements and associated bonding requirements for the public trail construction and the private recreational facilities.
- ††[42] [43]. ~~Notwithstanding any condition related to the proposed Master Plan trail or connections thereto, applicant will not be required to construct same trail until the M-NCPPG constructs or assigns the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leland Road.]~~
- ††39. Notwithstanding any condition related to the ultimate connection of the proposed alternate Master Plan trail to the southern property line, the applicant will not be required to bond, permit, or actually construct the ultimate connection to the southern property line along Street W until Street W and Prince George's Boulevard are graded and actually connected. If private Street W is not ultimately constructed, an easement for the master plan trail connection to the southern property line of the site shall still be provided in accordance with Condition 14.
- ††[44] 40. Pursuant to the Planning Board reconsideration action on February 16, 2017, the preliminary plan of subdivision (PPS) and TCPI (-02) shall be recertified prior to approval of a detailed site plan (not infrastructure) and shall include the following additional information:
- a. Add an additional approval block to the PPS and adjust the lot and parcel totals, including a breakdown of commercial, residential, single-family dwellings, and two family attached.

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- b. Add a new general note that states “The Planning Board approved (PGCPB Resolution No. 04-247(C)(A)) a reconsideration on February 16, 2017 to convert dwelling unit types and increase the number of lots to 800 and the number of parcels to 97 with no increase to the maximum dwelling units approved of 1,294.”
- c. Parcel 91 shall be adjusted to avoid impacts to tree conservation areas.
- d. The original tree line, per the approved forest stand delineation/Tree Conservation Plan Type I, shall be shown on the plans.
- e. The TCPI shall show the most current approval block.
- f. Delineate and label lot depth in accordance with Section 24-121(a)(4) of the Subdivision Regulations.
- g. Add a note to the PPS that states “The recertification of this PPS, pursuant to the reconsideration action approved on February 16, 2017 and adoption of PGCPB Resolution No. 04-247(C)(A), does not extend the validity period of the PPS, nor change the date of the original approval.”
- h. Provide an inset on the PPS which reflects the applicant’s “Exhibit for Typical Minimum Lot Layout” dated ~~\*\*[February 27, 2017]~~ February 7, 2017.
- ††~~[i]~~ Reflect the staging line of 1,400 linear feet from the proposed Central Avenue (MD 214) and Hall Road intersection for transportation analysis.]
- ††~~[j]~~ i. Label denied access along Robert Crain Highway (US 301), with the exception of the street connections, and reflect the proposed access easements authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations with arrows with a heavy line weight, which may be subject to revisions at the time of DSP.
- ††~~[k]~~ j. Revise the lotting pattern for Parcels 49, 72, and 73 in accordance with Applicants Access Exhibit.
- ††~~[l]~~ k. Dimension all streets and alleys, and label.

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- ††[45] 41. Prior to approval of the final plat, if needed, the applicant and the applicant's heirs, successors, and/or assignees shall submit a draft access easement, pursuant to Section 24-128(b)(9) of the Subdivision Regulations, over the approved shared access to serve the commercial retail as reflected on the approved detailed site plan. If needed, the draft document shall identify the Maryland-National Capital Park and Planning Commission (M-NCPPC) as the grantee and shall submit it for review and approval. The limits of the shared access shall be reflected on the final plat. Prior to recordation of the final plat, the 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 vehicular access. The final plat shall carry a note that vehicular access is authorized pursuant to Section 24-128(b)(9) of the Subdivision Regulations.
- ††[46] 42. Prior to signature approval of the preliminary plan of subdivision, the Type I tree conservation plan (TCPI) shall be revised as follows:
- a. Update the TCP approval block to the current standard with all previous approval information typed-in.
  - b. Add the standard Development Review QR code approval block.
  - c. Remove the steep slopes and proposed treeline.
  - d. Revise the limit of disturbance to the standard line-type.
  - e. Revise the location of the limit of disturbance to follow the current location of the proposed water and sewer connections.
  - f. Show the unmitigated 65 dBA Ldn noise contour with a darker line and provide labels for the line on each sheet of the plan set.
  - g. Revise the name of the qualified professional responsible for the plan on the worksheet and have the revised plan signed and dated by the qualified professional who prepared the plan.
- ††[47] 43. Prior to approval of a detailed site plan ††for residential development (not infrastructure), the following shall be demonstrated on the plans:
- a. Private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, in at least three locations with each location being within a 100-foot radius of the proposed townhouses.

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- b. To provide adequate pedestrian circulation and access, homeowners association open space windows, which are a minimum of eight feet-wide, shall be provided between the end unit lot lines of single-family attached (townhouse) building sticks where appropriate, as determined at the time of detailed site plan.
  - c. Homeowners association (HOA) open space shall be provided between groups of lots, which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements shall be provided every (15) fifteen contiguous single-family detached units, or as determined at the time of detailed site plan.
- ††44. Pursuant to the Planning Board reconsideration action on January 25, 2018, the preliminary plan of subdivision and TCPI (-03) shall be recertified prior to approval of a detailed site plan and shall include the following revisions:
- ††a. Have the revised plan signed and dated by the qualified professional who prepared the plan.
  - ††b. Indicate on the plans that Street J is to be a public right-of-way.
  - ††c. Show and label the east property line of private Street A at public Street A.
- ††45. Prior to the approval of any permits, the applicant shall vacate the right-of-way previously dedicated for the western access to MD 214 and file a plat of correction, to the plat recorded at REP 215-89, to be approved and recorded reflecting the area which has been vacated and is to be incorporated into land previously platted with REP 215-89. The plat of correction shall include all land previously shown on plat REP 215-89. With the plat of correction, the applicant shall enter into a memorandum of understanding (MOU) with DPW&T for the maintenance of the master plan trail within the public right-or-way and the Liber and folio of the of the MOU shall be reflected on the final plat prior to recordation, unless the operating agency agrees to maintain the master plan trail within the right-of-way.
- ††46. At the time of detailed site plan, appropriate transitions from in-road bicycle facilities to the master plan hiker/biker trail shall be shown.
- ††47. At the time of detailed site plan, which includes the access at Old Central Avenue, the Type 2 tree conservation plan shall account for the off-site woodland clearing associated with the proposed traffic circle graphically on the plan, in updates to the off-site clearing table, and in the woodland conservation worksheet, unless the traffic circle is no longer required.

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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 in the southwest quadrant of Central Avenue and US 301.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

Zone Uses	EXISTING E-I-A	PROPOSED E-I-A
	Vacant	Mixed Use Development: Single-family detached and attached homes, <del>†multifamily</del> , commercial <del>†[and institutional]</del> retail, and hotel uses.
Acreage	381.52	381.52
Lots	0	†[463] <u>800</u>
Parcels	2	†[86] <u>110</u>
Square-footage:		
Retail Commercial	0	†[300,000] <u>475,000</u>
Employment Space	0	†[700,000] <u>200,000</u>
†[School]	0	†[25,000]
Hotel Rooms	0	†[300] <u>390</u>
Total Dwelling Units:	0	1,294
Detached	0	†[170] <u>136</u>
Attached	0	†[272] <u>664</u>
Multifamily †[Rental]	0	†[600] <u>390</u>
†[Condominium] <u>2-Family Attached</u>	0	†[112] <u>104</u>
†[High-Rise]	0	†[120]
†[Live-Work]	0	†[20]

4. **Environmental**—The Environmental Planning Section reviewed the preliminary plan of subdivision †(PPS) and Type I Tree Conservation Plans date stamped as received by the Environmental Planning Section on July 19, 2004 and the revised Geotechnical Report date stamped as received by the Environmental Planning Section on September 22, 2004. The plans as submitted have been found to address the environmental constraints of this site and the requirements of the Prince George's County Woodland Conservation Ordinance. †[Therefore, the

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Environmental Planning Section recommends approval of Preliminary Plan of Subdivision 4-04035 and] Type I Tree Conservation Plan TCPI/48/02-01 †[subject to conditions] was approved with the original PPS. Type I Tree Conservation Plan TCPI/48/02-02 was approved with the reconsideration to reflect modification to the lotting pattern.

A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. Transportation-related noise impacts have been found to impact this site. The soils found to occur according to the Prince George's County Soil Survey include Adelpia fine sandy loams, Bibb silt loam, Keyport silt loam, Sandy land steep, and Westphalia fine sandy loams. Some of these existing soils have limitations that will have an impact during the building phase of the development. According to available information, Marlboro clay is 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 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 and historic roads in the vicinity of this property. This property is located in the Collington Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.

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

The approval of the conceptual site plan included numerous conditions, several of which dealt with environmental issues that were to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the preliminary plan of subdivision are addressed below.

#### **Conceptual Site Plan CSP-02004; PGCPB No. 03-135**

- 15. All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.**

This condition has been addressed; the revised Type I Tree Conservation Plan, TCPI/48/02-01 date stamped as received by the Environmental Planning Section on July 19, 2004, reflects the correct tree line in accordance with the FSD revision date stamped on May 23, 2003.

- 17. The Woodland Conservation Threshold portion of the requirement (47.52 acres) shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.**

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This condition has been addressed; the revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004, proposes 47.52 acres of on-site preservation with the balance of the requirement proposed to be satisfied by 50.97 acres of off-site mitigation at a location to be determined.

**18. The revised TCPI submitted with the Preliminary Plan of Subdivision shall include the following:**

**a. Show conceptual grading, structure locations, and the limit of disturbance.**

This condition has been satisfied by the revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004. The conceptual grading, the residential structure locations, and the conceptual grading are shown on the plans as revised.

**b. An attempt shall be made to eliminate isolated Woodland Conservation Areas by adjusting the layout and providing larger contiguous forest areas in the vicinity of the PMA and thus further minimizing proposed PMA impacts.**

This condition has been satisfied by the revised TCPI. The 48.37 acres of on-site Woodland Conservation Preservation Areas are located adjacent to areas of forested floodplain on the site and are disconnected only by the entrance road from MD 214. All other woodland conservation areas are part of a larger contiguous forested area associated with Collington Branch.

**c. Show the location of all anticipated stormdrain, sewer and water outfalls including those connecting to existing facilities located outside the limits of this application.**

This condition has been satisfied by the revised TCPI. The sewer and stormdrain outfalls have been shown.

**d. Any clearing for off-site infrastructure connections shall be mitigated at a 1:1 ratio for all woodlands cleared as part of TCPI/48/02.**

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This condition has generally been satisfied by the revised TCPI, which reflects 0.62 acre of off-site clearing on the worksheet for impacts associated with the sewer outfall, stormwater management outfalls, and some road improvements immediately adjacent to this application. However, there is no clear indication as to the need for additional off-site infrastructure associated with the construction of off-site road improvements.

19. **At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.**

This condition was addressed by the revised TCPI, date stamped as received by the Environmental Planning Section on July 19, 2004.

20. **The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.**

This application proposes nine distinct Patuxent River Primary Management Area (PMA) impacts totaling 18.35 acres or 15.6 percent of the total 117.4 acres of PMA found on this site. The revised letter of justification, date stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to adequately address some of the proposed impacts but failed to justify how other impacts were minimized to the fullest extent possible. Below is a summary of the proposed PMA impacts.

**Patuxent River Primary Management Area Proposed Impacts**

Impact Number	Justification and Recommendation
1	This 12.70-acre impact is associated with the construction of the proposed lake that is an integral part of the stormwater management concept approved for this site. Because of the size of the lake and its location as a central feature of the project, the impacts are justified and have been minimized to the fullest extent possible. Staff supports proposed impact #1 subject to the condition found at the end of this report.
2a	This 1.37-acre impact is necessary to provide access from MD 214 and cannot be avoided. The proposed impact has been minimized.
2b	This 0.19-acre impact is necessary for the construction of the sewer outfall that will serve the northern end of this site. The outfall has been located to minimize the distance traversed within the PMA. The proposed impact has been minimized.

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Impact Number	Justification and Recommendation
3a	This 1.20-acre impact is associated with the construction of a stormwater management facility that is necessary to serve the southwestern portion of the site. Because of the topography of this site and the presence of Marlboro clays, the placement of the pond farther outside the PMA is not practical without creating other environmental impacts. The proposed impact has been minimized.
3b	This 0.04-acre impact is associated with the construction of a sewer outfall to serve the southern end of the property. The proposed impact has been minimized.
3c	This 0.45-acre impact is associated with the construction of a sewer outfall to serve the north central portion of this site. Although the alignment of this outfall is indirect, the alignment is dictated by the presence of an archeology site. During subsequent reviews it may be possible to provide a more direct route for the outfall connection after a full archeology review has been completed. The proposed impact has been minimized.
4	This 0.34-acre impact is for the construction of a stormwater management outfall necessary to safely convey stormwater through the PMA to the existing stream. The proposed impact has been minimized.
5	This 1.10-acre impact is associated with the construction of a road to access the southwestern portion of the site and for the construction of the clubhouse and swimming pool. The impact associated with the road construction has generally been minimized but could be further minimized. However, the impacts for the clubhouse and swimming pool can be avoided by placing these amenities elsewhere. It must also be noted that this same area has been identified as a potential slope failure area associated with the Marlboro clay found on this site. Therefore, the impact associated with the road construction is supported subject to further minimization during the review of the detailed site plan. The impacts associated with the clubhouse and the swimming pool are not supported and these amenities should be relocated.
6	This 0.96-acre impact is associated with the construction of parking compounds for a proposed office building. The PMA that is being impacted includes a slope area where further minimization of the proposed impacts is practical and avoidance is possible. This proposed impact has not been minimized and is not supported.

Several conditions are included in this report to address these issues.

21. **Prior to the issuance of any grading permits which impact the Waters of the U.S., nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.**

This condition is to be satisfied prior to the issuance of permits.

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22. **The proposed PMA impacts shall be further evaluated with each subsequent plan review.**

The PMA impacts proposed by this application have been addressed by staff comments to Condition 20 above.

23. **The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."**

The geotechnical study, date stamped as received by the Environmental Planning Section on September 22, 2004, addresses the slopes' stability issues associated with the Marlboro clay found to occur on this site, including the location of the mitigated 1.5 safety factor line based on the conceptual site grading as reflected on "Marlboro Clay Safety Factor Exhibit A." It should be noted that the geotechnical report as submitted was based on a number of assumptions that, although acceptable for this phase of the development process, will require revisions during subsequent phases to incorporate quantifiable data and parameters. The conceptual grading and lot layout on that exhibit were adjusted to ensure that all residential lots are located outside the mitigated 1.5 safety factor line. Therefore, the required findings with respect to Section 24-131(a) of the Subdivision Ordinance could be made because no residential lots are located within the limits of the mitigated 1.5 safety factor line and no unsafe land is located within the limits of a residential lot. Furthermore, because of the proposed site grading, none of the commercial lots are located within the limits of the 1.5 safety factor line, and the creation of lots on unsafe land has been adequately addressed for this phase of the development process.

Although slope stability has been the primary concern during this phase of the development process to ensure that no lots are created on unsafe land, the presence of the Marlboro clays will be further evaluated during subsequent phases of the development process. At each subsequent development phase (detailed site plan, grading permit, and building permit) additional information shall be submitted to address the proposed site grading and refine the mitigated 1.5 slope safety factor line for the perimeter residential lots based on the proposed site grading.

Several conditions are included in this report to address these issues.

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24. **Prior to certification of the Conceptual Site Plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.**

**“This plan provides a conceptual layout for the proposed development of this site which contains Marlboro clay. The location and characteristics of this clay may affect the developable area of this site.”**

This condition has been addressed by the revised TCPI.

25. **The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

This condition has been addressed by the revised TCPI and preliminary plan of subdivision, which reflect the location of the unmitigated 65 dBA Ldn noise contours for MD 214 and US 301.

### **Woodland Conservation**

A Detailed Forest Stand Delineation (FSD) was previously reviewed in conjunction with the approval of the Conceptual Site Plan, CSP-02004. The FSD was found to address the requirements in accordance with the Prince George’s County Woodland Conservation Ordinance. Because the prior approval occurred within the last two years and no significant changes have occurred, a revised FSD is not required.

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 are no previously approved tree conservation plans for this site.

The revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004, addresses the requirements of the Prince George’s County Woodland Conservation Ordinance. This 381.52-acre property has a net tract area of 316.80 acres and a woodland conservation threshold (WCT) of 15 percent or 47.52 acres. There are additional ¼:1, 1:1 and 2:1 replacement requirements totaling 49.24 acres associated

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with the clearing of woodlands above the WCT, clearing woodlands in the 100-year floodplain, and clearing woodlands for off-site infrastructure improvements. The plans as currently submitted propose to satisfy the 96.76-acre requirement with 48.37 acres of on-site preservation in priority retention areas and 48.39 acres of off-site mitigation at a location to be determined. Because of the presence of the Marlboro clay, the plan will require some minor revisions to address a revised lot layout and revised conceptual grading necessary to address the 1.5 safety factor line associated with the Marlboro clays.

### **Patuxent River Primary Management Area**

Streams, wetlands, 100-year floodplain, severe slopes in excess of 25 percent, and steep slopes between 15 and 25 percent with high erodible soils are found on this property. These features along with their respective buffers comprise the Patuxent River Primary Management Area, or PMA. These features and the associated buffers are shown on the plans along with the ultimate limit of the PMA. A copy of the approved jurisdictional determination for wetlands and 100-year floodplain study were submitted with this application and are date stamped as received by the Environmental Planning Section on July 15, 2004, and June 15, 2004, respectively. The Environmental Planning Section concurs with the conclusions of these approvals with respect to the presence and extent of the wetlands and the 100-year floodplain on this site.

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, date stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to address each of the proposed PMA impacts. The TCPI and letter of justification propose nine PMA impacts including two impacts for stormwater management outfalls, three impacts for sewer outfalls, one for road construction, one for the proposed lake, one for a parking lot, and one that includes a road, swimming pool and clubhouse. Each of the proposed impacts was addressed in detail with conceptual site plan Condition 20 above. It must be noted that the impacts associated with the construction of the swimming pool and clubhouse could easily be avoided by relocating these facilities elsewhere. The proposed impacts associated with the parking compound can be further minimized or avoided and the impacts associated with proposed Street 'K' can be further minimized.

Some of the proposed residential lots are partially encumbered by the Patuxent River PMA. The approval of this plan will place a conservation easement on all portions of the PMA not specifically permitted to be cleared in accordance with this and subsequent plan approvals. Allowing portions of the PMA to remain on lots would place hardships on prospective residential lot owners by reducing the size of the usable lot far below the actual lot size, especially when many of the lots are less than 10,000 square feet in size.

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## Stormwater Management

A copy of the approved Stormwater Management Concept Plan, #26947-2002-00, was submitted for review with this application. That plan is not consistent with the preliminary plan of subdivision or the Type I tree conservation plan as submitted on July 19, 2004. The stormwater management concept plan proposes a different limit of disturbance, different grading of the site, different stormwater management pond locations, and even a different number of ponds.

### †Reconsideration

On October 27, 2016, the Planning Board granted a request for a waiver of the Planning Board Rules of Procedure and a Reconsideration to convert dwelling unit types and adjust land uses. The applicant submitted a revised PPS and TCPI to reflect the lotting pattern requested.

†The reconsidered TCPI demonstrates that the additional proposed lots will be located within areas that were previously approved for permanent woodland clearing and grading, and no additional woodlands will be cleared as a result of the proposed lots and no additional impacts to the PMA are requested; however, proposed Parcel 91 in the northernmost pod adjacent to MD 214 is too close to the proposed woodland preservation area, which could result in complications for emergency or maintenance vehicles accessing the rear of the lots from that direction. Parcel 91 shall be adjusted or relocated prior to recertification of the TCPI.

†The original tree line is not correctly shown on the TCPI and shall be corrected prior to certification of the reconsidered amended PPS and TCPI. Additionally, no additional impacts to the stream along the northern boundary is reflected or shall be constructed as a result of the additional impervious area from the proposed lots approved with this reconsideration.

†The Environmental Planning Section has determined that, to distinguish this amendment to the TCP to reflect the lotting pattern, the TCP will be recertified with an -02 revision (TCPI/048/02-02) with a note reflected in the approval block indicating that it is pursuant to the reconsideration and amended resolution. No changes to any of the previously approved environmental conditions were necessary for the reconsideration; however, a new condition was required to address technical corrections for the associated revised TCPI, which includes adding the new lotting pattern to the TCPI -02 revision.

5. **Community Planning**—The property is in Planning Area 74A/Employment Area. It is in the Developing Tier as described by the 2002 General Plan. 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. This preliminary subdivision plan for the development of a mixed-use planned community is generally

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consistent with the 2002 General Plan Development Pattern goals and policies for land use in the Developing Tier.

The Bowie-Collington-Mitchellville & Vicinity Master Plan (1991) designates this property as part of Employment Area 6. It was formerly known as the Collington Corporate Center and has an approved Basic Plan and Comprehensive Design Plan. The Basic Plan approved a maximum potential of 4.5 million square feet of development. The master plan shows private open space areas surrounding the property in the northern, western, central, and southern portion of the property. Also, the plan recommends a trail connecting the internal road network to a trail along Collington Branch Stream Valley Park. The Bowie-Collington-Mitchellville & Vicinity Sectional Map Amendment (1991) retained the E-I-A Zone. Subsequently, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A Zone. This preliminary subdivision plan does not conform to the Bowie-Collington-Mitchellville & Vicinity Master Plan, which recommends employment land use for the subject property. However, Council Bill CB-13-2002 defined a mixed-use planned community as a permitted use for employment areas classified in the E-I-A Zone. Subsequently, Conceptual Site Plan CSP-02004 approved this type of development for the site.

6. **Parks and Recreation**—The staff of the Department of Parks and Recreation (DPR) has reviewed the above referenced preliminary plan application for conformance with the requirements of the of Zoning Bill CB-13-2002, conditions of the Order Affirming Planning Board Decision by the County Council of Prince George’s County, Case No. †[~~SP-0200~~] SP-02004, the Adopted and Approved Bowie-Collington-Mitchellville Master Plan for Planning Area 75A, the Land Preservation and Recreation Program for Prince George’s County, and current zoning and subdivision regulations as they pertain to public parks and recreation.

## BACKGROUND

Following is the summary of the conditions of the Order Affirming Planning Board Decision by the County Council of Prince George’s County, Case †[~~SP-0200~~] SP-02004; Conditions 26–35 and Conditions 39 and 51 are related to the park issues:

**Condition 26:** The exact acreage and timing of dedication shall be determined at the time of preliminary plan.

**Condition 27:** The applicant shall construct an eight-foot-wide master-planned hiker/biker trail along the Collington Branch.

**Condition 28:** The preliminary plan shall consider the extension of the master plan trail north to Central Avenue (MD 214) and south to the southern property boundary.

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**Condition 29:** The applicant shall construct the master plan eight-foot-wide asphalt trail connector from the stream valley trail to the road adjoining the private park.

**Condition 30:** Prior to submission of the first detailed site plan for residential development, the applicant shall confer with DPR concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.

**Condition 31:** The location of the trail shall be staked in the field and approved by DPR prior to construction.

**Condition 32:** The applicant, his successors, and/or assignees shall construct the trail in phase with development. Prior to issuance of the 600<sup>th</sup> residential building permits, the trail construction shall be completed.

**Condition 33:** Prior to submission of the first detailed site plan for residential development, the applicant shall submit detailed construction drawings for the master-planned trail construction to DPR for review and approval. The trail shall be designed in accordance with the applicable standards in the *Park and Recreation Facilities Guidelines*.

**Condition 34:** All master-planned trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any structures shall be reviewed by DPR.

**Condition 35:** The handicapped accessibility of the trails shall be reviewed during the review of the detailed site plan.

**Condition 39:** The developer, 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.

**Condition 51:** Notwithstanding any conditions related to the proposed master plan trail or conditions thereto, the applicant will not be required to construct same until M-NCPPC or assignees constructs the required trail segments linking the proposed trail from the subject property north to Central Avenue or south to Leeland Road.

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## DISCUSSION

The Bowie-Collington-Mitchellville Master Plan for Planning Area 75A recommends a hiker/biker trail along the Collington Branch Stream and a trail connector to the community. The applicant proposes a combination of private and public recreation facilities to meet master plan recommendations and the requirements of the Subdivision Ordinance.

The applicant did not identify the parkland dedication. Staff recommendations are based on the master plan recommendations and the conditions of the conceptual site plan approved by the County Council of Prince George's County as described above. The Department of Parks and Recreation (DPR) staff recommends that the area of parkland dedication include the entire floodplain and floodplain buffer from Central Avenue to the southern property boundary.

Prior approvals for the development of this area discussed the construction of the master-planned trail and trailhead facilities at this location. DPR staff believes that a trailhead at the main access road from Central Avenue would still be desirable, because it would be directly across from a community recreational area and would link the two open spaces. A small parking lot across from the community recreational park would provide convenient parking for trail users and would enhance the recreational opportunities in the development.

The applicant shows the master planned trail in the proposed sewer right-of-way in the Collington Branch Stream Valley. This area is identified as a wetlands and any trail constructed at this location would be extremely difficult to maintain. In addition, this area is isolated and would be difficult to police and could be unsafe. DPR staff recommends that the master plan trail be located along the edge of the floodplain closer to the development. The trail would not be as isolated, would be safer, and easier to build and maintain and result in less environmental disturbance. A final decision on the location and extent of the trail should be made at Detailed Site Plan

In summary, and in accordance with the conditions of Conceptual Site Plan SP-02004 and Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division of the Department of Parks and Recreation further recommends the provision of parkland dedication as shown on attached DPR Exhibit "A," construction of the trails and trailhead facilities on dedicated parkland, and the provision of private recreational facilities.

### †Reconsideration

Based on the reconsideration action taken for the conversion, an overall reduction of less than \$20,000 in the value of the required on-site private recreational facilities has resulted due to the reduction of the estimated population. The revision to the lotting pattern proposed with the reconsideration does not result in a modification to the decision for mandatory dedication.

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†Condition 26 of the zoning decision indicated that the determination for the amount and timing of the conveyance of parkland was to be determined at the time of PPS. The PPS was originally certified without addressing the timing of conveyance, but did delineate an area of dedication of 31.5 acres. Prior to signature approval of the reconsidered PPS, the land area of dedication shall be revised to clearly label the ±27,211 square feet now owned by Prince George’s County, west of the entrance along MD 214.

†With the reconsideration, the Planning Board established a condition for the conveyance of parkland to M-NCPPC consistent with the standard used for PPS approvals, and recommended by DPR. The condition requires that the parkland be platted and the deed for conveyance be submitted with the first final plat that includes residential development, excluding multifamily.

††On January 25, 2018, the Planning Board granted a Reconsideration for the realignment of the master plan trail. In 2004, the Planning Board approved Preliminary Plan 4-04035 with conditions 14, 15, 16, 18, 19, 35, 37, 38, 41 and 43 most of which were related to the development of trail called for in the adopted Master Plan along Collington Branch Stream Valley with trailhead facilities located within the Karington subdivision.

††The Preliminary Plan 4-04035 established timing for the dedication of parkland and the construction of the trails and trailhead facilities on dedicated parkland. However, in 2017, the applicant proposed a major realignment of road infrastructure, which affected access to the planned trail and future public trailhead facilities located in the western part of the site. The vehicular and pedestrian access to the planned trail and trailhead facilities is no longer viable due to severe slopes, floodplain and wetlands on the dedicated parkland. As such, the planned trail needs to be realigned to fit into the new road system and to provide the most convenient public access to the trail and trailhead facilities.

††Given the challenges associated with the location of the master-planned trail, the most appropriate alternate location for the trail is along the major loop road within the subdivision. As such, the associated conditions of approval are modified to allow for the realignment of the master plan trail.

7. **Trails**—Two master plan trails impact the subject site. The Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan recommends that a multiuse trail be constructed along the length of the subject property’s frontage of Collington Branch. The Department of Parks and Recreation has acquired land for the construction of this trail in other segments of the stream valley, and a portion of the trail has been approved for construction as part of the Beech Tree subdivision to the south of the subject site. This trail is reflected on the submitted preliminary plans along most of the length of the Collington Branch, with several connections into the community. The preliminary plan reflects the extension of the master plan

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trail to MD 214, as suggested in Condition 28 of the approved CSP. Conditions related to this trail were included in the resolution for the CSP and are reiterated below.

The master plan also recommends a connector trail from the stream valley trail into the subject site. Numerous connector trails are shown, with major connections shown to the lake and along the southern edge of the subject site. These connections meet the intent of the master plan. It is recommended that the major connector trails (from the stream valley trail to the lake and along the southern edge of the subject site) be a minimum of eight feet wide and asphalt. In-road bicycle facilities (such as designated bicycle lanes or wide outside curb lanes) were recommended along the site's primary loop road at the time of CSP and have been reflected on the preliminary plan by the applicant. The exact nature of these facilities should be determined at the time of DSP. The CSP condition regarding these facilities has been reiterated below.

Staff is particularly concerned about some of the road cross sections reflecting on-street parking. Street Sections C and E both reflect 36 feet of pavement for two travel lanes (one each way) and on-street parking on both sides. Assuming that 11-foot-wide travel lanes are used, this only allows seven feet of space for the parked vehicles and bicycle traffic. Similarly, Street Section D (a two-way street with parking on one side) appears to allow for only six feet for the parking lane. The 1999 *AASHTO Guide for the Development of Bicycle Facilities* recommends a minimum of 11 feet for on-street parking with bicycle traffic. This allows for sufficient space for bicycle movement outside of the travel lane, while minimizing conflict with people getting into and out of the parked cars. Street Section I allows an additional four feet for the outside curb lane (or parking lane), which appears to be more adequate to accommodate all users and allows for a wider parking lane. Roads intended for use as bicycle facilities should include adequate space to accommodate bicycle traffic, in keeping with the guidelines contained in AASHTO.

It is also recommended that the subject site be developed in a manner that is pedestrian and bicycle compatible. Discussion involving this occurred during the CSP phase of the proposal. This can be accomplished through a comprehensive network of sidewalks and trails linking all portions of the development to the master plan trail, recreation facilities, retail areas, and the lake. The applicant has proposed the construction of the master plan trail, a network of neighborhood trail connectors, and in-road bicycle facilities. Standard and wide sidewalks will further enhance this network. These facilities are reflected on the subject application and meet the requirements for the approved resolution for CSP-02004.

The network of proposed trails is comprehensive and links all of the areas of open space within the subject site. All of the main corridors of open space (greenways) are utilized as trail corridors and all portions of the subject site have access to the trail along the stream valley. The exact location, surface type, and width of all trails should be indicated at the time of Detailed Site Plan. Additional neighborhood trail connections shown on the Pedestrian Path Diagram (at the time of

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CSP) were not included on the preliminary plan. Staff recommends that these connections be added to the preliminary plan, as they will provide important connections from the residential community to the trail network, including the master plan trail. At the time of detailed site plan for the area around the lake, numerous pedestrian connections to the trail around the lake should be shown, whether these are sidewalk connections or neighborhood connector trails.

### Sidewalk Connectivity

The sidewalk network proposed at the time of CSP is comprehensive and will facilitate safe pedestrian movement throughout the subject site. Wide sidewalks are shown along Main Street and Restaurant Road. The partial grid street pattern will also serve to make a pedestrian- and bicycle-friendly environment by creating direct connections and dispersing motor vehicles somewhat throughout the site. Additional pedestrian safety measures such as pavement markings, signage, raised crosswalks, and curb bump-outs should also be considered at the time of Detailed Site Plan. A detailed analysis of the pedestrian network and pedestrian safety measures will occur at the time of DSP.

††On January 25, 2018, the Planning Board granted a Reconsideration for the adjustment of the site access, circulation and realignment of the master plan trail. The master plan trail is realigned from the stream valley to alongside internal roads within the subject site. Exhibit A, submitted by the applicant with the reconsideration, reflects the realignment and includes a cross section for the trail. The design includes a 10-foot-wide asphalt trail with a 10-foot wide landscape strip, which buffers the trail from automobile traffic and provides a more “park like” along the road edge. The current design extends from MD 214 and through the subject development to the planned sports complex just south of the subject site. Traffic calming, pedestrian safety features, and improvements to the planned pedestrian crossing of MD 214 will be evaluated at the time of DSP. The landscape strip/buffer along the trail is wider than what is typically included in road construction and will provide an ample separation for trail users from motor vehicle traffic and green space for the street trees. The wider buffer was intended to create a more “park like” setting along the trail than is typically found along a sidewalk or sidepath.

††It has not been determined if the roads will be maintained by DPW&T or the City of Bowie. The City of Bowie currently has a signed and recorded agreement to annex the site. However, this agreement is contingent on the approval of tax increment financing (TIF), which has not occurred yet. If the TIF is not implemented for the site, the City of Bowie will not annex the property, at least under the current agreement. If the subject site is annexed into the municipality, the City of Bowie may maintain the trail.

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††Discussions with DPW&T have indicated that if the trail is to be maintained by the County, some revisions to the cross section will have to be made to bring it into conformance with the approved Road Specifications and Standards. DPW&T will not maintain the trail as currently proposed by the applicant. It is a “non-standard” treatment, meaning that it does not match or comply with their road specifications and standards. For DPW&T to accept maintenance of the facility, it would have to meet the requirements included in STD. 100.18, DPW&T’s standard road section for a Concrete Hiker/Biker Trail within an Urban Right-of-way. More specifically, the applicant proposes a 10-foot-wide asphalt trail and a 10-foot-wide landscape strip/buffer between the trail and the curb. Both of these dimensions would have to be reduced to eight feet to comply with the standard. Furthermore, for DPW&T to accept maintenance of the trail, it would have to be concrete, not asphalt.

††To address the non-standard right-of-way and maintenance requirements of DPW&T, the applicant will construct the trail as shown on Exhibit A within the public right-of-way and develop an (MOU) Memorandum of Understanding for the maintenance of the trail. This will allow for a wider asphalt trail and the inclusion a wider landscaped buffer than is typically found in the road specifications and standards.

8. **Transportation**—The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated July 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) were received on the same study during review of Conceptual Site Plan CSP-02004 and were addressed at that time.

#### **Growth Policy—Service Level Standards**

The subject property is located within 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, and other facilities:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections subject to meeting the geographical criteria in the guidelines.

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**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.

### **Analysis of Traffic Impacts**

The traffic study for the conceptual site plan examined the site impact at seven intersections in the area:

- MD 214/Church Road
- MD 214/Hall Road/site entrance (unsignalized)
- MD 214 SB/Old Central Avenue (unsignalized)
- MD 214 NB/Old Central Avenue (unsignalized)
- US 301 SB/median break/site entrance (unsignalized)
- US 301 NB/median break/site entrance (unsignalized)
- US 301/Trade Zone Avenue

The City of Bowie expressed a concern during review of the Conceptual Site Plan about the two left-hand merges onto US 301 from MD 214. Staff did communicate this concern to the applicant, but the analyses of these merges were not included in the traffic study. The staff analysis includes service levels for these two merges (from EB MD 214 onto NB US 301 and from WB MD 214 onto SB US 301).

Also, the traffic study did not include traffic information at the location where the main site access onto US 301 is proposed. The study merely assumes that the through trips along US 301 and the applicant's trips are the only trips at that location. However, that location currently exists as a median break that serves as access to a large gas station and convenience store. Based on older counts at this location, the staff analysis includes this use as a base case.

The existing conditions at the study intersections are summarized below:

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EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
	MD 214 and Church Road	1,196	924	C
MD 214 and Hall Road/site entrance	562.8*	49.5*	--	--
† <del>[MD 214]</del> <u>US 301</u> SB and Old Central Avenue	70.2*	73.6*	--	--
† <del>[MD 214]</del> <u>US 301</u> NB and Old Central Avenue	107.0*	170.0*	--	--
US 301 SB and site entrance/existing median break	20.4*	23.5*	--	--
US 301 NB and site entrance/existing median break	25.2*	30.5*	--	--
US 301 and Trade Zone Avenue	1,075	1,259	B	C
Merge of MD 214 EB onto US 301 NB	No CLV		B	B
Merge of MD 214 WB onto US 301 SB	No CLV		B	B
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

The area of background development includes approximately 2.7 million square feet of nonretail space as well as over 1,500 residences. Background conditions also assume the widening of US 301 between MD 214 and MD 725, which is shown in the current county Capital Improvement Program (CIP) with 100 percent funding within six years. Full funding in this circumstance includes an assumption that the majority of funding would come from developer contributions and from the State of Maryland. The widening of US 301 is assumed with the provision that area developments would contribute to the funding of the improvements.

Background conditions, with the US 301 CIP improvement in place, are summarized below:

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BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
MD 214 and Church Road	1,618	1,471	F	E
MD 214 and Hall Road/site entrance	+999*	496.5*	--	--
†[MD 214] <u>US 301</u> SB and Old Central Avenue	+999*	+999*	--	--
†[MD 214] <u>US 301</u> NB and Old Central Avenue	+999*	+999*	--	--
US 301 SB and site entrance/existing median break	46.2*	34.2*	--	--
US 301 NB and site entrance/existing median break	35.7*	123.0*	--	--
US 301 and Trade Zone Avenue	1,008	1,322	B	D
Merge of MD 214 EB onto US 301 NB	No CLV		B	C
Merge of MD 214 WB onto US 301 SB	No CLV		C	C

\*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.

The site is proposed for development as a mixed-use community. †[The proposal described in the submitted traffic study is as follows:] On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration for the modification of the phasing of transportation improvements. In a letter dated November 7, 2016 (Lenhart to Masog), the applicant's traffic consultant detailed a revised phasing plan for the site, with Phase I identified as up to 1,047 AM and 1,421 PM net off-site peak-hour trips, and Phase II identified as more than 1,047 AM and 1,421 PM net off-site peak-hour trips, up to the overall trip cap for the site. Subsequent to November 7, 2016, the applicant submitted a revised land use distribution list that was received on January 12, 2017 which was a revision to the applicant's original reconsideration Exhibit C that reflects the land uses, which were analyzed below in the Trip Generation Summary "As of 1/12/2017".

†[Phase I/Phase II/Total (2009/2013)]

- 110/60/170 single family detached residences
- 177/95/272 townhouse residences
- 554/298/852 high rise apartment/condo residences
- 200,000/100,000/300,000 square feet retail

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- 455,000/245,000/700,000 square feet "office"
- 200/100/300 hotel rooms
- 0/250/250 student school]

†[To a small degree, the quantities in the traffic study do not match those shown on the preliminary plan. The preliminary plan shows 161 single family detached residences and 302 townhouses. Nonetheless, the Conceptual Site Plan is approved with a firm trip cap, meaning that the various uses can change in quantity but the total trip generation of the site must remain within the cap. With slightly more trips generated by the lotted residential component, one of the other components of the site must decrease slightly in order to meet the mandated trip cap.]

†As to below referenced Transportation Planning Section Table:

Trip Generation Summary, 4-04035, Karington, Uses as of 1/12/2017								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Tot	In	Out	Tot
<b>Residential – Phases I and II</b>								
Single Family Detached	136	units	20	82	102	80	42	122
Townhouses	768	units	108	430	538	399	215	614
Apartments	390	units	39	164	203	152	82	234
Internal Trips			-21	-24	-45	-95	-71	-166
<b>Net Residential Trips – Phases I and II</b>			<b>146</b>	<b>652</b>	<b>798</b>	<b>536</b>	<b>268</b>	<b>804</b>
Office – Phases I and II	200,000	square feet	110	36	146	40	110	150
Internal Trips			-5	-7	-12	-12	-18	-30
<b>Net Office Trips – Phases I and II</b>			<b>105</b>	<b>29</b>	<b>134</b>	<b>28</b>	<b>92</b>	<b>120</b>
Hotel – Phases I and II	390	rooms	122	84	206	119	115	234
Internal Trips			-23	-24	-47	-41	-62	-103
<b>Net Hotel Trips – Phases I and II</b>			<b>99</b>	<b>60</b>	<b>159</b>	<b>78</b>	<b>53</b>	<b>131</b>
Retail	475,000	square feet	243	156	399	713	713	1,426
Internal Trips			-53	-47	-100	-147	-144	-291
Pass-By Trips (40 percent of external trips)			-76	-44	-120	-226	-228	-454
<b>Net Retail Trips</b>			<b>114</b>	<b>65</b>	<b>179</b>	<b>340</b>	<b>341</b>	<b>681</b>
<b>Total Trips Utilized in Analysis</b>			<b>464</b>	<b>806</b>	<b>1,270</b>	<b>982</b>	<b>754</b>	<b>1,736</b>
<b>Original Trip Cap for 4-04035</b>					<b>1,313</b>			<b>1,925</b>

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Therefore, site trip generation shown in the traffic study is determined to be acceptable and takes into account rates of internal trip satisfaction (due to the fact that the site is proposed for mixed-use development) as well as pass-by trips for retail. The site trip generation is 1,313 AM peak-hour trips (669 in, 644 out) and 1,925 PM peak-hour trips (954 in, 971 out). The site trip distribution and assignment used in the traffic study has been reviewed, and it should be revised to reflect the following:

- a. The assignment did not specifically include the assignment of pass-by trips. While these types of trips do not have an impact on intersections far away from the site, they could have a significant impact on intersections adjacent to the site.
- b. The retail assignment used the same trip distribution as was used for office. This is not appropriate, as the potential retail market is within the immediate area, while employees are likely to come from farther away. A greater portion of the retail assignment should have been directed toward Hall Road and toward Church Road, with less from the south and east of the site.
- c. A portion of potential employees on the site and potential students on the site could come from south Bowie via Hall Road. Similarly, there are services in south Bowie that residents within the community would access via Hall Road. There is a strong justification for a small assignment of three percent of site trips for these uses to be oriented toward Hall Road to the north of the site.

~~†† [† As a means of ensuring that the Phase II improvements are completed, it was determined that development in the northern part of the site near the proposed MD 214/Hall Road connection should immediately trigger the start of Phase II. Therefore, it is determined that development within 1,400 linear feet of the MD 214/Hall Road/site entrance intersection will immediately trigger the start of Phase II development. Any related final plats shall reflect this staging line.]~~

~~† [It should be noted that the traffic study utilizes “industrial park” trip rates from the guidelines rather than general office trip rates. This is acceptable, and the] The site will be capped on the trips rather than the square footage. A number of minor errors have also been observed in the total traffic assignment shown in the traffic study. With the revised trip distributions and assignments, the following results are obtained under total traffic for each phase of development:~~

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TOTAL TRAFFIC CONDITIONS – Phase I				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
	MD 214 and Church Road	1,618	1,471	F
MD 214 and Hall Road/site entrance	+999*	+999*	--	--
† <del>[MD 214]</del> <u>US 301</u> SB and Old Central Avenue	+999*	+999*	--	--
† <del>[MD 214]</del> <u>US 301</u> NB and Old Central Avenue	+999*	+999*	--	--
US 301 SB and site entrance/existing median break	+999*	+999*	--	--
US 301 NB and site entrance/existing median break	+999*	+999*	--	--
US 301 and Trade Zone Avenue	1,038	1,393	B	D
Merge of MD 214 EB onto US 301 NB	No CLV		C	C
Merge of MD 214 WB onto US 301 SB	No CLV		C	C
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

TOTAL TRAFFIC CONDITIONS – Phase II				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
	MD 214 and Church Road	1,767	1,471	F
MD 214 and Hall Road/site entrance	+999*	+999*	--	--
† <del>[MD 214]</del> <u>US 301</u> SB and Old Central Avenue	+999*	+999*	--	--
† <del>[MD 214]</del> <u>US 301</u> NB and Old Central Avenue	+999*	+999*	--	--
US 301 SB and site entrance/existing median break	+999*	+999*	--	--
US 301 NB and site entrance/existing median break	+999*	+999*	--	--
US 301 and Trade Zone Avenue	1,084	1,447	B	D
Merge of MD 214 EB onto US 301 NB	No CLV		D	D
Merge of MD 214 WB onto US 301 SB	No CLV		C	C
*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 vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

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Given these analyses, several intersections within the study area would operate unacceptably in one or both peak hours. Each of these intersections is discussed in a separate section below.

### **MD 214/Church Road**

In response to the inadequacy at the MD 214/Church Road intersection, the applicant has proffered mitigation in accordance with the Guidelines for Mitigation Action and the requirements of that portion of Section 24-124. The applicant proposes to employ mitigation by means of the fifth criterion in the Guidelines for Mitigation Action, which were approved by the District Council as CR-29-1994. Criterion (e) is very complex and is restated below:

The development is located in an area in which public water and sewer is currently available, which meets all adequate public facilities findings (except those for transportation) with existing facilities or facilities having 100 percent construction funding in the county or state programs, and which is within ½ mile of a bus stop having 15-minute headways or better and load factors of 100 percent or less.

Each element of that requirement is discussed below:

- a. The development is in an area where public water and sewer is currently available. This is clear from all information provided.
- b. In accordance with the District Council's action on CDP-9902 and CDP-9903 approving Oak Creek Club, it was determined that the acceptance by an applicant of conditions that would provide adequacy for public facilities was an acceptable basis for approving the use of mitigation. Therefore, regardless of any determination of the adequacy of schools for the subject case, as long as appropriate conditions for adequacy are imposed, mitigation can be employed.
- c. The entire site must be within ½ mile of bus services having quality and capacity. The quality of service is defined by a 15-minute headway—in other words, a bus must operate every 15 minutes during peak hours. Also, the bus service must operate with a load factor of 100 percent or less, wherein a load factor of exactly 100 percent means that every seat on the bus, on average, is full (which leaves all standing room available for additional patrons). In this case, the applicant has provided a statement of intent to (a) seek service of the site by existing public bus services that currently operate at the periphery of the site; or (b) to provide services that will meet the requirements to utilize mitigation. This is somewhat similar to Oak Creek Club, and the District Council's action on CDP-9902 and

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CDP-9903 approving Oak Creek Club serves as a determination that this type of proffer is an acceptable basis for approving the use of mitigation.

In this circumstance, the applicant's proffer carries as much credibility as that for Oak Creek Club—if not more—for the following reasons:

- (1) The services at the intersection of MD 214 and Hall Road operate every 15 minutes, meaning that a portion of the site is already within the ½-mile distance required by the guidelines.
- (2) The mixed-use nature of the development, along with the density of residential development, would make the site a good candidate for extending existing bus services. Likewise, these same features could also make private bus services more viable.
- (3) The layout of the site makes it very easy to serve with either a through route or a route that circulates through the site.

Given the determinations above, and particularly given the District Council's approval of a case having a similar situation, the site is deemed eligible to employ mitigation at the MD 214/Church Road intersection.

The applicant recommends the improvements described below to mitigate the impact of the applicant's development in accordance with the provisions of Section 24-124(a)(6). The improvements include:

- a. The addition of a northbound left-turn lane along Church Road.
- b. The addition of an eastbound left-turn lane along MD 214.
- c. The addition of a westbound left-turn lane along MD 214.
- d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.

The impact of the mitigation actions at this intersection is summarized as follows:

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IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
	MD 214/Church Road			
Background Conditions	F/1657	E/1500		
Total Traffic Conditions—Phase I and II	F/1767	F/1679	+110	+179
Total Traffic Conditions w/Mitigation	E/1598	C/1293	-169	-386

There are options for improving this intersection to LOS D, the policy level of service at this location. Providing a third westbound through lane along MD 214 through the intersection would result in LOS D in the AM peak hour. While this action would pose operational problems to the west of the intersection where three lanes would merge back to two, it would appear that the operational problems would be no greater than those posed by providing the third eastbound through lane, as proffered above.

As the CLV at MD 214/Church is between 1,450 and 1,813 during either peak hour, the proposed action must mitigate at least 150 percent of the trips generated by the subject property, according to the guidelines. The above table indicates that the proposed action would mitigate at least 150 percent of site-generated trips during each peak hour, and it would provide LOS D during the PM peak hour. Therefore, the proposed mitigation at MD 214 and Church Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.

The mitigation plan was reviewed by DPW&T and SHA. DPW&T had no comments. SHA did review these improvements in connection with a previous application and deemed them to be acceptable.

**MD 214/Hall Road and site entrance**

The traffic study proffers signalization at this location, along with a lane configuration that includes three northbound approach lanes and turn lanes into the site on the eastbound and westbound approaches on MD 214. With a signal in place, the intersection would operate at LOS D, with a CLV of 1,422 during the AM peak hour. Similarly, the intersection would operate at LOS D, with a CLV of 1,417 during the PM peak hour. This is acceptable.

†On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration for the modification of the phasing of transportation improvements. Given that the operational and adequacy issues at the MD 214/Hall Road and site entrance intersection are largely the result of the addition of the fourth leg and the site traffic to the intersection, it is determined

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that the transportation improvements at this location can occur at the Phase II level of development, as described herein.

†Given the proposed revision to phasing which would involve development of the site from the southeast corner and the east side toward the north and west, the MD 214/Old Central Avenue intersection becomes critical as it serves virtually all of site traffic during the initial phase. The applicant proposes the study of signalization at this location, with installation if deemed warranted by the responsible operating agency. This is acceptable.

#### **US 301/Old Central Avenue**

The traffic study proffers signalization at this location, which is actually two separate intersections along the northbound and southbound lanes of US 301. With signals in place at each location, the intersections would both operate at LOS B during the AM peak hour. Similarly, the intersections would operate at LOS A (the one along southbound US 301) and LOS C (the one along northbound US 301) during the PM peak hour. This is acceptable.

#### **US 301/Site Entrance**

The traffic study proffers signalization at this location, which is actually two separate intersections along the northbound and southbound lanes of US 301. The analysis also assumes a three-lane eastbound approach from the site, with one lane turning southbound along US 301 and the remaining two lanes continuing across southbound US 301 and continuing to dual northbound left-turn lanes at northbound US 301. †Also, a second westbound lane in the median at the WAWA crossover is assumed to provide a two-lane approach to southbound US 301 (one left and one through). With a signal in place, the southbound US 301 intersection would operate at LOS D, with a CLV of 1,307 during the AM peak hour. Similarly, the intersection would operate at LOS C, with a CLV of 1,267 during the PM peak hour. With a signal in place at the intersection along northbound US 301, the intersection would operate at LOS B, with a CLV of 1,030 during the AM peak hour. Similarly, the intersection would operate at LOS D, with a CLV of 1,418 during the PM peak hour. This is acceptable.

#### **Merge of ramp from MD 214 eastbound onto US 301 northbound**

During review of the Conceptual Site Plan, the Highway Capacity Manual analysis indicated that this merge would operate at LOS E during the PM peak hour under total traffic. The length of this merge lane was severely constrained. The merge has recently been lengthened, however, to a length of 400 feet with an extended taper, and per new computations does operate acceptably given future traffic volumes. Therefore, recent construction has satisfied this condition, and it will not be carried forward.

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**US 301 between MD 214 and MD 725**

As noted earlier, background conditions also assume the widening of US 301 between MD 214 and MD 4, which is shown in the current county Capital Improvement Program (CIP) with 100 percent funding within six years. Full funding in this circumstance includes an assumption that the majority of funding would come from developer contributions and from the state. The widening of US 301 is assumed with the provision that area developments would contribute to the funding of the improvements.

CIP Project FD669161 (US 301 Improvements) provides that \$21,550,000 in construction funds will be provided by “other” sources, which is further described as being developer contributions and the State of Maryland. Another \$2.5 million is specifically proposed to come from developer funding. The current CIP makes no reference regarding what portion of the \$21.55 million will come from the State of Maryland versus the development community. However, in a February 1998 letter to the Planning Board, the Deputy Chief Administrative Officer of Prince George’s County advised that it was, at that time, still the intent of the county to obtain \$2.5 million in developer contributions. The cost estimate used for this project was based on 2nd quarter 1989 data. Based on the county’s letter, staff has identified participating developments and the associated share of project contributions along the US 301 corridor. To date, the following developments have made financial commitments towards the aforementioned CIP improvements through Planning Board resolutions:

Collington South	4-97044	PB97-214(C)	\$456,000.00
Marlboro Square	4-96084	PB96-342	\$30,880.00
Meadowbrook	4-89227	PB90-102	\$106,948.31
Beech Tree	CDP-9706	PB98-50	\$1,194,805.08
	<b>TOTAL</b>		<b>\$1,788,633.39</b>

Under CDP-9706 for Beech Tree, the application generated an average of 1,600 vehicle trips per peak hour along US 301. That property was required to pay \$1,194,805, or \$746.75 per trip.

The subject application would generate an average of 971 vehicle trips per peak hour along US 301. Using the same dollar payment per trip, the Conceptual Site Plan was approved with a requirement to pay \$725,094.25 toward the CIP project. However, the Conceptual Site Plan was approved by the Planning Board and affirmed by the District Council with permission to install a number of improvements that could be credited against the amount paid, with the pro rata to be paid only if the necessary right-of-way is not available. The improvements included in that list are:

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- a. **The traffic signal warrant studies and potential signalizations at the US 301/Old Central Avenue intersections.** It is currently unclear whether signals will be warranted due to the low side street traffic volumes. As this is an operational issue and not an improvement for which right-of-way would generally be needed, this should not be included in the list of improvements that can be credited against a pro-rata payment.
- b. **The proposed improvements at the merge of MD 214 eastbound onto northbound US 301.** This memorandum determines that this improvement has been constructed and need not be carried over. Therefore, this certainly will not be credited against a pro-rata payment.
- c. **The addition of a third through lane southbound along US 301 between the MD 214 ramp and Trade Zone Avenue.** It should be noted that SHA can require (as they have in many cases around the county), as a part of access approval, a third through lane along the 3,800 feet that composes the subject property's frontage along US 301. In other words—pro rata or not—this applicant would have to build most of the third lane along this frontage. It is clearly not supportable to allow a credit against off-site responsibilities the costs that would be needed to provide access to the site.

†On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration for the modification of the phasing of transportation improvements. Given that the operational and adequacy issues along the section of southbound US 301 is the result of future traffic, it is determined that the off-site portion of the widening, beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continues to tie into the existing third southbound lane that already exists at Queen Anne Road for a total distance of approximately 2,800 feet, can occur at the Phase II level of development, as described herein. The addition of acceleration/ deceleration lanes and additional widening along southbound US 301 at any of the site access points shall be determined by SHA at the time that those access points are permitted.

Therefore, it will be recommended at this stage of approval that the approved pro rata be strictly a payment toward off-site and unfunded widening of US 301. It must be noted that, while there are significant impacts along southbound US 301 that the applicant is helping to alleviate, the impacts along northbound US 301 are equal and opposite, and there are minimal improvements being done to alleviate those impacts. That is the purpose of the pro-rata payment.

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††On January 25, 2018, the Planning Board granted a Reconsideration for the modification of access to the site. By letter dated July 24, 2017 (Lenhart to M-NCPPC Development Review Division), an analysis was provided, detailing operating conditions at three critical intersections under the revised access configuration: MD 214/Hall Road, MD 214/Old Central Avenue, and Old Central Avenue/site access. This analysis has been reviewed in accordance with the procedures as detailed in the “Transportation Review Guidelines,” and has been deemed to be acceptable. For the three intersections critical to this analysis, when analyzed with traffic using counts, existing lane configurations, and approved development as utilized in the 2005 traffic study for the subject property, operate as follows:

<b>††BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 at Hall Road	1,224	919	C
MD 214 at Old Central Avenue	1,163	764	C	A
Old Central Avenue at site access	future			

††Total traffic from the approved 2005 traffic study is summarized below:

<b>††TOTAL TRAFFIC CONDITIONS WITH EXISTING ACCESS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 at Hall Road	1,393	1,302	D
MD 214 at Old Central Avenue	1,198	837	C	A
Old Central Avenue at site access	future			

††With the deletion of the MD 214/Hall Road access and the provision of a new access point onto Old Central Avenue, revised total traffic is summarized below:

<b>††TOTAL TRAFFIC CONDITIONS WITH REVISED ACCESS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 at Hall Road	1,381	1,126	C
MD 214 at Old Central Avenue	1,550	1,242	E	C
Old Central Avenue at site access	1,020	983	B	A

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††Two intersections in the above table require further discussion:

††Old Central Avenue at site access: In place of requiring the MD 214/Hall Road/site access and the related traffic control improvements, the PPS submitted by the applicant reflects a roundabout at this location. It was determined that a roundabout at this location conforms to the adequacy findings required by the Transportation Guidelines and meets the v/c ratio of 0.85 or less. The Maryland State Highway Administration (SHA) has jurisdiction at this location, and will determine signal warrants and lane configurations at the time of detailed site plan. At this time, SHA has not agreed to the implementation of the roundabout and may require that the applicant construct a signalized intersection at this location. The right-of-way reflected on the PPS is sufficient to accommodate either improvement.

††MD 214 at Old Central Avenue: This intersection has been analyzed in its current configuration with a single-lane approach for Old Central Avenue. The analysis indicates that the addition of an exclusive left-turn lane is needed for acceptable operations.

#### **Consistency With Conceptual Site Plan**

Prior application CSP-02004 contains a number of transportation-related conditions. The status of the transportation-related conditions, as provided in the District Council's order affirming the Planning Board's decision on the case, is summarized below:

- Condition 3: This condition requires that rights-of-way for the master plan facilities be determined at the time of preliminary plan. This has been done.
- Condition 4: This condition requires roadway improvements at the MD 214/Church Road intersection. Identical conditions will be recommended for this plan, and they will be enforceable at the time of building permit.
- Condition 5: This condition requires the provision of a traffic signal warrant study at the MD 214/Hall Road/north site access intersection prior to Detailed Site Plan. This condition also requires roadway improvements at that location. Identical conditions will be recommended for this plan, and they will be enforceable at later approval stages.
- Condition 6: This condition requires the provision of a traffic signal warrant study at the US 301/Old Central Avenue intersections prior to Detailed Site Plan. Identical conditions will be recommended for this plan, and they will be enforceable at later approval stages.

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- Condition 7: This condition requires the provision of a traffic signal warrant study at the US 301/east site access intersection prior to Detailed Site Plan. This condition also requires roadway improvements at that location. Identical conditions will be recommended for this plan, and they will be enforceable at later approval stages.
- Condition 8: This condition requires the modification and lengthening of the merge from eastbound MD 214 to northbound US 301. The merge area has recently been lengthened to 400 feet with an extended taper and found to be acceptable under total traffic. Therefore, this condition is deemed to be satisfied and will not be carried forward.
- Condition 9a: This condition requires provision of a third through lane of a length of 6,800 linear feet along southbound US 301. Approximately 3,800 feet of this lane is along the frontage of the subject property, and this portion can reasonably be requested of the applicant by SHA as a part of frontage/access-related improvements. An identical condition will be recommended for this plan, and it will be enforceable at the time of building permit.
- Condition 9b: This condition requires acceleration and deceleration lanes along northbound US 301 at the east site access. This improvement can reasonably be requested of the applicant by SHA as a part of frontage/access-related improvements. An identical condition will be recommended for this plan, and it will be enforceable at the time of building permit.
- Condition 9c: This condition allows the applicant to pay a pro-rata fee toward the widening of US 301. It allows this payment in the event that right-of-way for improvements listed in Conditions 6, 8, and 9a is not available. Furthermore, the condition allows the costs of these improvements to be credited against the pro-rata fee. The condition finally states that the scope of improvements along US 301 shall be determined at the time of preliminary plan. The determination has been made, and the condition will be carried forward in amended form in accordance with the earlier discussion in this memorandum.
- Condition 10: This condition states that off-site traffic improvements may be altered or modified at the time of preliminary plan dependent upon phasing schedules. The applicant has forwarded no change in the phasing schedule, and no change is proposed herein.
- Condition 11: This condition sets trip caps for Phases I and II. This condition will be enforced with subsequent applications, and will be carried forward with this plan.

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- Condition 12: This condition requires further review of proposed street sections. The portion of the development on the north and west sides of the proposed lake is proposed to be private streets, and the sections proposed in these areas are acceptable. However, the typical sections for street types B, C, E, F, and I are all proposed for public streets, and each type is slightly nonstandard. It does not appear that DPW&T approval of the revised typical sections has been received. This issue must be resolved prior to signature approval of the preliminary plan.
- Condition 13: This condition requires the provision of a street of type E along the north side of the lake. The current plan shows this street; therefore, the condition is met.
- Condition 14: This condition requires the provision of documentary evidence of service by public transportation. This evidence is required as a means of establishing the geographic applicability of the fifth criterion for the use of mitigation. This documentary evidence has not been received to date, but is required to be submitted and reviewed prior to signature approval of the subject plan.

#### Plan Comments

MD 214 is a master plan expressway, and existing southbound US 301 is a master plan arterial facility. Existing rights-of-way along both facilities is sufficient to accommodate future recommendations. It is noted that the master plan recommends a future interchange at MD 214 and Hall Road, and the preliminary plan makes no provision for right-of-way for the ramps and overpass associated with this interchange. The area where the interchange is planned is shown on the plan as green space adjacent to a possible hotel site. Since no development is intended at this location by either the conceptual or the preliminary plan, it could be purchased by SHA (or some other public agency) at the time that an interchange becomes needed. Because there is no current need for adequacy nor is there any conceptual plan for the interchange, dedication is not required.

Additionally, the master plan shows an extension of Prince George's Center Boulevard (I-2) onto the subject property. This facility and connection were not reflected on the approved conceptual site plan. In general, sub-collector roadways are shown on master plans as a means of addressing specific land and access needs of the plan. The I-2 facility is viewed as a roadway that was intended to link the employment-oriented land uses of Collington Corporate Center to the larger Collington Center development. It was not intended as an alternate route for trucks to access Collington Center; MD 214 is not a commercial corridor outside of the Capital Beltway, and Collington Center already has other access points onto US 301, which is a more appropriate facility for truck access. And while future peak-hour traffic could become very heavy at Trade Zone Avenue, there will be another access point onto US 301 between Trade Zone Avenue and Leeland Road. With the proposed site plan, the

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Collington Corporate Center property will change from a strictly employment/industrial site to a residential/mixed-use site. In general, master plan recommendations attempt to separate industrial traffic from communities. In considering the change that the subject plan presents, the extension of I-2, besides being unneeded, may actually be undesirable.

The general circulation plan is mostly acceptable. However, the subdivision plan indicates three public street access points onto the site from southbound US 301. It is also noted that the key map used for identifying proposed typical sections indicates the possibility of a driveway access to US 301 in the vicinity of Parcel 60. Any access point must be approved by SHA. However, given that southbound US 301 is identified as a future arterial facility, any driveways must be reviewed as a variation request from Section 24-121(a)(3). No such variation request has been filed or reviewed. Therefore, access onto US 301 southbound from the subject property shall be limited to proposed Streets B, G, and J, as labeled on the plan. Record plats shall indicate access denial for individual lots onto US 301 southbound (and MD 214).

**†Vehicular Access Easement 24-128(b)(9)**

The PPS reflects nine parcels which have frontage on US 301, a designated arterial roadway. A variation to Section 24-121(a)(3) was not filed nor granted for direct access from any parcel to US 301 or MD 214. In order to avoid a potentially hazardous or dangerous traffic situation, the Planning Board has authorized the use of an easement as a means of vehicular access to these parcels pursuant to Section 24-128(b)(9) of the Subdivision Regulations, to which M-NCPPC shall be the grantee. At the time of DSP, the access easement shall be delineated on the plan to serve these parcels. The Section 24-128(b)(9) easement, by definition, is a driveway and not a "street." The access easement shall be a unifying element for the commercial component and must create an identifiable route through the development pod, not only for vehicles, but for pedestrians and commercial/residential areas beyond. The route will be reviewed for a level of comfort for all users, and not be reduced to a circuitous route through a parking lot and will connect to the public streets (G and J). To accomplish this, the applicant will submit a cross section at the time of DSP which should include landscaping (shade), lighting, and adequate space for pedestrians, as appropriate and determined with the DSP.

The revised PPS submitted on January 18, 2017 included three parcels, which had no frontage on a street and were therefore "landlocked." There are no provisions for the use of an easement in this instance without frontage on a street. The applicant has filed Applicant Access Exhibit to adjust Parcels 49, 72, and 73 prior to recertification to provide each parcel frontage on a street.

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**Transportation Issue Conclusions**

Based on the preceding findings, adequate transportation facilities †[would] will exist to serve the proposed development as required under Section 24-124 of the Prince George’s County Code. †[if the application is approved with the transportation improvements noted.]

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. (The following figures are without the Condo/High Rise Apartment units. Those units will be included in the findings at a later date.)

Final School APF Numbers

Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	1294 sfd	1294 sfd	1294 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	310.56	77.64	155.28
Actual Enrollment	6141	5131	10098
Completion Enrollment	198.24	217.62	398.97
Cumulative Enrollment	180.48	139.74	279.96
Total Enrollment	6830.28	5565.38	10932.21
State Rated Capacity	5858	4688	8770
Percent Capacity	116.60%	118.72%	124.65%

Source: Prince George’s County Planning Department, M-NCPPC, December 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between I-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 an 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.

This 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.

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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.

**Residential (single-family)**

- a. The existing fire engine at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service travel time of 3.37 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 7.25-minute travel time.

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.

**Commercial (and multifamily residential)**

- a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service travel time of 3.37 minutes, which is beyond the 3.25-minute travel time guideline.
- b. The existing ambulance service at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 4.25-minute travel time guideline.
- c. The existing paramedic service at Bowie Fire Station, Company 43, has a service travel time of 3.37 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service travel time of 11.55 minutes, which is beyond the 4.25-minute travel time guideline.

These findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. 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.

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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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department noted the presence of domestic trash, an abandoned truck and house trailer, and scrap tires on the property. The trash and debris must be disposed of properly. The tires must be hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt must be turned in to the Health Department.
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, #26947-2002-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. This plan incorporates the Low Impact Development technique. The approval was valid through June 30, 2004. A new Stormwater Management Concept Plan must be approved prior to signature approval of the preliminary plan.
14. **Cemeteries**—The property is part of *Willow Brook*, the antebellum plantation of the Clarke family. The Clarke family cemetery on part of this property was previously moved to St. Barnabas’ church. The applicant should be alert to possible additional burials. In addition, documentary and archeological investigation should be required to determine whether there exists physical evidence of slave dwellings or burials or other significant archeological resources.
15. **Public Utility Easement**—The preliminary plan does not include the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way. Prior to signature approval the preliminary plan must be revised to show this easement. The easement will be included on the final plat.
- †16. **Reconsideration**—On October 27, 2016, the Planning Board granted a waiver of the Rules of Procedure and a Reconsideration. On February 16, 2017, the Planning Board heard the applicant’s request and approved the PPS subject to amended findings and conditions and a revised PPS and TCPI.

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**†Background**

On June 12, 2003, the Planning Board approved CSP-02004 for the subject site, which is located in the E-I A Zone (PGCPB Resolution No. 03-135(C)) for the development of the property in accordance with the M-X-T Zone, pursuant to CB-013-2002, subject to specific findings. On January 27, 2004, the District Council affirmed the Planning Board's decision subject to conditions. Section 27-500(c) of the Zoning Ordinance, as amended by CB-013-2002, required the development to comply with the requirements of Part 10, which contains regulations including lot sizes, building groups, and units in a row.

†On November 15, 2016, CB-073-2016 was adopted by the County Council and took effect on December 30, 2016. This Council bill provides, in Part 10, Subdivision 1, Section 27-544(e)(1), that "for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only." Therefore, any modification of the regulations in the M-X-T Zone will not require a variance. This reconsideration proposes lots which do not meet the standards of the M-X-T Zone (Section 27-548(h)). While the applicant did submit a variance for lot size and building width, with the adoption of CB-073-2016, acting on the variance is not required and was therefore withdrawn on November 29, 2016 by the applicant.

**†Urban Design**

The Urban Design Section has reviewed the reconsideration request, which represents a significant change of the development program from the prior approval. In general, while the overall unit count remains unchanged (1,294) the proposed development project reflects the creation of fee simple lots that results in a more than 40 percent increase in the total number of lots, mainly of single-family attached dwellings and more than 35 percent reduction of multifamily dwellings. In addition, the proposed development project also reduces the amount of gross floor area for the employment uses. For both single-family detached and single-family attached units, some of the proposed lots, except for a limited number, are narrower than the previously approved lots. As a result of the reduction in the lot width to the proposed 16 feet wide for interior units, most of the proposed lots cannot meet the recommended lot size, which is 1,800 square feet in the M-X-T Zone for TH lots. Originally, the applicant filed an "Exhibit for Typical Minimum Lot Layout" dated November 23, 2016 which did not provide a common open space element between the sticks of TH lots and provided only 12 feet between the end unit dwelling units. The Urban Design Section had concerns about the proposed lotting pattern and the relationship among the narrow lots in both single-family detached and attached sections. A large number of small lots, especially those 16 feet wide concentrated in several sections, may create a monotonous streetscape because there are no breaks between the continuous narrow lots. Urban Design stated that above all, the proposed lotting pattern, especially between TH building sticks will create practical difficulty for homeowners carrying out regular yard maintenance such as mowing one's own lawn because of the inability to access the rear yards reasonable. Therefore, at the time of DSP, homeowners

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association (HOA) open space areas, a minimum of eight feet wide, should be provided at appropriate locations to provide openings for pedestrian circulation and access.

HOA open space shall also be provided between groups of single-family lots which back to the HOA/M-NCPPC land along the western and southern edges of the property. The open space elements will provide windows into the open space features and be provided between every 15 contiguous, single-family detached units, or as determined at the time of DSP to provide a visual break and a relief view to the green areas of the site.

In addition, the large concentration of small townhouses also creates demands for more open space and recreational facilities. Private recreational facilities, such as small-scale neighborhood outdoor play areas and picnic areas or open space elements in at least three locations to be within a 100-foot radius of the proposed townhouses should be provided and reviewed by the Urban Design Section of the Development Review Division (DRD) for adequacy and property siting at time of detailed site plan. Smaller townhouse lots also necessitate highly articulated architectural design of the models in order to achieve a high-quality development. At least three townhouse models with varied architectural including both front-and rear-loaded garage options should be provided within each proposed townhouse section at the time of DSP. At least 70 percent of the townhouses should have a full brick or equivalent masonry façade finish. Highly visible end units should also have a minimum four architectural features. Approval of this reconsideration includes conditions to address the issues of open space and recreational needs and views, at time of DSP that may result in a loss of townhouse lots.

The Planning Board’s approval of the PPS, including the number of dwelling units, lots, and parcels, cannot be resubdivided or increase by a zoning action pursuant to a determination at the time of DSP. Therefore, the Planning Board also required that General Note 19 on the approved PPS be revised as reflected on the PPS filed with the reconsideration because it previously stated that the property could be resubdivided at the time of DSP.

The applicant has indicated that a modification to the layout, including a shifting of the internal road network, may be proposed with the DSP, which will be reviewed for substantial conformance to the PPS at that time.

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.

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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 Vaughns, with Commissioners Harley, Vaughns, Squire and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, October 21, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of November 2004.

\*This is to certify that the foregoing, indicated in underline and deletion, is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission relating to further division of the property, the addition of 200 lots, and modification to the transportation phasing on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 16, 2017, in Upper Marlboro, Maryland. The adoption of this amended resolution, based on the reconsideration action taken, does not extend the validity period of this preliminary plan of subdivision (PPS), nor modifies the original approval date of the PPS of October 21, 2004.

\*\*This resolution was corrected administratively on June 8, 2017.

††Denotes (2018) Amendment

†Denotes (2017) Amendment

\*\*\*Denotes (2018) Correction

\*\*Denotes (2017) Correction

\*Denotes Correction

Underlining indicates new language

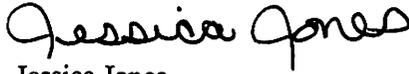
[Brackets] and ~~strikethrough~~ indicate deleted language

††This is to certify that the foregoing, indicated in underline and deletion, is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission relating to access, circulation and master plan trail alignment on the motion of Commissioner Geraldo, seconded by Commissioner Doerner, with Commissioners Geraldo, Doerner, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, January 25, 2018, in Upper Marlboro, Maryland. The adoption of this amended resolution, based on the reconsideration action taken, does not extend the validity period of this preliminary plan of subdivision (PPS), nor modifies the original approval date of the PPS of October 21, 2004.

††Adopted by the Prince George's County Planning Board this 15th day of February 2018.

\*\*\*This resolution was corrected administratively on May 16, 2018.

Elizabeth M. Hewlett  
Chairman

  
By Jessica Jones  
Planning Board Administrator

PCB:JJ:SC:rpg

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPPC Legal Department

Date 5/17/18

††Denotes (2018) Amendment

†Denotes (2017) Amendment

\*\*\*Denotes (2018) Correction

\*\*Denotes (2017) Correction

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language



February 5, 2019

Karington LLC  
10100 Business Parkway  
Lanham, MD 20706

Re: Notification of Planning Board Action on  
**Preliminary Plan of Subdivision 4-17027**  
**South Lake (formerly Karington)**

Dear Applicant:

This is to advise you that, on **January 31, 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 **February 5, 2019**.

Sincerely,  
James Hunt, Chief  
Development Review Division

By: Joseph Onyebuchi  
Reviewer

Attachment: PGCPB Resolution No. **19-06**

cc: Persons of Record

RESOLUTION

WHEREAS, Karington LLC is the owner of a 11-acre parcel of land known as part of Outparcels A and B, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned Employment and Institutional Area (E-I-A); and

WHEREAS, on July 16, 2018, Karington LLC filed an application for approval of a Preliminary Plan of Subdivision for 66 lots and 3 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-17027 for South Lake (formerly Karington) 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 January 10, 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 January 10, 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 TCP1-048-02-04, and further APPROVED Preliminary Plan of Subdivision 4-17027 for 66 lots and 3 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:
  - a. Provide an inset on the PPS, which reflects staff's "Exhibit for Typical Minimum Lot Layout." Modifications to the "Typical Minimum Lot Layout" may be considered at the time of detailed site plan.
  - b. Remove the 'B' (22-24-foot-wide) and 'C' (34-foot-wide) private street cross sections.
  - c. Revise the general notes to indicate that the mandatory parkland dedication requirements, in addition to those provided under Preliminary Plan of Subdivision 4-04035, may be satisfied with private on-site recreational facilities. At the time of detailed site plan, the applicant shall demonstrate that adequate private on-site recreational facilities have been provided to satisfy the mandatory dedication requirement for the dwelling units proposed in this PPS.

- d. Revise the number of parcels shown on the PPS and in the general notes to be consistent.
2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:
  - a. Show the limits of the current PPS on the plan.
  - b. Revise the QR code approval block to reference the subject PPS number.
3. A substantial change to the uses or site layout on the subject property that affects Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to the approval any building permits.
4. Development of this site may be in conformance with approved Stormwater Management Concept Plan 26947-2002-03 and any subsequent revisions.
5. **Old Central Avenue at Site Access:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.
6. **US 301 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to the Maryland State Highway Administration (SHA) for the intersections of northbound and southbound US 301 (Robert Crain Highway) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA.
7. **MD 214 at Old Central Avenue:** Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage, or model homes), the applicant shall submit an acceptable traffic signal warrant study to the Maryland State Highway Administration (SHA) for a possible signal at the intersection of MD 214 (Central Avenue) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency. In addition, the applicant shall add, to the

northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.

8. **MD 214 at Church Road:** Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:
  - a. The restriping of the westbound right-turn lane along MD 214 to operate as a shared through/right-turn lane.
  - b. The restriping of the northbound approach of Church Road to operate as one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane, along with any signal modifications to reflect the change in lane use.
9. Total development within the subject property shall be limited to uses, which generate no more than a total of 48 AM and 56 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.
10. At the time of detailed site plan, details of the private street cross sections shall be provided, and final design shall be consistent with the overall approved South Lake (Karrington) development.
11. In accordance with Conditions 1c, 20, and 22 and pursuant to Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
12. Prior to approval of the final plat (other than for public road infrastructure), the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that a homeowners association has been established. The draft covenants shall be submitted to the Development Review Division (DRD), to ensure that the rights of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department are included. The Liber and folio of the declaration of covenants shall be noted on the final plat prior to recordation.
13. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following, which shall be included in the declaration of covenants:
  - a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision and Zoning Section of the Development Review Division, Upper Marlboro, Maryland.

- b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.
  - c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.
  - d. Any disturbance of land to be conveyed to a HOA shall be in accordance with an approved site plan. 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.
  - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, in accordance with the approved detailed site plan.
14. Prior to acceptance of a detailed site plan (DSP), a geotechnical soils report and proposed grading plan shall be submitted. If a slope analysis is required as a result of the review of the geotechnical report, it shall also be submitted during the review of the DSP, but no later than 55 days prior to the Prince George's County Planning Board hearing. The unmitigated safety factor line shall be shown on all plans, if applicable. Any buildings within 25 feet of the unmitigated safety factor line shall be relocated outside. If a mitigated safety factor line is determined, all buildings shall be located at least 25 feet from that line.
15. The final plat shall contain the following note:
- "The subject property contains areas of Marlboro clay that are subject to a safety factor line. All buildings are subject to a 25-foot building restriction line from the safety factor line in accordance with Section 24-131 of the Subdivision Regulations as shown on a detailed site plan."
16. Prior to issuance of any building permit for units within this Preliminary Plan of Subdivision, 4-17027, the following improvements shall be in place, under construction, or bonded and permitted:
- a. At US 301/Trade Zone Avenue, if the US 301 CIP/CTP project is fully funded at time of building permit issuance, the applicant and the applicant's heirs, successors, and/or assignees shall pay to Prince George's County, a fee calculated as  $\$950.78 \text{ per residential building permit} \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd Quarter, 1989})$  as its share of costs for improvements to US 301.

- b. At US 301/Trade Zone Avenue, if the US 301 CIP/CTP project is not fully funded at time of building permit issuance, the applicant and the applicant's heirs, successors, and/or assignees shall bond and permit the following transportation facilities mitigation plan improvement prior to issuance of building permits:
  - (1) Construct a third eastbound left-turn lane along Trade Zone Avenue onto northbound US 301; and
  - (2) Construct a third receiving lane along northbound US 301 with the appropriate length to be determined by the operating agency.
17. Prior to approval of each final plat, the applicant shall demonstrate that public and private streets, connecting this development to the external public street system, have been dedicated and/or platted to support the associated development.
18. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public and private rights-of-way.
19. In accordance with Conditions 1c, 20, and 22, 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 the private recreational facilities on-site prior to the 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 reflected on the final plat prior to recordation.
20. In accordance with Condition 1c, the applicant and the applicant's heirs, successors, and/or assignees shall allocate appropriate and developable areas for the private on-site recreational facilities within the common open space land. The recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department for adequacy, proper siting, and triggers for construction with the review of the detailed site plan.
21. In accordance with Conditions 1c, 20, and 22, prior to issuance of any residential building permits, 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.
22. In accordance with Condition 1c, prior to approval of the first final plat which includes residential development (excluding multifamily units), the applicant and the applicant's heirs, successors, and/or assignees shall submit a final plat and deed for land to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC), pursuant to the requirements of Preliminary Plan of Subdivision 4-04035, approved on January 25, 2018. Land to be conveyed shall be subject to the following:

- a. An original, special warranty deed for the property to be conveyed, (signed by the Washington Suburban Sanitary Commission assessment supervisor) shall be submitted to the Subdivision Section of the Development Review Division, M-NCPPC, along with the final plat for the parkland.
- 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 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 prior written consent of the Prince George's County Department of Parks and Recreation (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, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County 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.
- 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 Prince George's County Department of Parks and Recreation 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 Prince George's County Department of Parks and Recreation (DPR).
- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
- i. No stormwater management facilities or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without prior written consent of the Prince George's County Department of Parks and Recreation (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.

23. In accordance with Conditions 1c, 20, and 22, prior to approval of a detailed site plan for residential development (not infrastructure), private recreational facilities, such as open space, small-scale neighborhood outdoor play areas, and picnic areas, shall be located within the community to be reasonably accessible to the proposed attached dwellings and shall be demonstrated on the plans.

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 11 acres and is known as part of Outparcels A and B recorded in Plat Book REP 215 89–90 on October 26, 2006. The property is located in the southwest quadrant of the intersection of MD 214 (Central Avenue) and US 301 (Robert Crain Highway) within the Employment and Institutional Area (E-I-A) Zone.

The subject site is a re-subdivision of land (11 acres), which is part of an overall development, previously known as "Karrington," consisting of 381.52 acres. The overall site is the subject of Zoning Map Amendment A-9284-C, which established the property in the E-I-A Zone with conditions. Conceptual Site Plan CSP-02004 was approved pursuant to Section 27-515 of the Prince George's County Zoning Ordinance (CB-13-2002), which allowed the overall 381.52-acre property to develop as a mixed-use planned community, subject to the Mixed Use-Transportation Oriented (M-X-T) zoning regulations. Preliminary Plan of Subdivision (PPS) 4-04035 was subsequently approved for the overall site (381.52 acres) for 800 lots and 110 parcels for the development of 1,294 dwelling units, 390 hotel rooms, and 675,000 square feet of retail and office space. The current application is for a portion (11 acres) of the original PPS 4-04035 and supersedes the previous approval for that portion of the overall site.

The application is for 66 lots for the development of 66 dwelling units (37 single-family attached and 29 single-family detached). This represents an increase of units for the overall development, whereas the prior 1,294 dwelling units approved in PPS 4-04035 will remain and the units included herein will increase the total unit count by allowing an additional 66 dwelling units in the subject area of the overall development.

3. **Setting**—The subject site is located on Tax Map 70, Grid C-3 & D-3 in the E-I-A Zone and consists of 11 acres. It is located within the overall South Lake (aka Karrington) development and bounded to the north, west, south, and east by land that is currently vacant but planned for mixed-use retail, office, and residential development pursuant to PPS 4-04035. To the north, PPS

4-04035 was approved for open space; to the west, single family attached dwellings are approved; single-family attached and multifamily attached dwellings are approved to the south; and multifamily parcels are also approved to the west.

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

Zone	EXISTING		APPROVED	
	E-I-A		E-I-A	
Use(s)	Mixed-Use	Planned Community Vacant	Mixed-Use	Planned Community
Acreage		11		11
Lots		0		66
Outparcels		2		0
Parcels		0		7
Dwelling Units:		0		66

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee on July 27, 2018.

5. **Previous Approvals**—The overall 381.52 square foot property was the subject of a Zoning Map Amendment (A-9284-C) establishing the E-I-A Zone for the property. On July 8, 2002, the Prince George’s County Council adopted CB-013-2002, which defined and permitted a mixed-use planned community in the E-I-A Zone.

On June 12, 2003, the Planning Board approved Conceptual Site Plan CSP-02004 for the site (PGCPB Resolution No. 03-135(C)) for the development of the property in accordance with the M-X-T Zone standards. Section 27-500(c) of the Zoning Ordinance, as amended by Council Bill CB-013-2002, required the development to comply with the requirements of Part 10, which contain regulations including lot sizes, building groups, and units in a row. The use of private roads and alleys for vehicular access is permitted on the property in accordance with the M-X-T Zone standards. On January 27, 2004, the District Council affirmed the Planning Board’s decision (PGCPB Resolution No. 03-135 (C)) subject to conditions. It is important to note that the development of this property is subject to all of the previous approvals for development, with the exception of PPS 4-04035, which is superseded by the instant PPS for the development of the property. The following seven conditions of approval are applicable to the subject PPS:

4. **MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**

- a. **The addition of a northbound left-turn lane along Church Road.**
  - b. **The addition of an eastbound left-turn lane along MD 214**
  - c. **The addition of a westbound left-turn lane along MD 214.**
  - d. **Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.**
6. **US 301 at Old Central Avenue: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.**
7. **US 301 at site entrance/median crossover: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it a time when directed by SHA. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
- a. **The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. **The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301.**
  - c. **The construction of a northbound left-turn lane approaching the median crossing.**
  - d. **The construction of a southbound right-turn lane along the southbound US 301 approach.**

Conditions 4, 6, and 7 were brought forward and amended as conditions under PPS 4-04035 (PGCPB Resolution No. 04-247(C/2)(A/2)) and are further discussed in the Transportation finding.

15. **All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.**

This condition has been addressed with the review of the tree conservation plan (TCP) filed with this application, and previous approvals.

20. **The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8 ½ x 11 – inch sheets.**

There are no primary management area (PMA) impacts with this application.

23. **The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George’s County “Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments.”**

A geotechnical report was prepared in 2004 and submitted with PPS 4-04035, which was resubmitted with this application. The subject property contains areas of Marlboro clay that are subject to a 1.5 safety factor line which may limit the placement of structures and will be reviewed at the time of detailed site plan (DSP), at which time an updated geotechnical report shall be provided. The applicant shall show the location of the mitigated 1.5 safety factor line on the Type 2 tree conservation plan (TCP2) and DSP prior to approval and adjust the lot layout so that the lots are located entirely outside of the limits of the mitigated 1.5 safety factor line, if applicable.

The final plat will contain the following note to ensure that this information is daylighted for future owners:

“The subject property contains areas of Marlboro Clay that are subject to a safety factor line. All buildings are subject to a 25-foot building restriction line from the safety factor line in accordance with Section 24-131 of the Subdivision Regulations as shown on a detailed site plan.”

25. **The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the**

**Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located and submitted within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

The 65 dBA Ldn noise contour is shown 311 feet from the MD 214 centerline and there are no impacted lots or parcels within the boundary of this PPS. Outdoor activity areas shall be mitigated to less than 65 dBA Ldn and interior areas must be mitigated to less than 45 dBA Ldn. The applicant shall submit a Phase II noise study prior to acceptance of the DSP that identifies appropriate mitigation measures. The 65dBA Ldn noise contour from US 301 is outside the limits of this PPS and is not applicable.

On November 15, 2016, the County Council adopted CB-073-2016. The bill provides, in Part 10, Subdivision 1, Section 27-544(e)(1), that “for property that is located in the E-I-A Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.” Consequently, on February 16, 2017, the Planning Board approved a reconsideration of PPS-04035 for 800 lots and 110 parcels representing an increase of 337 lots and 24 parcels. Subsequently, the Planning Board approved a second reconsideration on January 25, 2018 (PGCPB Resolution No. 04-247 (C/2(A/2))) for the adjustment of access, circulation, and master plan trail alignment. The amended and corrected conditions of approval which remain applicable to this site have been carried forward as conditions of approval of this application and are discussed further.

6. **Community Planning**—This property is part of an approved, yet unbuilt, residential neighborhood and commercial area located outside of a Regional Transit District and Local Center. *Plan Prince George’s 2035 Approved General Plan* (Plan 2035), therefore, classifies this property as Established Communities. The vision for this community is context-sensitive infill and low- to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met.

**Master Plan and Sectional Map Amendment/Zoning**—Comprehensive Design Plan CDP-9006 established the E-I-A Zone for the subject property. The 2006 *Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity* (Bowie and Vicinity Master Plan and SMA), retained the subject property in the E-I-A Zone. However, Council Bill CB-13-2002, adopted by the Prince George’s County Council on May 21, 2002, approved development of the subject property as a Mixed-Use Planned Community subject to M-X-T standards. The master plan reflects this change by recommending mixed-use future land use for this site. Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, the subdivision conforms to the land use recommendation of the master plan.

7. **Stormwater Management**—An approved Stormwater Management (SWM) Concept Plan and Letter (26947-2002-03) was submitted with the subject application, which expires on May 8, 2020. The Site/Road Plan Review Division of the Prince George’s County Department of

Permitting, Inspections and Enforcement (DPIE) will review the project for conformance with the current provisions of the Prince George's County Code that address the state regulations. Development must conform to the approved SWM concept plan, or subsequent revisions, to ensure that on-site or downstream flooding does not occur.

8. **Parks and Recreation**—This PPS has been reviewed for conformance with the requirements and recommendations of Plan 2035, the Bowie and Vicinity Master Plan and SMA, Conceptual Site Plan CSP-02004, Preliminary Plan of Subdivision 4-04035, Detailed Site Plan DSP-05042, the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County, the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space, and Sections 24-134 and 24-135 of the Subdivision Regulations; as policies in these documents pertain to public parks and recreational facilities.

The mandatory dedication of parkland for the entire South Lake subdivision (also known as Karington), per Section 24-134 of the Subdivision Regulations, was previously addressed with the approval of PPS 4-04035, which reflects the provisions of parkland dedication for the Collington Branch Stream Valley Park and on-site recreational facilities, including trail and trailhead facilities, in order to meet the mandatory dedication requirement. Although the land has not yet been dedicated or facilities constructed, the conditions to provide the dedication and facilities shall remain in affect under PPS 4-04035.

Notwithstanding the previous conditions which have not yet been satisfied, the developer adding additional dwelling units increases density and, therefore, may require additional dedication of parkland, fees, and/or recreational facilities, in addition to those previously approved with 4-04035. The applicant is retaining the recreational facility/open space area previously approved (PPS 4-04035, Parcel 32) and located on Block A. However, the land area for this facility has been reduced from the previous approval to accommodate 37 lots within this PPS. At the time of DSP, the applicant shall demonstrate that adequate private on-site recreational facilities have been provided to satisfy the mandatory dedication requirement for the dwelling units included in this PPS.

It is noted that the subject PPS reflects a note that mandatory dedication has been previously satisfied with the land dedication and facilities required with the approval of 4-04035. However, the dedication of parkland and construction of any facilities has not yet occurred, and any credit would need to be verified with a calculation showing an excess of land dedication and/or recreational facilities that may be credited for the units included in this PPS. The note provided on the PPS shall be revised to indicate the provision of private on-site recreational facilities for the purpose of meeting the mandatory parkland dedication requirements for this PPS, along with dedication and facilities planned with PPS 4-04035. The applicant provides that South Lake is planned for an overall comprehensive recreational facilities package with amenities covered under both 4-04035 and 4-17027 which will be available for all residents. Towards that effort, the applicant provided the following list of approved park dedication and recreational facilities.

**Approved with PPS 4-04035:**

- Dedicated land for Stream Valley Park –Parcel 87 and 88. The area of dedication will be consistent with the PGCPB Resolution No. 04-247(C/3)(A/2).
- Passive Recreation (Sitting Area) – Parcel 1
- Park (Lake), Pool Site - Parcel 33
- Pool Site or Amphitheater - Parcel 34
- Passive Recreation – Parcel 84
- Pool Site, with Community Center – Parcel 85
- Passive Recreation – Parcel 86
- Open Space - Parcels 89, 108, 109 & 110
- Passive Recreation – Parcel A, Block A
- Passive Recreation – Parcels A & B, Block B
- 10-foot-wide Alternative Master Planned Trail: Approximately 2,150 feet in length. The length of the trail along the Maryland State Highway Administration right-of-way is an additional approximately 1,800 feet in length.
- Trailhead Facility
- Passive Recreation - Parcel 32 (area reduce per PPS 4-17027)

The Planning Board finds that the stream valley parkland dedication, trail, trailhead, and private on-site recreational facilities contribute to the overall comprehensive recreational facilities for South Lake which are adequate to serve the residents. However, to address the needs of the increase in the residential population included with this PPS, the provision of private on-site recreational facilities is required, if needed, which shall be demonstrated at the time of DSP. The subject application has met the requirements of Section 24-134(a)(3)(D), together with any additional private on-site facilities deemed required at the time of DSP, which specifically provide that:

**Any resubdivision of property on which land was previously dedicated or fee in lieu paid. The applicant shall be credited to the extent that land dedication or fees would otherwise be required upon such resubdivision.**

9. **Trails**—This PPS has been reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2006 Bowie and Vicinity Master Plan and SMA for implementation of planned trails, bikeways, and pedestrian improvements that may affect the property.

The original PPS 4-04035 was approved in 2004 and included several conditions of approval related to the construction of the Collington Branch Stream Valley Trail, which is located on the western side of the original PPS. A 2017 reconsideration of the PPS realigned the stream valley trail along internal rights-of-way through the site as reflected on the plans. However, that realignment is outside the boundary of this PPS and the conditions of approval for the reconsideration concerning the trail are not applicable to this site.

**Review Comments (Master Plan Compliance and Prior Approvals):**

Both the MPOT and the Bowie and Vicinity Master Plan and SMA recommend a master plan trail along Collington Branch. This trail has been constructed in the Balmoral development to the south of the South Lake development and has been approved for construction through several other developments. The MPOT (page 20) includes the following text regarding the Collington Branch Stream Valley Trail:

“This trail will extend from MD 214 south through this property to Upper Marlboro. It will serve the developing residential communities on the west side of US 301. It will also connect to the Western Branch Trail near Upper Marlboro. Several segments of this trail have either been constructed or approved for construction through recent development proposals.”

The reconsideration of 4-04035 approved in 2018 relocated the stream valley trail along internal streets within the overall Karington/South Lake development. Although outside the boundaries of the current application, the submitted plans reflect this alignment along with a cross section for this master plan trail. 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.**

Consistent with these policies, a note has been added to the plans that sidewalk access will be provided to all units. The sidewalk network will be evaluated in more detail at the time of the DSP.

10. **Transportation**—The development occupies approximately 11 acres of the original Karington PPS area. Because the original PPS was approved with a trip cap (Condition 28 of PPS 4-04035) and additional residential density is included, a new traffic impact study (TIS) for the subject application was necessary. The application is supported by a traffic study dated June 2018, along with an additional analysis dated December 1, 2018, using counts dated December 2017. The study was provided by the applicant and referred to the Maryland State Highway Administration (SHA), the Prince George’s County Department of Public Works and Transportation (DPW&T), the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) and the City of Bowie. The additional analysis dated December 1, 2018 has been provided to SHA for comments on the improvements included with this application. The findings outlined below are based upon a review of these materials and analyses conducted, consistent with the “Transportation Review Guidelines, Part 1” (Guidelines).

The table below summarizes trip generation in each peak hour that will be used for the analysis and for formulating the trip cap for the site:

<b>Trip Generation Summary, 4-17027, South Lake</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>
Residential	66	units						
Towns/Two Over Two	37	units	5	21	26	20	10	30
Single Family Detached	29	units	4	18	22	17	9	26
<b>Total Residential</b>			<b>9</b>	<b>39</b>	<b>48</b>	<b>37</b>	<b>19</b>	<b>56</b>
Less Internal			0	0	0	0	0	0
<b>Net Residential Trips</b>			<b>9</b>	<b>39</b>	<b>48</b>	<b>37</b>	<b>19</b>	<b>56</b>
<b>Trip Cap for Subject PPS</b>					<b>48</b>			<b>56</b>

The site is part of a larger site that was originally subdivided pursuant to PPS 4-04035. The trip cap associated with that plan will remain intact, and the trips for the subject site are summarized in the above table. These trips represent an increase of the overall cap, thereby necessitating the submitted traffic study. The trips associated with the cap for PPS 4-04035 are considered an entitlement and are included within Background for the subject site. The net new trips for the subject site are generated by the additional residential dwellings included within the site by the subject PPS.

The traffic generated by this PPS would impact the following eight intersections, interchanges, and links in the transportation system:

- MD 214 and Church Road
- MD 214 and Old Central Avenue

- Old Central Avenue and site access
- US 301 SB and Old Central Avenue
- US 301 NB and Old Central Avenue
- US 301 SB and Wawa Crossover/site access
- US 301 NB and Wawa Crossover
- US 301 and Trade Zone Avenue

### **Existing Traffic**

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 (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted by the Guidelines.

**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 critical lane volume (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. Once the CLV exceeds 1,150 for either type of intersection, this 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.

The critical intersections, interchanges, and links identified above, when analyzed existing traffic counts taken with December 2017 and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 and Church Road	1,301	1,110	C
MD 214 and Old Central Avenue	779	567	A	A
Old Central Avenue and site access	future	future	--	--
US 301 SB and Old Central Avenue	48.4*	>50*	--	--
US 301 NB and Old Central Avenue	>50*	>50*	--	--
US 301 SB and Wawa Crossover/site access	>50*	>50*	--	--
US 301 NB and Wawa Crossover	>50*	>50*	--	--
US 301 and Trade Zone Avenue	1471	1,289	E	C

\*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.

**Background Traffic**

Background traffic has been developed for the study area using several approved but unbuilt developments within the study area. A 0.5 percent annual growth rate for a period of six years has been assumed. As noted earlier, the Karington development as approved under PPS 4-04035 has been included as background. The analysis also takes into account any improvements to be done under that PPS for the reason that, for instance, the site access improvements are needed to provide a fair base for comparing the impact of additional residential units and the additional trip under Total Traffic. Nevertheless, the additional residential trips included in the subject plan will be subject to the same conditions, as appropriate, as the underlying PPS. The critical intersections, when analyzed with background traffic, operate as follow:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 and Church Road	1,338	1,494	C
MD 214 and Old Central Avenue	1,316	1,145	D	B
Old Central Avenue and site access	859	961	A	A
US 301 SB and Old Central Avenue	>50*	>50*	--	--
US 301 NB and Old Central Avenue	>50*	>50*	--	--
US 301 SB and Wawa Crossover/site access	>50*	>50*	--	--
US 301 NB and Wawa Crossover	>50*	>50*	--	--
US 301 and Trade Zone Avenue	1,843	1,714	F	F

\*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.

**Total Traffic**

The following critical intersections, interchanges and links identified above, when analyzed with the programmed improvements and total future traffic as developed using the Guidelines, including the site trip generation as described above, operate as follows:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (CLV, AM & PM)		Level of Service (LOS, AM & PM)	
	MD 214 and Church Road	1,344	1,505	D
MD 214 and Old Central Avenue	1,340	1,161	D	C
Old Central Avenue and site access	888	990	A	A
US 301 SB and Old Central Avenue	>50*	>50*	--	--
-US 301 SB and Old Central Avenue	1,112	1,607	B	F
US 301 NB and Old Central Avenue	>50*	>50*	--	--
-US 301 NB and Old Central Avenue	1,852	1,454	F	E
US 301 SB and Wawa Crossover/site access	>50*	>50*	--	--
-US 301 SB and Wawa Crossover/site access	1,037	1,419	B	D
US 301 NB and Wawa Crossover	>50*	>50*	--	--
-US 301 NB and Wawa Crossover	1,915	1,593	F	F
US 301 and Trade Zone Avenue	1,844	1,715	F	F

\*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.

The following transportation improvements are required as a means of addressing inadequacies noted in the table above for total traffic:

**MD 214 and Church Road:** The westbound right-turn lane along MD 214 shall be restriped to operate as a shared through/right-turn lane. Also, the northbound approach of Church Road shall be restriped. The approach is currently striped as a double left-turn and a shared through/right. The approach shall be restriped to one exclusive left-turn lane, one exclusive through lane, and one exclusive right-turn lane, along with any signal modifications to reflect the change in lane use. With the changes, the intersection would operate with a CLV of 1,237 (LOS D) in the AM peak hour and a CLV of 1,344 (LOS D) in the PM peak hour. It must be noted that Condition 22 of PPS 4-04035 includes more extensive improvements at this location, and that condition remains in place.

**MD 214 and Old Central Avenue:** With the improvements in Condition 27 of PPS 4-04035, the intersection would operate with a CLV of 1,029 (LOS B) in the AM peak hour and a CLV of 856 (LOS A) in the PM peak hour.

**Old Central Avenue and site access:** It is noted that the operating conditions for this intersection include the improvements in Condition 23 of PPS 4-04035.

**US 301 and Old Central Avenue (both intersections):** These unsignalized intersections operate with excessive delay, and both fail the three-part test in at least one peak hour to trigger the study of signalization. This requirement for signal warrant studies will be carried forward and applied to this site. Condition 24 of PPS 4-04035 includes an additional left-turn lane at this location, and that condition remains in place. It is noted, however, that upon review of past materials regarding this left-turn lane, this portion of Condition 24 was intended to be attached to Condition 27 and not this one. This is discussed further in the Prior Conditions section.

**US 301 and WAWA Crossover (both intersections):** These unsignalized intersections operate with excessive delay, and both fail the three-part test in at least one peak hour to trigger the study of signalization. Due to the intended phasing of the overall project, the applicant states that the site access will not be in place as the area of the subject plan is developed; therefore, the impacts identified will not occur until a later phase of Karington (4-04035). The Planning Board finds that, until the southern site access is constructed pursuant to PPS 4-0435, the only traffic that will affect operations and possible signal warrants would be traffic from the existing WAWA at that location.

**US 301 and Trade Zone Avenue:** The applicant has assumed the widening of southbound US 301 to three lanes, while assuming that northbound US 301 remains at two lanes. As discussed earlier, there is a project for the widening of US 301, between MD 214 and MD 725, shown in the current County Capital Improvement Program (CIP). This project is intended to provide "a third through lane north and south bound" plus "further widening, as needed, at Trade Zone Avenue" (Prince George's County FY2018-2023 Approved Capital Improvement Program Budget, page 120) and other intersections in the corridor to provide satisfactory levels of service. To that end, the applicant has proffered mitigation in accordance with Section 24-124(a)(6) of the Subdivision Regulations and provided a transportation facilities mitigation plan (TFMP) in accordance with the "Transportation Review Guidelines." The application meets the geographic eligibility criteria for a TFMP established by the Prince George's County Council in CR-29-1994, "Guidelines for Mitigation Actions." The application was found to meet the third criterion by virtue of the mitigation being proposed along US 301. The improvements needed to achieve LOS D or better in both peak hours at US 301/Trade Zone Avenue would involve potential right-of-way acquisition, and for that reason a lesser set of improvements is approved.

The improvements involve construction of an eastbound triple left-turn lane along Trade Zone Avenue, with the length to be determined by the DPW&T/SHA, and a free-flowing right turn lane. In order to facilitate the triple left-turn, a third receiving lane shall be constructed along northbound US 301 to receive the triple left-turn, with the length of the receiving lane and taper to be determined by the SHA. The Planning Board finds that, at

the time of permitting of these improvements, the applicant investigate the feasibility of converting the northbound right-turn lane to a right-through lane and make the conversion if deemed acceptable by SHA. The current right-turn lane serves fewer than five vehicles per hour, and there is a strong likelihood that traffic would use that lane as a through lane given that the applicant will need to construct the third northbound lane on the opposite side of the intersection to receive the three lanes turning from Trade Zone Avenue.

<b>IMPACT OF MITIGATION</b>				
<b>Intersection</b>	<b>LOS and CLV (AM &amp; PM)</b>		<b>CLV Difference (AM &amp; PM)</b>	
US 301 and Trade Zone Avenue				
Background Conditions	F/1843	F/1714		
Total Traffic Conditions	F/1844	F/1715	+1	+1
Total Traffic Conditions w/Mitigation	F/1803	F/1583	-41	-132

As the CLV at the critical intersection is over 1,813 during the AM peak hour, the mitigation actions must mitigate at least 100 percent of the trips generated by the subject property and bring the CLV to 1,813 or better, according to the Guidelines. The above table indicates that the mitigation action would mitigate more than 100 percent of site-generated trips during the PM peak hour and bring the CLV to less than 1,813. As the CLV at the critical intersection is between 1,450 and 1,813 during the PM peak hour, the mitigation actions must mitigate at least 150 percent of the trips generated by the subject property, according to the "Guidelines." The above table indicates that the mitigation action would bring the intersection to a policy LOS D. Therefore, the required mitigation at US 301 and Trade Zone Avenue meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations in considering traffic impacts.

**Master Plan Right-of-Way Dedication**

The property is adjacent to MD 214, a master plan expressway facility. Sufficient right-of-way in accordance with master plan recommendations has previously been dedicated or deeded in this area, and no additional right-of-way is required of this plan.

**Circulation**

Vehicular access and circulation, including fire access, is acceptable.

**Prior Conditions**

Several transportation-related other conditions were approved as a part of PPS 4-04035. The status of these conditions is summarized below:

- ††[24] 22. MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:**
- a. The addition of a northbound left-turn lane along Church Road.**
  - b. The addition of an eastbound left-turn lane along MD 214.**
  - c. The addition of a westbound left-turn lane along MD 214.**
  - d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.**

This condition concerns improvements at MD 214 and Church Road. It was determined that a lesser set of improvements would be sufficient to serve the subject site. It is noted that this condition will remain as written for PPS 4-04035.

- ††23. Old Central Avenue at Site Access: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.**

This condition requires improvements at Old Central Avenue and the site access. This condition is carried forward, as written with this PPS.

- ††[26] 24. US 301 at Old Central Avenue: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. ††In addition, the applicant shall add, to the northbound approach of**

**Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.**

This condition requires traffic signal warrant studies at the two intersections of US 301 and Old Central Avenue, and the warrant study requirements shall be carried forward with this PPS. The condition also includes a physical improvement for an additional left-turn lane along Old Central Avenue, and for the reason discussed earlier will not be carried forward.

- ††[27] **25.** US 301 at site entrance/median crossover: Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, **†other than for infrastructure, model homes, or signage**, within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, **†other than for infrastructure, model homes or signage**, within the subject property, the following road improvements shall (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:
- a. The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.
  - b. The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301
  - c. The construction of a northbound left-turn lane approaching the median crossing.
  - d. The construction of a southbound right-turn lane along the southbound US 301 approach.
  - e. **†Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).**

This condition involves signal studies and physical improvements at the Wawa crossover along US 301. For reasons discussed earlier, this condition is not carried forward.

**††[28] 26. US 301 widening:**

- a. **Prior to the issuance of any permits, †other than for infrastructure, signage, or model homes, within †[Phase I (other than construction buildings and model homes)] Phase II, as defined in the trip cap condition contained in this report, the following road improvement shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of a new US 301 southbound lane †[to extend from the southbound ramp of MD 214 approximately 6,800 linear feet toward Trade Zone Avenue.] beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue, to tie into the existing third southbound lane that already exists at Queen Anne Road, for a total distance of approximately 2,800 feet.**
- b. **Prior to the issuance of any permits within †[Phase II] Phase I that require the construction of a new access point(s) along southbound US 301, as defined in the trip cap condition contained in this report, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of new acceleration/deceleration lanes along †[northbound] southbound US 301 at the site entrance(s).**
- c. **The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction of the respective Phases, the applicant shall pay to Prince George's County a sum calculated as  $\$725,094.25 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ . This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined prior to signature approval of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Condition 28A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements less the cost of the SHA mandated access improvements.**

This condition concerns improvements to southbound US 301 by adding an additional lane. Given the proposed phasing of this development within Phase I of the overall Karington site and the fact that no parcels within this development have US 301 frontage, this condition will not become enforceable for the subject PPS. Nevertheless, this application includes additional density, and that density has trip impacts along US 301 that were never considered when this condition was written more than 12 years ago. While the existing trips under PPS 4-04035 have entitlement, the additional development needs to pay or make improvements as well. While this condition will not be carried forward with this approval, a similar condition to address development not covered is included.

- ††[29] **27.** **MD 214 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.**

This condition concerns improvements at MD 214 and Old Central Avenue. This is the location where most trips from the initial access to Karington (including the subject subdivision) will enter the regional highway system. This condition is carried forward with this PPS. Furthermore, the physical improvement for an additional left-turn lane along northbound Old Central Avenue, which is shown on Condition 24, appears to have been intended to be part of this condition. Therefore, this condition will be written with the signal warrant study and the physical improvement.

- ††[30] **28.** **Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than †[774 AM and 1,242 PM] 1,047 AM and 1,421 PM net off-site peak-hour trips ††[or is within 1,400 linear feet of the proposed MD 214/Hall Road intersection]. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

This condition contains the trip cap for the overall site. Part of the purpose of the subject PPS is to add dwelling units and increase the overall trip cap for Karington, and all of that increase is within the limits of the subject subdivision. While this condition will remain as written, a conventional trip cap is included for the subject PPS. As noted earlier, the trip cap associated with PPS 4-04035 would continue to remain an entitlement associated with the area of Karington outside of the area of the subject plan, and a separate trip cap is written for the subject application. It is emphasized that the two trip caps together have been tested for transportation adequacy.

††[30] [32] 29. Prior to ~~\*[signature approval of the preliminary plan]~~ **detailed site plan approval which includes these streets**, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.

This condition refers to several street types within the original Karington site. The subject PPS has several street and alley types that are deemed to be acceptable, with conditions. While this condition stands as written for PPS 4-04035, it will not be carried forward onto the new plan.

††[31] [33] 30. Prior to approval of the final plat of subdivision, the applicant, his successors and/or assignees shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately-funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan (other than infrastructure), transportation planning and DPW&T staff shall review bus routing plans.

This condition is a specific requirement related to a finding of mitigation for PPS 4-04035. Mitigation is not a factor in the recommendation for the subject subdivision, and this condition will not be carried forward to this plan.

**†† [32] [34] 31. Final plats shall identify that access to individual lots located along MD 214 and US 301 southbound is denied.**

This condition indicates that plats for lots fronting on US 301 and MD 214 must show that direct access to those facilities is denied. While the subject plan fronts on MD 214, no individual lots have frontage. The subject plan does not front on US 301.

Based on the preceding findings, adequate transportation facilities will exist to serve the subject site, as required in accordance with Section 24-124 of the Subdivision Regulations.

11. **Public Facilities**—Public facilities for water and sewerage, police, and fire and rescue are adequate to serve the subdivision, in accordance with Section 24-122.01 of the Subdivision Regulations, which are further outlined in memorandums dated July 19, 2018 (Branch to Onyebuchi) and December 12, 2018 (Mangalvedhe to Onyebuchi), incorporated by reference herein.
12. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (Council Resolutions CR-23-2001 and CR-38-2002), and it was determined that a school facilities surcharge of \$12,000 per dwelling unit for residential development, applicable at the time of permitting, may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.
13. **Use Conversion**—The total development included in this PPS is for 66 lots and 3 parcels for the development of 66 single-family dwelling units in the E-I-A Zone. If a substantial revision to the mix of uses, site layout or substantial plan amendments on the subject property is proposed that affects Subtitle 24 adequacy findings as set forth in the resolution of approval, that revision 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) of the Subdivision Regulations, when utility easements are required by a public company, the subdivider should 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.”
15. **Historic**—A Phase I archeological survey was conducted and completed on a portion of the overall Karington development in 2002 at the request of the Maryland Historical Trust (MHT) through the Section 106 process, and further analyzed and evaluated in 2003 as part of

PPS 4-04035. MHT provided the applicant with a map of specific areas of the property that were to be subjected to the Phase I study. The portion of the property surveyed included the area within the subject application. Seven archeological sites were identified (18PR627–18PR633) which are further detailed, along with other historical data pertaining to the subject property, in a memorandum dated December 11, 2018 (Stabler and Smith to Onyebuchi) which is incorporated by reference herein.

The subject property is located along Collington Branch and several of its tributaries. Numerous prehistoric resources have been along this waterway. The probability of finding additional prehistoric archeological resources within portions of the overall Karington (South Lake) property not previously surveyed is high. The area within the subject application was previously surveyed for archeological resources and, therefore, no additional archeological investigations are necessary on the area included in this application. There are no historic sites or resources on, or adjacent to, the subject property.

16. **Environmental**—This PPS covers 11 acres of a larger 381.52-acre tract that was approved under PPS 4-04035. The 11 acres covered by this PPS has a Natural Resources Inventory Equivalency Letter (NRI-104-2018) which was issued on July 5, 2018. The overall 381.52-acre site has previously approved Tree Conservation Plans (TCP1-048-02-03 and TCP2-126-05-02). The current application is located entirely within the limits of disturbance (LOD) approved on both the TCP1 and the TCP2. The current application includes an ‘-04’ revision to TCP1-048-02, which shows the approved/updated lotting pattern.

Woodland clearing for the 11 acres covered by this application will occur in accordance with the previously approved TCPs. According to the US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), the limits of this application contain Marr-Dodon complexes.

Unsafe soils containing Marlboro clays are mapped within the limits of this application. A previously prepared geotechnical report dated July 2005, by Independent Consultants and Engineers, Inc. was submitted. The slope analysis within the report shows improved factors of safety from development due to cuts resulting in plateaus or flattening of slopes, and fills placed below Marlboro clay deposits that will prevent slippage. The only mitigated 1.5 safety factor line is located outside of the limits of this PPS based on the 2005 geotechnical report.

Staff from DPIE stated that a soils report is required prior to submission of the DSP. If the soils report determines a new unmitigated 1.5 safety factor line, that line shall be reflected on the TCP2 prior to approval of the DSP. Any buildings proposed within 25 feet of the 1.5 safety factor line shall be relocated outside of that setback, unless a slope stability study to determine a new mitigated 1.5 safety factor line is submitted and approved by appropriate staff. DPIE also commented that a new floodplain study will be required. Any changes to the existing 100-year floodplain shall be reflected on the PPS and TCP1 prior to signature approval and all future development plans prior to certification.

This site is mapped as forest interior dwelling species (FIDS) habitat and is located within a Sensitive Species Protection Review Area (SSPRA) based on a review of the SSPRA GIS layer prepared by the Maryland Department of Natural Resources Natural Heritage Program (DNRNHP), and as such the timing of impacts to streams and wetlands may be regulated by the state as part of the nontidal wetland permitting process.

The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035. The site is also located in the 2006 Bowie and Vicinity Master Plan and SMA. Based on the layout, the project demonstrates conformance with the applicable policies and strategies of the 2017 *Countywide Green Infrastructure Plan* of the *Approved Prince George's Resource Conservation Plan*, because the development envelope preserves the mapped Regulated Area associated with on-site streams and their buffers. The project was found to be in conformance with the applicable environmental policies within Plan 2035, the master plan, and the *Countywide Green Infrastructure Plan*.

The Planning Board finds this application to be in conformance with the environmental requirements of Subtitle 24 (Subdivision Regulations), Subtitle 25 (Woodland and Wildlife Habitat Conservation Ordinance) and Subtitle 27 (Zoning Ordinance).

The site has an approved SWM Concept Plan (26947-2002-03) that is in conformance with the current code and is valid until May 8, 2020. The approved concept plan is consistent with the PPS.

Minor technical corrections to the TCP1 are required for conformance with the Prince George's County Woodland and Wildlife Conservation Ordinance. The limits of the current application shall be added to the plan. The QR code approval block shall be updated to reflect the current PPS number (4-17027).

17. **Urban Design**—The subject property is located in the E-I-A Zone and Section 27-500(c) is applicable as follows:

- (c) **A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The development shall meet all M-X-T Zone requirements in Part 10.**

Under Part 10-Mixed-Use Zones, Division 2, Subdivision 1, Section 27-544(e) specifically provides regulations for a Mixed-Use Planned Community regarding the type and maximum percentage of the required uses, specific design standards for single family detached, multifamily dwelling units and open space. However, Section 27-544(e)(1) reads as follows:

- (1) **A Mixed Use Planned Community shall conform to the purposes, regulations, and required findings and review process set forth in Division 2 of this Part, for the M-X-T Zone, however, for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.**

Conformance with the advisory regulations will be further reviewed at the time of the required DSP.

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

As required by Section 27-544, development in the M-X-T Zone is subject to the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The development's conformance with the requirements of the Landscape Manual will be further evaluated at the time of DSP review.

However, the some of the proposed street cross-sections shown on the PPS do not provide room for shade trees, as well as sidewalks and lighting, along private streets as required by Section 4.10 of the Landscape Manual. The City of Bowie may annex the subject property and accept dedication of the private streets as public. If that happens, then all roads and alleys to be dedicated to the City will have to be designed according to their standards. Nonetheless, providing revised street cross-sections that address the Landscape Manual requirements and that are consistent with those provided and approved with the overall South Lake development may be required and result in revised cross sections. Therefore, the 'B' (22-24 feet wide) and 'C' (34 feet wide) private street cross sections shown on the PPS shall be removed with final design to be determined at the time of DSP.

**Conformance with the 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 projects that propose 5,000 square feet or greater of gross floor area or disturbance, and require a grading permit. The subject site is zoned E-I-A and is required to provide a minimum of ten percent of the gross tract area to be covered by tree canopy. Compliance with this requirement will be further evaluated at the time of DSP review.

**Other Urban Design Comments**

Section 27-544(e)(1) allows M-X-T regulations to be advisory only. During the review of the first reconsideration of PPS-04035, staff worked with the applicant to create lot layout standards. The applicant submitted an exhibit (Staff's Exhibit 1) that demonstrated the typical minimum lot layout for townhouses in this development. The PPS provides a single-family attached lot consistent with the exhibit. The exhibit is carried forward as a condition with this PPS approval.

18. **City of Bowie**—On September 17, 2018, the City of Bowie voted to recommend approval of PPS 4-17027 subject to five conditions. A referral memorandum from the City of Bowie was received on October 17, 2018 (Robinson to Hewlett). Conditions 2–5 of the City of Bowie's

memorandum are addressed as Conditions 6–9 of this resolution. Condition 1 of the memorandum seeks to limit the overall number of dwelling units to 1,360. However, the Planning Board finds it appropriate that this limitation may be conditioned by the City of Bowie as part of their annexation agreement with the applicant.

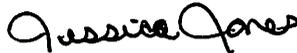
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, January 10, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 31st day of January 2019.

Elizabeth M. Hewlett  
Chairman



By Jessica Jones  
Planning Board Administrator

EMH:JJ:JO:gh

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCPPC Legal Department

Date 1/24/19

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, in consideration of evidence presented at a public hearing on December 8, 2005 regarding Detailed Site Plan DSP-05042 for Karington, the Planning Board finds:

1. **Request:** The application is for grading and construction of a lake on the subject property.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	E-I-A	E-I-A
Use(s)	None	None
Acreage	381.52	381.52
Lots	0	0
Parcels	2	2
Square Footage/GFA	0	0
Dwelling Units:	0	0

**Conformance to Evaluation Criteria**

3. **Mixed-Use Planned Community:** The detailed site plan for infrastructure is in conformance with the requirements for a Mixed-Use Planned Community in the E-I-A Zone. A conceptual site plan is required for Mixed-Use Planned Community. The District Council approved CSP-02004 on January 27, 2004.
4. **Conceptual Site Plan CSP-02004:** The detailed site plan for infrastructure is in general conformance with the requirements of CSP-02004. For environmental issues, see Finding 6 below.
5. **Preliminary Plan 4-04035:** The detailed site plan for infrastructure is in general conformance with the requirements of 4-04035. For environmental issues, see Finding 6 below.

**Referrals**

6. The Environmental Planning Section recommends approval of Detailed Site Plan DSP-05042 and TCPII/126/05 subject to the environmental conditions in the Recommendation section.

## **Background**

The Environmental Planning Section previously reviewed this site in conjunction with the approval of a Conceptual Site Plan, CSP-02004 (with TCPI/48/02), and a Preliminary Plan of Subdivision, 4-04035 (with TCPI/48/02-01). Both approvals contained numerous conditions that must be addressed with the current application.

## **Site Description**

This 381.52-acre site in the E-I-A Zone is located in the southwest quadrant of the intersection of US 301 and MD 214. A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. Transportation-related noise has been found to impact this site. The soils found to occur according to the Prince George's County Soil Survey include Adelphia fine sandy loams, Bibb silt loam, Keyport silt loam, Sandy land steep, and Westphalia fine sandy loams. Some of these existing soils have limitations that will have an impact during the building phase of the development. According to available information, Marlboro clay is 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 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 and historic roads in the vicinity of this property. This property is located in the Collington Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.

## **SUMMARY OF PRIOR ENVIRONMENTAL CONDITIONS OF APPROVAL**

The approval of the Conceptual Site Plan and the Preliminary Plan of Subdivision included numerous conditions, several of which dealt with environmental issues that were to be addressed during subsequent reviews. The environmental conditions to be addressed during the review of the specific design plan are addressed below.

### **PGCPB No. 03-135; Conceptual Site Plan, CSP-02004**

- 15. All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.**

**Comment:** This condition has been addressed; the revised Type I Tree Conservation Plan, TCPI/48/02-01, date stamped as received by the Environmental Planning Section on July 19, 2004, reflects the correct tree line in accordance with the FSD revision date stamped on May 23, 2003.

- 17. The Woodland Conservation Threshold portion of the requirement (47.52 acres)**

**shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.**

**Comment:** This condition has been addressed. The approved Type I Tree Conservation Plan, TCPI/48/02-01, proposes 47.52 acres of on-site preservation with the balance of the requirement proposed to be satisfied by 50.97 acres of off-site mitigation at a location to be determined. The Type II Tree Conservation Plan (TCPII) shows this requirement being met.

**18. The revised TCPI submitted with the Preliminary Plan of Subdivision shall include the following:**

**a. Show conceptual grading, structure locations, and the limit of disturbance.**

**Comment:** This condition has been addressed on the approved Type I Tree Conservation Plan, TCPI/48/02-01.

**b. An attempt shall be made to eliminate isolated Woodland Conservation Areas by adjusting the layout and providing larger contiguous forest areas in the vicinity of the PMA and thus further minimizing proposed PMA impacts.**

**Comment:** This condition has been addressed on the approved TCPI. All woodland conservation areas proposed are contiguous to larger forested areas.

**c. Show the location of all anticipated stormdrain, sewer and water outfalls including those connecting to existing facilities located outside the limits of this application.**

**Comment:** This condition has been satisfied by the revised TCPI. The sewer and stormdrain outfalls have been shown. On the TCPII, however, a new impact proposed to a regulated feature appears to be proposed in order to install a stormdrain outfall. This issue is addressed further in the Environmental Review section below.

**d. Any clearing for off-site infrastructure connections shall be mitigated at a 1:1 ratio for all woodlands cleared as part of TCPI/48/02.**

**Comment:** This condition has generally been satisfied by the approved TCPI, which reflects 0.62 acre of off-site clearing on the worksheet for impacts associated with the sewer outfall, stormwater management outfalls, and some road improvements immediately adjacent to this application. The TCPII does not show off-site impacts for connections that will clearly be needed. This issue is addressed further in the comments in the Environmental Review section.

- 19. At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.**

**Comment:** This condition was addressed by the approved TCPI.

- 20. The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.**

**Comment:** Impacts were proposed with the preliminary plan review and were reviewed. Certain impacts are required to be minimized further in subsequent reviews. A new impact is shown on the TCPII that was not previously approved. Comments regarding this impact are discussed in the Environmental Review section below.

- 21. Prior to the issuance of any grading permits which impact the Waters of the U.S., nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.**

**Comment:** This condition is to be satisfied prior to the issuance of permits.

- 22. The proposed PMA impacts shall be further evaluated with each subsequent plan review.**

**Comment:** Comments regarding this condition are discussed in the Environmental Review section below.

- 23. The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."**

**Comment:** A Geotechnical Study was submitted during the review of the preliminary plan. A revised study was submitted with the DSP application.

- 24. Prior to certification of the Conceptual Site Plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.**

**"This plan provides a conceptual layout for the proposed development of this site which contains Marlboro clay. The location and characteristics of this clay may**

**affect the developable area of this site.”**

**Comment:** This condition has been addressed on the approved TCPI.

- 25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

**Comment:** This condition has been addressed on the approved TCPI and preliminary plan of subdivision, which reflect the location of the unmitigated 65 dBA Ldn noise contours for MD 214 and US 301. The revised TCPII and the DSP show the noise contours.

**PGCPB No. 04-247(C); Preliminary Plan 4-04035 and TCPI /48/02**

- 1. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/48/02-01, shall be revised as follows:**

- a. Whenever feasible, revise the alignment of the neighborhood trails so that they are located at the top of the slopes or the bottom of the slopes, not midway up the slopes where significant grading and woodland clearing will be required.**

**Comment:** This condition will be further evaluated during the review of the Type II tree conservation plan. At the present time the DSP and TCPII do not show trail locations.

- b. Add information to the TCPI that identifies the location of all off-site road improvements that will be required and indicate which of those improvements may require the clearing of woodlands.**

**Comment:** This condition has been addressed on the approved TCPI.

- c. Show the location of the mitigated 1.5 safety factor line on the TCPI and the preliminary plan of subdivision and adjust the lot layout for proposed Lots 210–246, Block ‘A,’ so that the lots are located entirely outside the limits of the mitigated 1.5 safety factor line.**

**Comment:** The plans show the mitigated 1.5 safety factor line; however, it is not consistent with the revised geotechnical study. Because the geotechnical study will require additional information, the study and the plans are required to be revised.

- d. **Prior to DSP, revise the Type I tree conservation plan to minimize the portion of PMA Impact #5 associated with the construction of the clubhouse and swimming pool. Also, revise PMA Impact 6 to further minimize and/or eliminate the proposed impact.**

This condition has not been addressed. It appears that there was a typographical error in the writing of the condition, because Type I TCPs are not typically revised at the time of DSP review. The TCPII, however, does not show the minimization of impact #5 or impact #6—it shows the same limit of disturbance as was shown on the TCPI that was required to be revised.

At this time, the TCPII submitted is for the rough grading of the site. Because the location of the recreational facilities (impact #5) and the access road to the area (impact #6) have not been finalized, the areas of PMA impact should be eliminated from the TCPII for rough grading. The impacts will be further evaluated in subsequent reviews of the Type II tree conservation plan for the development of the property when more detailed information is provided.

In addition, the plan shows an impact to the PMA that requires an approved variation request that was not received during the review of the preliminary plan. The design that results in the proposed impact can be revised to result in no impact to the PMA. This impact must be eliminated.

At this time, the final layout and design of the site has not been provided to or reviewed by staff. As such, the limits of disturbance at the perimeter of the site are not final. Because the sensitive environmental features are located on the western portion of the site, the areas adjacent to the sensitive features should not be disturbed until the final layout and design of these areas are approved by the Planning Board. Delaying the disturbance to the western part of the site will result in a minimization of the overall development impacts because the erosion and sediment controls would be installed in phases and they would not be required to support a large area of disturbed ground.

**Recommended Condition:** Prior to certification of the DSP for infrastructure clearing and grading, the TCPII shall be revised to show the elimination of impacts #5 and #6 as referenced during the preliminary plan review. The TCPII shall also eliminate all clearing and grading from areas that are not necessary for

the construction of the entrance road from Central Avenue and the large stormwater management pond in the center of the site and any PMA impacts that do not have approved variation requests.

- e. **Revise the preliminary plan of subdivision and the Type I tree conservation plan to reflect the revised lot layout and the location of the mitigated 1.5 safety factor line based on “Marlboro Clay Safety Factor Exhibit A”.**

**Comment:** This condition will be addressed in the future review of the TCPII when more detailed information about the site is provided.

2. **Prior to signature approval of the preliminary plan of subdivision, the preliminary plan and the Type I tree conservation plan shall be revised:**

- a. **So that no portion of the Patuxent River Primary Management Area (PMA) outside of the approved PMA impact area is located within the limits of a lot or parcel less than two acres in size.**

**Comment:** This condition has been addressed on the approved TCPI.

- b. **To include the 10-foot-wide public utility easement parallel and contiguous to all public rights-of-way.**

**Comment:** This condition has been addressed on the approved TCPI.

3. **Development of this subdivision shall be in compliance with an approved Type I tree conservation plan (TCPI/48/02-01). 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/48/02-01), 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."**

**Comment:** This condition will be addressed when the final plat is reviewed.

4. **The detailed site plan for the area that includes proposed Street ‘K’ shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.**

**Comment:** See discussion of Condition 1.d. above.

5. **The detailed site plan submittal which includes Lots 210 – 246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.**

**Comment:** See discussion of the geotechnical study below.

6. **Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.**

This condition has not been fully addressed. A revised geotechnical study was received by the Environmental Planning Section on October 12, 2005. The study was reviewed by DER and the chief building inspector and was found to meet the required parameters of the study; however, additional information is required to complete the review.

The current application is only for rough grading of the site; however, if the lot configuration changes due to the results of the study, the limits of disturbance may be revised to preserve more woodland on-site. In addition, the phasing of the project is desirable from a stream protection perspective.

**Recommended Condition:** Prior to certificate approval of the DSP for infrastructure, the October 12, 2005, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to include three additional slope stability cross sections at the south side of street A, south side of Street T, and the north side of Street K. The comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division. Certification of the study shall be received from the chief building inspector prior to certificate approval of the DSP that shows these areas to be disturbed.

7. **Prior to approval of the detailed site plan, the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.**

**Comment:** This condition has not been addressed because the final slope stability cross sections have not been provided.

8. **The final plat of subdivision shall show a minimum 50-foot building restriction line (unless a lesser restriction is approved by DER) from the limits of the mitigated 1.5 slope safety factor line.**

**Comment:** This condition has not been addressed because the final slope stability cross sections have not been provided.

9. **The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George's County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.**

**Comment:** This condition has not been addressed. No information has been provided regarding the required off-site road improvements.

**Recommended Condition:** Prior to certificate approval of the DSP for infrastructure, a list of the required road improvements for the project shall be provided and the TCPII shall be revised to show all off-site clearing on the TCPII. Revise the worksheet to provide for all off-site clearing at a ratio of 1:1.

10. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section for accuracy prior to approval. In addition, 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 permitted.”**

**Comment:** This condition will be addressed when the final plat is reviewed.

11. **Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.**

**Comment:** This condition is to be addressed prior to the issuance of permits.

- 12. Prior to the issuance of any building permits for this site an approved stormwater management plan that is consistent with the approved detailed site plan and the Type II tree conservation plan shall be submitted to the Environmental Planning Section.**

**Comment:** There are no building permits associated with this DSP. A copy of the approved technical stormwater management plan will be required prior to the issuance of any building permits.

- 13. Failure to obtain either federal and/or state permits for the construction of the proposed lake will be considered a major change to the overall concept of this application and will require the submission and approval of a new preliminary plan of subdivision.**

**Comment:** No evidence has been provided regarding the required approvals for the construction of the lake. If permits are not approved for the lake, the permit for the rough grading plan cannot be approved. As stated in a previously approved condition (Condition 11 above) copies of federal and state permits are required prior to issuance of any permit that shows impacts to regulated features.

## **ENVIRONMENTAL REVIEW**

- a. A detailed forest stand delineation (FSD) was previously reviewed in conjunction with the approval of the Conceptual Site Plan, CSP-02004. The plan was found to generally address the requirements of the Woodland Conservation Ordinance.

**Comment:** No further information regarding the detailed FSD is required.

- b. 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 on the site.

The Type II Tree Conservation Plan, TCPII/126/05, dated stamped as received by the Environmental Planning Section on September 7, 2005, addresses the requirements of the Prince George's County Woodland Conservation Ordinance. This 381.52-acre property has a net tract area of 316.80 acres and a woodland conservation threshold (WCT) of 15 percent, or 47.52 acres. As currently designed, there is an additional ¼:1 replacement requirement totaling 47.74 acres associated with the clearing of woodlands above the WCT, clearing woodlands in the 100-year floodplain, and clearing woodlands for off-site infrastructure improvements. The plans as currently submitted proposes to meet the

woodland conservation requirement with 48.49 acres of on-site preservation in priority retention areas and 49.83 acres of off-site mitigation.

The TCPII requires revisions. The previously reviewed FSD plan shows a total of 89 specimen trees on the site; however, no specimen trees were shown on the approved Type I Tree Conservation Plan, TCPI/48/02-01, or the Type II Tree Conservation Plan, TCPII/126/05. The plans are devoid of specimen trees and the associated specimen tree table. The TCPII will need to be revised to show the location of all specimen trees and the specimen tree table, as well as the tree protection devices for trees to be saved.

The DSP and TCPII show limits of disturbance that are confusing in a few areas. The limit of disturbance (LOD) is shown in two different locations for the same woodland edge. Revise the plans to show one LOD for the site.

Sheet T4 of the TCPII shows the additional clearing of woodland across the southeastern end of Preservation Area 1, south of the proposed stormwater management pond. Clearing of this area will impact the Primary Management Area. The Prince George's County Planning Board did not approve this impact and it was not shown on the TCPI. This impact must be eliminated.

The tree preservation and specimen tree sign details are shown on the plan detail sheet; however, the locations of the signs are not shown on the plans as required by the ordinance. Revise the plans to show the signs at the proper spacing.

The TCPII does not show any off-site utility connections. Two sewer connections are shown from the site into the Collington Branch stream valley where a trunk line exists. It is not clear where the off-site water lines exist and where connections will be made. Because this application has conditions related to the provision of woodland conservation for off-site utility connections and road improvements these must be clearly shown on the plans and mitigated at a ratio of 1:1. The worksheet currently lumps the off-site clearing in with the remainder of the clearing, resulting in a ¼:1 mitigation ratio. If these features are not to be installed with the infrastructure DSP, then a statement is needed regarding what features are being installed under the label "infrastructure."

The TCPII shows several areas where the PMA has been shown in a different configuration than that shown on the TCPI.

**Recommended Condition:** Prior to certificate approval of the DSP for infrastructure, the TCPII shall be revised as follows:

- (1) Show all specimen trees and provide the required specimen tree table.
- (2) Show the location of all preservation and specimen tree signs throughout the site. Show the preservation signs at a spacing of no more than 50 feet apart.

- (3) Revise the cover sheet to show all the areas that are to be cleared as shaded and update the worksheet as needed.
  - (4) Show all proposed utility connections and off-site road improvements clearly and provide for the off-site clearing in the worksheet at a ratio of 1:1 or provide a note clearly stating what infrastructure features are proposed to be installed.
  - (5) Show only one limit of disturbance throughout the site.
  - (6) Revise the TCPII to address all other conditions of approval.
  - (7) Revise the plan to eliminate the preservation of woodlands on lots (see Sheet 13 of 15).
  - (8) Revise the plans to correctly show the PMA as shown on the previously approved plans.
  - (9) Have the revised plan signed and dated by the qualified professional that prepared the plan.
7. In a memorandum dated September 21, 2005 (Rea to Wagner), the Department of Environmental Resources has indicated that the detailed site plan for infrastructure is consistent with the approved stormwater management concept plan #2694-2002.
8. Phase I archeological survey is recommended by the Planning Department on the Karington property. This property was historically part of Willow Brook, the antebellum plantation of the Clarke family. The Clarke family cemetery on part of this property was previously moved to St. Barnabas' Church. Developers should be alert to possible additional burials. Eight archeological sites were identified in 2002 within the property as part of a Phase I investigation of the Collington Center North Development. Also, the site is located at the headwaters of Collington Branch. Numerous archeological sites have been identified along Collington Branch.
- 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 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.
9. The detailed site plan for infrastructure 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, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

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/126/05) and further APPROVED Detailed Site Plan DSP-05042 for the above-described land, subject to the following conditions:

1. Prior to certification of the DSP for infrastructure, the TCPII shall be revised to avoid impacts #5 and #6 as referenced in the preliminary plan until subsequent DSPs that pertain to said impacts are submitted for review of minimization efforts. Prior to approval of the grading permit for the rough grading of the site, a copy of an approved Erosion and Sediment Control Plan shall be submitted that shows the proposed phasing of the clearing and grading.
2. Prior to certificate approval of the DSP for infrastructure, the October 12, 2005, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to include three additional slope stability cross sections at the south side of street A, south side of Street T, and the north side of Street K. The comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division. Certification of the study shall be received from the chief building inspector prior to certificate approval of the DSP that shows these areas to be disturbed.
3. Prior to certificate approval of the DSP for infrastructure, a list of the required road improvements for the project shall be provided and the TCPII shall be revised to show all off-site clearing on the TCPII. The worksheet shall be revised to provide for all off-site clearing at a ratio of 1:1.
4. Prior to certificate approval of the DSP for infrastructure, the TCPII shall be revised as follows:
  - a. Show all specimen trees and provide the required specimen tree table.
  - b. Show the location of all preservation and specimen tree signs throughout the site. Show the preservation signs at a spacing of no more than 50 feet apart.
  - c. Revise the cover sheet to show all the areas that are to be cleared as shaded and update the worksheet as needed.
  - d. Show all proposed utility connections and off-site road improvements clearly and provide for the off-site clearing in the worksheet at a ratio of 1:1 or provide a note clearly stating what infrastructure features are proposed to be installed.
  - e. Show only one limit of disturbance throughout the site.
  - f. Revise TCPII to address all other conditions of approval.
  - g. Revise the plan to eliminate the preservation of woodlands on lots (see sheet 13 of 15).

- h. Revise the plans to correctly show the PMA as shown on the previously approved plans.
  - i. Have the revised plan signed and dated by the qualified professional that prepared the plan.
5. Prior to the issuance of a grading permit, a Phase I archeological investigation shall be conducted according to Maryland Historical Trust (MHT) guidelines, *Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole 1994) and report preparation shall follow MHT guidelines and the *American Antiquity* or *Society of Historical Archeology* style guide. Archeological excavations shall be spaced along a regular 15-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.

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 Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns and Eley voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, December 8, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5<sup>th</sup> day of January 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:GW:rmk

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2016 Legislative Session**

Bill No. CB-73-2016

Chapter No. 50

Proposed and Presented by Council Member Turner

Introduced by Council Members Turner, Harrison, Davis and Franklin

Co-Sponsors \_\_\_\_\_

Date of Introduction October 11, 2016

**ZONING BILL**

1 AN ORDINANCE concerning

2                   Mixed Use Planned Community Development in the E-I-A Zone

3 For the purpose of providing certain alternate development regulations for mixed-use planned  
4 community development in the E-I-A (Employment and Institutional Area) Zone, under certain  
5 specified circumstances.

6 BY repealing and reenacting with amendments:

7                   Sections 27-544 and 27-548,

8                   The Zoning Ordinance of Prince George's County, Maryland,

9                   being also

10                  SUBTITLE 27. ZONING.

11                  The Prince George's County Code

12                  (2015 Edition).

13                  SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
15 District in Prince George's County, Maryland, that Sections 27-544 and 27-548 of the Zoning  
16 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's  
17 County Code, be and the same are hereby repealed and reenacted with the following  
18 amendments:

19                                   **SUBTITLE 27. ZONING.**

20                                   **PART 10. MIXED USE ZONES.**

**DIVISION 2. SPECIFIC MIXED USE ZONES.**

**SUBDIVISION 1. M-X-T (MIXED USE – TRANSPORTATION ORIENTED) ZONE.**

**Sec. 27-544. Regulations.**

\* \* \* \* \*

(e) Mixed-Use Planned Community regulations.

(1) A Mixed Use Planned Community shall conform to the purposes, regulations, and required findings and review process set forth in Division 2 of this Part, [Subdivision 6], for the M-X-T Zone , however, for property that is located in the E-I-A (Employment and Institutional Area) Zone and is subject to Sections 27-276, 27-500, and 27-501 of this Subtitle, the following regulations shall be advisory only.

(2) It shall include retail, residential and office/employment uses. The use mixture shall consist of the following, based on the total gross floor area for residential, retail and office combined:

TOTAL GROSS FLOOR AREA	MIN.	MAX.
Residential (at least two different types)	50%	[70] 90%
Retail	10%	20%
Office/Employment	[20] 0%	40%

(3) It may include hotel uses. Hotel use is not included in the residential, retail or office/employment categories for purposes of calculating gross floor area for percentages of use. There is no percentage restriction applied to the hotel uses.

(4) It [shall] may provide at least one institutional or civic use, [shall] may have an integrated network of streets, sidewalks, and open space, public or private, and [shall] should give priority to public space and appropriate placement of institutional and civic uses.

(5) Where a conflict arises between E-I-A Zone requirements and M-X-T Zone requirements, the M-X-T requirements shall be followed.

(6) The community [shall] should be focused on a central public space that is surrounded by a combination of commercial, civic, cultural or recreational facilities.

(A) The space [shall] should be a minimum of twenty-five (25) acres, and may include a lake.

(B) It [shall] should be designed with adequate amenities to function as a fully shared space for the entire community.

1 (7) The community [shall] should contain additional, linked open space in the form of  
2 squares, greens and parks that are accessible, visible, safe and comfortable.

3 (A) The open spaces should provide a variety of visual and physical experiences.

4 (B) Some of these open spaces should be bordered by buildings and be visible from  
5 streets and buildings.

6 (8) The retail uses [shall] may be designed to:

7 (A) Create a sense of place by[:] creating a design that [is preferably a village or main  
8 street theme; providing] provides amenities such as plazas, parks, recreational opportunities,  
9 entertainment and cultural activities, public services and dining; and [providing] provides  
10 attractive project gateways and public spaces.

11 (B) Create outdoor amenities, such as brick pavers, tree grates, decorative lighting,  
12 signs, banners, high quality street furniture and extensive landscaping, including mature trees.

13 (C) Create attractive architecture by: using high quality building materials such as  
14 stone, brick or split-face block, and providing architectural elements such as façade articulation  
15 in fifty (50) foot to seventy-five (75) foot increments, second floor levels, dormer windows,  
16 canopies, arcades, varied roofscapes and customized shopfronts to create a street-like rhythm.

17 (D) Promote attractiveness by [doing things such as surrounding "big box" stores with  
18 "sleeves" of retail and service uses to minimize blank walls and dead spaces;] designing  
19 attractive, quality façades of all commercial buildings [on all four sides] where the façade is  
20 visible from public space; and completely screening loading, service, trash, HVAC and other  
21 unsightly functions.

22 (E) Creating a retail area where , if the front of a retail store fronts a street: pedestrians  
23 may travel with ease, with attractive walkways and continuous street front experiences to  
24 maximize the quality of the pedestrian environment; [all uses are connected by sidewalks;]  
25 crosswalks may run through and across the parking lots and drive aisles to connect all buildings  
26 and uses; sidewalks [are] may be wide, appealing, shaded and configured for safe and  
27 comfortable travel; pedestrian walkways [are] may be separated from vehicular circulation by  
28 planting beds, raised planters, seating walls, on-street parallel parking and/or structures; walking  
29 distances through parking lots [are] may be minimized and located to form logical and safe  
30 pedestrian crossings, and walkways [are] may be made more pedestrian-friendly through the use  
31 of arcades, canopies, street trees, benches and tables and chairs.

1 (F) Shield and enhance the surrounding view through techniques such as screening  
 2 views of parking lots along the main frontal streets with [fifty (50) to one hundred (100) foot  
 3 wide] green bermed and landscaped strips, or a low brick (or other quality material) wall, in  
 4 order to screen parking from the public frontage streets, and ensuring that attractive buildings  
 5 [and limited signage] are to be visible from the public frontage streets.

6 (G) Minimize expanse of parking lots through the use of [shared parking, structured  
 7 parking or decks,] landscape islands or the location of buildings and streets.

8 (H) Provide a hierarchy of pedestrian-scaled, direct and indirect, high quality, energy  
 9 efficient lighting that illuminates walkways, ensures safety, highlights buildings and landmark  
 10 elements, and provides sight lines to other retail uses.

11 (I) Create a signage package for high quality signs and sign standards and  
 12 requirements for all retail and office tenants and owners, which shall address size, location,  
 13 square footage, materials, logos, colors and lighting. For office and retail uses, a Conceptual Site  
 14 Plan for Signage shall be approved prior to release of any sign permits. All sign permits shall  
 15 conform to the approved Conceptual Site Plan for Signage.

16 (J) Enhance retail pad sites designs to be compatible with the main retail component.  
 17 If the retail pad sites are located along the public frontage streets, parking [shall] should be  
 18 located to the rear and sides of the pad sites.

19 (K) Green areas should be provided between pad sites.

20 (L) Restaurants adjacent to the central public space/lake should have attractive outdoor  
 21 seating areas [with views of the central public space/lake or other natural features].

22 (9) Residential uses [shall] should meet the following design standards:

23 (A) Single family detached.

24 (i) There [shall] should be a range of lot sizes, with a minimum square footage on  
 25 any lot of two thousand, two hundred (2,200) square feet of finished living space, except as  
 26 modified herein below.

27 (ii) At least twenty percent (20%) of the houses [shall] should be a minimum of  
 28 two thousand, six hundred (2,600) square feet of finished living space and a maximum of 20% of  
 29 the houses may be less than two thousand, two hundred (2,200) square feet of finished living  
 30 space.

1 [(iii) Garages may not dominate the streetscape, and all garages shall either be  
2 detached, located in the rear (accessible by alleys or front street), attached and set back a  
3 minimum of eight (8) feet from the front façade, or attached and side entry.]

4 (iv) All streets, whether public or private, [shall] should have sidewalks.

5 (B) Multifamily.

6 (i) Building materials [shall] should be high quality, enduring and distinctive.

7 (ii) Use of siding should be limited.

8 (iii) [A significant number of a] Amenities such as are typically provided for  
9 luxury rental and condo projects [shall] should be provided.

10 \* \* \* \* \*

11 **DIVISION 4. REGULATIONS.**

12 **Sec. 27-548. M-X-T Zone**

13 \* \* \* \* \*

14 (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is  
15 filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square  
16 feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of  
17 brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building  
18 group, except where the applicant demonstrates to the satisfaction of the Planning Board or  
19 District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8)  
20 dwelling units) would create a more attractive living environment or would be more  
21 environmentally sensitive. In no event shall the number of building groups containing more than  
22 six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the  
23 total development, and the end units on such building groups shall be a minimum of twenty-four  
24 (24) feet in width. The minimum building width in any continuous, attached group shall be  
25 twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and  
26 fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined  
27 as all interior building space except the garage and unfinished basement or attic area. The  
28 minimum lot size, maximum number of units per building group and percentages of such  
29 building groups, and building width requirements and restrictions shall not apply to townhouses  
30 on land any portion which lies within one-half (1/2) mile of an existing or planned mass transit rail  
31 station site operated by the Washington Metropolitan Area Transit Authority and initially opened

1 after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building  
2 group and no more than two (2) building groups containing ten (10) dwelling units. For  
3 purposes of this section, a building group shall be considered a separate building group (even  
4 though attached) when the angle formed by the front walls of two (2) adjoining rows of units is  
5 greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned  
6 Community, there shall be no more than eight (8) townhouses per building group, except when  
7 the applicant demonstrates to the satisfaction of the Planning Board or District Council, as  
8 applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units)  
9 would create a more attractive living environment or would be more environmentally sensitive.  
10 In no event shall the number of building groups containing more than eight (8) dwelling units  
11 exceed twenty percent (20%) of the total number of building groups in the total development,  
12 and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.  
13 The minimum building width in any continuous, attached group shall be twenty-two (22) feet,  
14 and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square  
15 feet. For the purposes of this Subsection, gross living space shall be defined as all interior  
16 building space except the garage and unfinished basement or attic area. Garages may not  
17 dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set  
18 back a minimum of four (4) feet from the front façade and there shall not be more than a single  
19 garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages  
20 are preferred to may be incorporated into the rear of the building or freestanding in the rear yard  
21 and accessed by an alley. Sidewalks are required on both sides of all public and private streets  
22 and parking lots. At the time of Detailed Site Plan, the Planning Board or the District Council  
23 may approve a request to substitute townhouses, proposed for development as condominiums, in  
24 place of [for] multifamily dwellings that were [required as a condition of approval] approved in a  
25 Conceptual Site Plan approved prior to April 1, 2004. Such substitution shall not require a  
26 revision to any previous plan approvals. Further, [such townhouses are subject to all other  
27 requirements of the Zoning Ordinance] at the time of Detailed Site Plan for a Mixed-Use  
28 Planned Community, the Planning Board or the District Council may approve modifications to  
29 these regulations so long as the modifications conform to the applicable regulations for the  
30 particular development.

31 \* \* \* \* \*

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five  
2 (45) calendar days after its adoption.

Adopted this 15<sup>th</sup> day of November , 2016.

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: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.

CERTIFICATE OF APPROVAL

SOUTH LAKE (FORMERLY KARINGTON)  
DSP-05042-02

This amendment to a Detailed Site Plan was approved on February 5, 2020 by the Development Review Division, as designee of the Planning Director, in accordance with Subtitle 27, Part 3, Division 9, of the Prince George's County Code.

The purpose of this plan is to revise the infrastructure for the internal public road layout of Streets A, B, C, D, and E and remove one public access to US 301 that results in adjustments to the previously approved limits of disturbance.

The Planning Director's approval of this Detailed Site Plan is consistent with the required findings in Section 27-289 of the Prince George's County Zoning Ordinance. The conditions of the original approval shall remain in full force and effect.

This approval includes:

- 1 Cover Sheet
- 1 Approval Sheet
- 14 Detailed Site Plans
- 15 Type II Tree Conservation Plans

Any departure from this plan shall be resubmitted to the Planning Board for approval.

CERTIFIED ON: 2/5/2020 BY AUTHORITY OF:  
The Prince George's County Planning Board

Signed: Andree Green Checkley  
Andree Green Checkley, Esq.  
Planning Director  
Prince George's County Planning Department

February 13, 2020

**MEMORANDUM**

**TO:** Adam Bossi, Planner Coordinator, Urban Design Section Development Review Division, Urban

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

**FROM:** Judy D'Ambrosi, Senior Planner, Community Planning Division JD

**SUBJECT:** **CSP-02004-01 and DSP-19023 South Lake**

**FINDINGS**

Pursuant to Part 3, Division 9, Subdivision 2 of the Zoning Ordinance, Master Plan conformance is not required for this application.

**BACKGROUND**

**Application Type:** Conceptual Site Plan and Detailed Site Plan outside of an overlay zone.

**Location:** Southwest quadrant of MD214 and US 301

**Size:** 282.97 acres

**Existing Uses:** Undeveloped

**Proposal:** The development of 1,035 dwelling units (563 townhouses, 128 two family attached and 344 single family dwelling units.)

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

**General Plan:** Plan 2035 places this application in the Established Communities Growth Policy Area. The vision for Established Communities is context-sensitive infill and low to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met. (page 20)

**Master Plan:** The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B* recommends mixed-use land for the subject property.

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

**SMA/Zoning:** The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A and 74B* retained the subject property in the E-I-A Zone. CR-13-2004 allowed the development of a mixed-use planned community in the E-I-A Zone.

**MASTER PLAN CONFORMANCE ISSUES:**

None

c: Long-range Agenda Notebook

Frederick Stachura, J. D., Planning Supervisor, Neighborhood Revitalization Section, Community Planning Division

February 24, 2020

**MEMORANDUM**

**TO:** Adam Bossi, Planner Coordinator, Urban Design Section

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

**FROM:** Kim Finch, Master Planner, Environmental Planning Section *KF*

**SUBJECT: South Lake (formerly Karington)  
CSP-02004-01  
DSP-19023 and TCPII-126-05-03**

The Environmental Planning Section (EPS) has reviewed Detailed Site Plan, DSP-19023 and the Type II Tree Conservation Plan, TCPII-126-05-03 accepted for review on January 15, 2020; and the amended Conceptual Site Plan CSP-02004-01 accepted for review on January 15, 2020. The Environmental Planning Section recommends approval of Detailed Site Plan DSP-19023 and TCPII-126-05-03; and amended Conceptual Site Plan CSP-02004-01 subject to conditions and technical corrections outlined in this memo.

**Background**

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
CSP-02004	TCPI-048-02	Planning Board	Approved	1/27/2004	PGCPB No. 03-135
4-04035	TCPI-048-02-01	Planning Board	Approved	1/25/2018	PGCPB No. 04-247
DSP-05042	TCPII-126-05	Planning Board	Approved	12/8/2005	PGCPB No. 5-258
DSP-05042-01	TCPII-126-05-01	Planning Board	Withdrawn	NA	NA
NA	TCPII-126-05-01	Staff	Approved	10/15/2007	NA
4-17027	TCPI-048-02-04	Planning Board	Approved	1/10/2019	PGCPB No. 19-06
DSP-05042-02	TCPII-126-05-02	Planning Director	Approved	05/15/2009	NA
NA	NRI-104-2018	Staff	Approved	7/05/2018	NA
NA	NRI-128-2019	Staff	Approved	10/18/2019	NA
CSP-02004-01	N/A	Planning Board	Pending	Pending	Pending
DSP-19023	TCPII-126-05-03	Planning Board	Pending	Pending	Pending

South Lake (formerly Karington)  
CSP-02004-01, DSP-19023 and TCPII-126-05-03  
January 24, 2020  
Page 2

The Environmental Planning Section previously reviewed this site in conjunction with the review and approval of various applications listed above. The overall development site is a 381.52-acre site in the Employment and Industrial Area (E-I-A) zone which is in the southwest quadrant of the intersection of US 301 and MD 214.

The *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B & 74B* (February 2006) retained this property in the E-I-A zone. Subsequently, CB-13-2002 was approved by the District Council to permit the mixed-use planned community use with the E-I-A zone for properties meeting specific criteria which are applicable to the subject property. Council Bill CB-73-2016 was enacted to allow alternative development regulations for mixed-use planned communities under specific circumstances which are also applicable to the subject property.

The subject property was annexed into the municipal boundaries of the City of Bowie in December 2019.

### **Proposed Activity**

The purpose of this application is for approval of a conceptual site plan and associated TCPI as well as a detailed site plan and revised Type 2 tree conservation plan to provide the required details for the implementation of the design associated with the residential sections of the South Lake site plan, which totals 282.97-acres in area.

### **Grandfathering**

This project is not subject to the environmental regulations of Subtitle 24 and Subtitle 27 that came into effect on September 1, 2010 because the site has a previously approved preliminary plan and detailed site plan.

This project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO), Subtitle 25, Divisions 2, which became effective September 1, 2010, because there are previously approved Type 1 and Type 2 tree conservation plans.

### **SUMMARY OF PRIOR ENVIRONMENTAL CONDITIONS OF APPROVAL**

The following text addresses previously approved environmental conditions related to the subject application. The text in BOLD is the actual text from the previous cases or plans. The plain text provides the comments on the plan's conformance with the conditions.

#### **Conformance with PGCPB No. 03-135; Conceptual Site Plan, CSP-02004**

The District Council approved CSP-02004 and TCPI-048-02 on January 27, 2004 subject to conditions of approval which were environmental in nature and are addressed below.

- 15. All future plan submittals shall include a single tree line as shown on the FSD revision stamped as received by the Environmental Planning Section on May 23, 2003.**

A revised Type I Tree Conservation Plan, TCPI-048-02-01 stamped as received by the Environmental Planning Section on July 19, 2004, reflected the corrected tree line in accordance with the FSD revision date stamped on May 23, 2003. The tree line shown on the TCPI and TCPII on subsequent approvals has been shown consistently since that date.

- 17. The Woodland Conservation Threshold portion of the requirement (47.52 acres) shall be satisfied as on-site preservation. The balance of the requirements may be satisfied by additional on-site preservation, on-site reforestation, or at an approved off-site mitigation bank.**

The approved Type I Tree Conservation Plan, TCPI-048-02-01, proposes 47.52 acres of on-site preservation with the balance of the requirement proposed to be satisfied by 50.97 acres of off-site mitigation at an undetermined location. The currently submitted Type II Tree Conservation Plan (TCPII-126-05-03) shows the entire woodland conservation requirement of 106.22 -acres being met on-site with woodland preservation on the adjusted net tract, as allowed by House Bill HB-2007-588.

- 19. At the time of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised at a scale of no less than 1"=100'. Those plans shall clearly identify each component of the PMA and the ultimate limit of the PMA.**

This condition was addressed with the approval of TCPI-048-02-02 (with PPS 4-04035) and TCPI-048-02-04 (with PPS 4-17027).

- 20. The Preliminary Plan of Subdivision shall be designed to preserve the PMA to the fullest extent possible. If impacts are proposed a Letter of Justification shall be submitted with the Preliminary Plan application. It shall include a description and justification of each proposed area of impact. The impacts to each feature of the PMA shall be quantified and shown on 8½- x 11-inch sheets.**

Impacts were proposed with the preliminary plan review and were reviewed. Certain impacts were required to be minimized further in subsequent reviews. New impacts shown on the current TCPII application that were not previously approved will be addressed in the Environmental Review section below. All impacts to the Primary Management Area (PMA) are in general conformance with the previously approved impacts because the impacts have been significantly reduced.

- 21. Prior to the issuance of any grading permits which impact the Waters of the U.S., nontidal wetlands, or the 25-foot wetland buffer, a copy of all appropriate federal and/or State of Maryland permits shall be submitted.**

A Nontidal Wetlands and Waterways Permit (17-NT-0514/201762324 was issued by the Maryland Department of the Environment on October 2, 2018 and is valid until October 2, 2023. This permit is a re-authorization of Nontidal Wetlands and Waterways Permit Number 02-NT-0202/200263678 which had expired.

- 22. The proposed PMA impacts shall be further evaluated with each subsequent plan review.**

Comments regarding PMA impacts with the current applications are discussed in the Environmental Review section below.

- 23. The submittal of the Preliminary Plan of Subdivision shall include a Marlboro Clay Geotechnical Report prepared in accordance with the Prince George's County "Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments."**

A Geotechnical Study dated October 2, 2019 prepared by Independent Consultants & Engineers, Inc. was submitted with the current application and addresses slope stability with regard to revisions to on-site grading, settlement issues and responses to review comments dated January 11, 2019 provided by the Department of Permitting, Inspections and Enforcement (DPIE). In the most recent SWM Concept Approval Letter 26947-2002-03 issued on May 8, 2017, Condition 8 was added as follows: "Slope stability analysis is required at time of permit review."

- 24. Prior to certification of the Conceptual Site Plan and the Type I Tree Conservation Plan, the following note shall be placed on both plans in large bold type.**

**"This plan provides a conceptual layout for the proposed development of this site which contains Marlboro clay. The location and characteristics of this clay may affect the developable area of this site."**

This condition was addressed with the approved TCPI.

- 25. The projected 65 dBA Ldn noise contours for MD 214 and US 301 shall be shown on the Preliminary Plan of Subdivision and the Detailed Site Plans for this site at 311 feet and 409 feet from the centerline, respectively. In the event the Environmental Planning Section noise projections are not used, a Phase I Noise Report shall be prepared and submitted with the Preliminary Plan of Subdivision. If residential lots are located within the limits of the 65 dBA Ldn noise contour appropriate mitigation measures shall be identified by a Phase II Noise Study at the time of Detailed Site Plan.**

This condition was addressed on the approved TCPI and preliminary plan of subdivision, which reflected the location of the unmitigated 65 dBA Ldn noise contours for MD 214 and US 301. A Phase 1 Noise Analysis prepared June 2, 2017 prepared by Phoenix Noise and Vibration LLC. was submitted with the current application which identifies the modeled location of transportation related noise impact with the current application. Noise impacts and required mitigation will be addressed by the Development Review Division.

**Conformance with PGCPB No. 04-247(C/3) (A/2); PPS 4-04035 and TCPI -048-02-02**

On February 15, 2018, the Planning Board reviewed and adopted PPS 4-04035 and TCPI-048-02-02 subject to corrections and amendments with conditions of approval which were environmental in nature. Conditions which have not been previously addressed are discussed below.

**1. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/48/02-01 (see -02 revision for reconsidered TCPI), shall be revised as follows:**

- a. Add information to the TCPI that identifies the location of all off-site road improvements that will be required and indicate which of those improvements may require the clearing of woodlands.**

This condition was addressed with approval of the TCPI, but the off-site road improvements and the resultant environmental and woodland impact were eliminated with the approval of DSP-05042-02 and TCPII-126-05-02 and are not shown on DSP-19023 or TCPII-126-05-03.

- b. Show the location of the mitigated 1.5 safety factor line on the TCPI and the preliminary plan of subdivision and adjust the lot layout for proposed Lots 210-246, Block 'A,' so that the lots are located entirely outside the limits of the mitigated 1.5 safety factor line.**

This condition was met on the TCPI associated with PPS 4-04035; however, a revised geotechnical report dated October 2, 2019 was submitted based on the development pattern that is currently proposed, but no comments have been received from DPIE, who has deferred final slope stability analysis until building permits.

- c. Prior to DSP, revise the Type I tree conservation plan to minimize the portion of PMA Impact #5 associated with the construction of the clubhouse and swimming pool. Also, revise PMA Impact 6 to further minimize and/or eliminate the proposed impact.**

Six separate PMA impacts were requested with approvals of PPS 4-04035. Impacts 5 and 6 were described as follows with staff recommendations on the impact:

**Patuxent River Primary Management Area Proposed Impacts**

Impact Number	Justification and Recommendation
5	This 1.10-acre impact is associated with the construction of a road to access the southwestern portion of the site and for the construction of the clubhouse and swimming pool. The impact associated with the road construction has generally been minimized but could be further minimized. However, the impacts for the clubhouse and swimming pool can be avoided by placing these amenities elsewhere. It must also be noted that this same area has been identified as a potential slope failure area associated with the Marlboro clay

	found on this site. Therefore, the impact associated with the road construction is supported subject to further minimization during the review of the Detailed Site Plan. The impacts associated with the clubhouse and the swimming pool are <b>not</b> supported and these amenities should be relocated.
6	This 0.96-acre impact is associated with the construction of parking compounds for a proposed office building. The PMA that is being impacted includes a slope area where further minimization of the proposed impacts is practical, and avoidance is possible. This proposed impact has <b>not</b> been minimized and is <b>not</b> supported.

During the review of the site with DSP-05042 this condition had not been addressed, and the TCPII did not show the minimization of impact #5 or impact #6. Because the TCPII was for the rough grading of the site and the location of the recreational facilities (impact #5) and the access road to the area (impact #6) had not been finalized at that time, staff recommendation was that the two areas of PMA impact should be eliminated from the TCPII for rough grading, and that PMA impact 5 and 6 would be further evaluated in subsequent reviews of the Type II Tree Conservation Plan for the development of the property when more detailed information was available. Impact 5 has been further minimized with the current application. Impact 6 is not within the limits of the current application.

**d. Revise the preliminary plan of subdivision and the Type I tree conservation plan to reflect the revised lot layout and the location of the mitigated 1.5 safety factor line based on "Marlboro Clay Safety Factor Exhibit A".**

This condition was deferred to be addressed in the future review of a Detailed Site Plan (DSP) and the associated TCPII when more detailed information about the site is provided. DPIE is providing the professional expertise for review of revisions to grading and resultant slope stability. A revised geotechnical report dated October 2, 2019 was submitted based on the development pattern that is currently proposed, but no comments have been received from DPIE, who has deferred final slope stability analysis until building permits.

**3. Development of this subdivision shall be in compliance with an approved Type I tree conservation plan (TCPI-048-02-02). 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-048-02-02), 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."**

This condition will be addressed with the review of final plats.

- 4. The detailed site plan for the area that includes proposed Street 'K' shall address the further minimization of the proposed PMA impacts associated with that road layout and construction.**

The applicant states that per PPS 4-17027, Street "K" has been removed from the project development site plan and the issue is moot.

- 5. The detailed site plan submittal which includes Lots 210 - 246 shall include an analysis by a geotechnical engineer addressing the proposed site grading reflected on the detailed site plan including the location of the mitigated 1.5 safety factor line based on the proposed site grading.**

The applicant states that the revised geotechnical analysis for the currently proposed grading states that the mitigated 1.5 factor of safety line will not affect the residential development and there is no 1.5 safety factor lines included within the limits of the current detailed site plan application. The TCPII legend does not identify a graphic line or pattern identifying the location of a 1.5 safety factor line if one is present.

- 6. Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.**

A revised Geotechnical study was received by the Environmental Planning Section on October 12, 2005. The study was reviewed by DER and the Chief Building Inspector and was found to meet the required parameters of the study; however additional information was required to complete the review. The geotechnical report was updated for the review and approval of DSP-05042 and permitting for rough grading of the site was approved. A further revision to the geotechnical study in response to significant revisions to site grading and layout was prepared October 2, 2019 and submitted with the current application and is subject to review by DPIE.

- 7. Prior to approval of the detailed site plan, the Type II tree conservation plan shall show a minimum 50-foot building restriction setback (unless a lesser restriction is approved by DER) from the final mitigated 1.5 slope safety factor line as determined by the slope stability analysis as approved by the Department of Environmental Resources, Permits and Review Division.**

The applicant states that the revised TCPII-126-05-03 submitted with the current plan satisfies this condition, but no mitigated 1.5 safety factor line or 50-foot building restriction setback is shown on the submitted TCPII. EPS will defer to the expertise of DPIE in a determination of the required minimum building restriction line from the final mitigated 1.5 slope safety factor line as determined by a slope stability analysis based on the currently proposed layout. The Stormwater Management Concept Approval Letter #26947-20002-03, approved on May 8, 2017 and which expires on May 8, 2020, includes Condition 8 which

states that a Slope Stability Analysis is required at time of permit review. It is unclear whether the Slope Stability Analysis requirement has been fully satisfied, or whether it will need further review prior to permitting by DPIE.

8. **The final plat of subdivision shall show a minimum 50-foot building restriction line (unless a lesser restriction is approved by DER) from the limits of the mitigated 1.5 slope safety factor line.**

This condition will be addressed at time of final plat as determined appropriate by DPIE.

9. **The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George's County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.**

No list of off-site woodland conservation impacts was submitted with the current application. Discussion with the applicant suggest that this condition became moot when the off-site woodland clearing for access onto Old Central Avenue was eliminated, but the justification provided by the applicant is incomplete and not addressed on the TCPII. The plan shows 0.92 acres of off-site clearing along the frontage US 301 and access ramp from MD 214 which are mitigated at a ratio of 1:1 by on-site preservation.

10. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section for accuracy prior to approval. In addition, 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 permitted."**

This condition will be addressed during the review of final plats.

11. **Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.**

Nontidal Wetlands and Waterways Permit Number 17-NT-0514/201762324 was re-issued for this site on October 2, 2018. Revisions to the layout of this site are generally consistent with the previously approved limit of disturbance for shown 7

- 12. Prior to the issuance of any building permits for this site an approved stormwater management plan that is consistent with the approved detailed site plan and the Type II tree conservation plan shall be submitted to the Environmental Planning Section.**

A copy of an approved technical stormwater management (SWM) plan that is consistent with the applicable DSP and TCP2 shall be submitted through the permitting process for EPS determination that the plans are consistent.

#### **Conformance with PGCPB No. 05-258; Detailed Site Plan DSP-05042 and TCPII 126-05**

On January 10, 2006, the Planning Board reviewed and adopted a corrected resolution for DSP-05042 and TCPII-126-05 subject to conditions that were environmental in nature and were addressed prior to certification. This included Condition 1 which reads as follows:

- 1. Prior to certification of the DSP for infrastructure, the TCPII shall be revised to avoid impacts 5 and 6 as referenced in the preliminary plan until subsequent DSPs that pertain to said impacts are submitted for review of minimization efforts. Prior to approval of the grading permit for the for the site, a copy of an approved Erosion and Sediment Control Plan shall be submitted that shows the proposed phasing of the clearing and grading.**

Comments regarding conformance with this condition are provided under the section for conformance with PGCPB No. 04-247(C/3) (A/2) for PPS 4-04035; specifically, condition 1c.

#### **Conformance with PGCPB No. 19-06; PPS 4-17027 and TCPI 048-02-04**

On January 10, 2019, the Planning Board reviewed and adopted PPS 4-17027 and TCPI-I-048-02-04 subject to conditions the were environmental in nature and were addressed prior to certification.

### **ENVIRONMENTAL REVIEW**

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

A Natural Resources Inventory-Equivalency Letter, NRI-128-2019 was approved on October 12, 2019 because the site has a previously approved an implemented TCP2.

#### **Woodland Conservation**

This property is subject to the provisions of the Prince George's County WCO because it has previously approved Tree Conservation Plans.

The 381-52-acre site contains 303.18 acres of existing woodland on the net tract, under the definition for net tract area in House Bill HB-2007-588. The site has a Woodland Conservation Threshold (WCT) of 57.23-acres, or 15 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 106.22 acres. The TCP2 shows this requirement will be met by providing 108.66-acres of on-site woodland preservation.

The plan shall be in conformance with all technical requirements found in Subtitle 25 and the Environmental Technical Manual (ETM). Technical revision to the TCP2 plan to bring it into full compliance with the requirements of the ETM.

### **Preservation of Regulated Environmental Features/Primary Management Area (PMA)**

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)."

A statement of justification for impacts to REFs was originally submitted and reviewed as part of the Preliminary Plan of Subdivision, PPS 4-04035. Specific impacts to the PMA were approved at that time. Changes to previously approved PMA impacts and new PMA impacts are being proposed with the current application. A Statement of Justification for Revised and New Impacts to the PMA dated December 26, 2019 was submitted with the current application.

South Lake is a large, mixed-use development currently in the rough grading stage of development, located southwest of the US 301/MD 214 interchange in Bowie. Previous development applications have been approved and grading has commenced pursuant to PPS 4-04035 and TCP I-048-02-03, PPS 4-17027 and TCPI-048-02-04, and DSP 05042 and TCP2-126-05.

The recently approved Detailed Site Plan for Infrastructure (DSP-05042-02) included Outparcels C, D, E, F G and H and infrastructure roads as well as offsite road improvements to MD 214/US 301. PMA impacts for both DSP-05042-02 and the current application DSP-19023 have changed since the preliminary plan approvals due to the elimination of off-site road improvements impacts onto the MD 214 ramp, and a proposed revision to the CSP layout, CSP-02004-01, being reviewed concurrently with this application.

To implement the access and CSP layout, revisions to overall impacts to the PMA are proposed as shown on a Limit of Disturbance & PMA Impact Exhibit (Ben Dyer Drawing No. 54-095-Z) which shows an overall reduction in PMA impacts of 153,760 SF (3.53 acres). Specific revisions and justification for these impact changes are as follows:

#### **Approved PMA Impacts proposed to be eliminated**

1. Karington Boulevard Stream Crossing: The current application eliminates 1.37 acres (59,756 Square feet) of PMA impacts previously associated with the Karington Boulevard Stream crossing at the northwest corner of the site, associated with the Hall Station access location). This access point to the site has been eliminated.

2. Lake and Residential Area: The current application eliminates 2.384- acres (103,870 square feet of PMA impacts associated with the area downstream of the proposed lake and adjacent residential development. Changes to the design of the previously proposed lake from a single water feature to a two-part tiered pond system have substantially reduced impacts in priority protection areas associated with connected stream and wetlands systems on the site.

### **Proposed Revised or New PMA Impacts**

3. West Sewer Outfall: A revision to a previously approved PMA impact for the realignment of a sewer outfall. Minimization of the previously approved impact of 4,046 square feet (0.09 acre) to 2,874 square feet (0.06 acre), for a net reduction of PMA impacts of 1,172 square feet (0.03 acres) of PMA impacts.
4. Prince George's Boulevard Road Connection: The extension of Prince George's Boulevard into the Collington Center, south of the South Lake development, has been previously approved to provide enhanced access and circulation. The result is 11,038 square feet (0.25 acres) of PMA impacts for grading necessary to construct an extension of Prince George's Boulevard to the southern property boundary.

Staff supports the proposed elimination of previously approved impacts that are no longer necessary because the reduction of impacts provides enhanced protection of REF in priority conservation areas, which is consistent with retention of environmental features on the site to the fullest extent possible. Staff also supports realignment of the west sewer outfall to further minimize PMA impacts. Impacts 1 -3 result in a net reduction in PMA impacts associated with the South Lake development.

Staff supports the new impacts proposed for the extension of Prince George's Boulevard to extend into the South Lake project as providing important interconnection between South Lake and the Colington Center, and being consistent with efforts to minimize impacts and retained environmental sensitive features of the site to the fullest extent possible.

The new and revised PMA impacts are necessary for development of the mixed-use development in South Lake in accordance with proposed amended Conceptual Site Plan, CSP-02004-01, and Detailed Site Plan, DSP-19023. These impacts are in general conformance with previous approvals because the net impacts to PMA have been reduced. The proposals satisfy the criteria for avoidance and minimization found in the Environmental Technical Manual (ETM), resulting in a net decrease in PMA impacts of 3.53-acres. The remaining PMA impacts are the minimum necessary for the implementation of the amended CSP and the DSP.

Section 27-281.1 (b)(4) sets the following requirement for Detailed Site Plans:

**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).**

## **Stormwater Management**

The site has a Stormwater Management Concept Plan approval letter (26947-2002-03) and plans approved on May 8, 2017 by the DPIE subject to conditions, with an expiration date of May 8, 2020. The approval is to address the overall SWM requirements of the site. This project is grandfathered because the SWM plans and sediment control plans were approved prior to May 4, 2010. The applicant proposes to mitigate on-site stream impacts through payment of \$243,500 into the Little Paint Branch Watershed Stream Restoration Project as outlined in the Nontidal Wetland Permit. The check shall be deposited in the Paint Branch Stream Enhancement Project.

The DSP and TCP2 show the proposed SWM features in accordance with the conceptual plan. The South Lake project was annexed into the City of Bowie in December 2019, and it is unclear who will have final review authority of Final Technical Plans for the development.

## **SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS**

The Environmental Planning Section recommends approval of CSP-02004-01, and DSP-19023 and associated TCP2-126-05-03, subject to the following findings and conditions:

### **Recommended Findings:**

1. The regulated environmental features on the subject property have been preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the tree conservation plan submitted for review.
2. Amended CSP-02004-01 as submitted with this application and TCPI-048-02-04, previously approved with 4-17027, is in general conformance with previous Planning Board approvals for CSP-02004 (TCP1-048-02), PPS 4-04035 (TCP1-048-02-01), PPS 4-17027 (TCP1-048-02-04), DSP-05042 (TCPII-126-05) and DSP-05042-02 (TCPII-126-05-02).
3. DSP-19023 and associated TCPII-126-05-03 is in general conformance with amended CSP-02004-01 submitted and reviewed concurrently.
4. DSP-19023 and TCPII-126-05-03 can be found in general conformance with previous Planning Board approvals for CSP-02004, PPS- 4-04035, PPS 4-17027, DSP-05042, and DSP-05042-02

### **Recommended Conditions:**

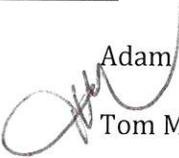
1. Prior to certification of the DSP and TCP2, the location of the mitigated 1.5 safety factor line based on the revised grading plan shall be added to the DSP and TCP2, included in the legend, and a note shall be added to all sheets identifying whether the plan sheet includes or does not include a 1.5 mitigated safety factor line, and the required building setback line shall also be delineated. If no mitigated 1.5 safety factor line exists on the site, a note shall be added to all plan sheets stating there is no 1.5 mitigated safety factor line included on-site.
2. Prior to certification of the DSP, the TCP2 shall be revised as follows:

- a. Use the standard symbols and labeling provided in the Environmental Technical Manual in the legend and on the plan set.
- b. Provide a complete legend of all graphic elements represented on the plan set and place the complete legend on all plans included in the plan set.
- c. Identify the Tree Protection Fence in the legend as “(temporary)” and use the correct acronym, TPF.
- d. Separately identify unmitigated and mitigated noise contours in legend and on plan.
- e. Tree Protection Signs should be identified as “temporary” or permanent. Add a detail of a temporary Tree Protection Sign suitable for use during construction to the plan set and show how the signage is attached to the temporary Tree Protection Fence. Temporary tree protection signs shall be spaced 50-feet apart.
- f. Provide a detail for the installation of permanent tree protection signs after the removal of temporary devices. Add a post-type permanent tree protection detail to the plan and provide notes for implementation. Permanent tree protection signage should be spaced 50-feet apart.
- g. Add a graphic for the 1.5 safety factor line to the legend.
- h. Add the approval date and signature in typeface to the approval block.
- i. Add a standard non-native invasive species management plan to the detail sheet.
- j. Add all current and applicable standard Type 2 Tree Conservation Notes to the plan as found in the ETM.
- k. Identify what the colored dots on lots throughout the development identify. Add to legend if applicable to the TCP2 plan or remove from plans if not applicable.
- l. Provide a woodland conservation sheet summary table on each plan sheet.
- m. Delineate and label mitigated and unmitigated noise contours as applicable. Include ground level upper level noise contours if indicated.
- n. Label all SWM features on the site by type and identifier on the final technical SWM plan.
- o. Remove lines on the plan which indicate rights-of-way that have been vacated.
- p. Where retaining walls are proposed, woodland conservation shall be set back a minimum of 10 feet from the top and bottom of the walls to allow for a work and maintenance zone.
- q. All metes and bounds on all property lines that are external to the development
- r. On Sheets 51 and 52 remove all grading and proposed development elements from the preservation area.
- s. Revise TCP11 as necessary to address all other conditions of approval.
- t. Adjust and reconcile all worksheet and tables to reflect any revisions. to the TCP11.
- u. Have the revised plan signed and dated by the qualified professional that prepared the plan.

If you have any questions concerning these comments, please contact me at 301-952-3506 or by e-mail at [kim.finch@ppd.mncppc.org](mailto:kim.finch@ppd.mncppc.org).

February 18, 2020

**MEMORANDUM**

**TO:** Adam Bossi, Urban Design Review Section, Development Review Division  
**FROM:**  Tom Masog, Transportation Planning Section, Countywide Planning Division  
**SUBJECT:** **DSP-19023: South Lake**

**Proposal**

The applicant proposes the development of 1,035 residences and the community clubhouse as part of a mixed-use planned community. The application also includes a revision to the layout proposed by the conceptual site plan (CSP).

**Background**

This is the initial detailed site plan (DSP) for development on this site. This DSP is preceded by a grading and infrastructure plan DSP-05042/02 and its predecessors. This site is subject to conditions on all prior plans including CSP-02004, and Preliminary Plan of Subdivision (PPS) 4-04035 and 4-17027. The overall site is a mixed-use planned community within the E-I-A Zone as defined by the Zoning Ordinance, and this use must meet all requirements applicable to the M-X-T Zone as described in Part 10 of the Zoning Ordinance.

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.

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 January 2019 in connection with PPS 4-17027, and so further traffic-related analyses are not required.

Parking within the M-X-T Zone must be analyzed consistent with Section 27-574 of the Zoning Ordinance. Typically, parking for uses within the E-I-A Zone would be required to meet the requirements within Section 27-568, but Section 27-544(a) in Part 10 makes a clear reference to the M-X-T provisions within Part 11 of the Zoning Ordinance, and so for that reason parking within the limits of this project is subject to a shared parking analysis.

Finally, this application includes a revision to the layout approved under CSP-10004. It is noted that this revision is consistent with the PPS and the DSP under review and is acceptable as shown.

**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-19023: South Lake</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>Trip Cap from PPS 4-17027</b>			--	--	<b>48</b>	--	--	<b>56</b>
<b>Trip Cap from PPS 4-04035</b>			--	--	<b>1,313</b>	--	--	<b>1,925</b>
<b>Combined Trip Cap</b>			--	--	<b>1,361</b>	--	--	<b>1,981</b>
<b>Current Proposal</b>								
Apartments	0	Units	0	0	0	0	0	0
Two-Family/Two Over Two Condos	128	Units	18	71	89	66	36	102
Townhouses	562	Units	79	314	393	293	157	450
Single Family Detached	345	Units	52	206	258	202	109	311
<b>Total Proposed Trips</b>			<b>149</b>	<b>591</b>	<b>740</b>	<b>561</b>	<b>302</b>	<b>863</b>
<b>Trips Utilized from PPS 4-17027</b>			--	--	<b>48</b>	--	--	<b>56</b>
<b>Trips Utilized from PPS 4-04035</b>			--	--	<b>692</b>	--	--	<b>807</b>

The above table does not account for internal trip capture within a mixed-use development because there is not a mix of uses reflected on this site plan combined with other approved site plans. As subsequent site plans for additional uses are reviewed, the residential trip generation must be further refined to ensure that appropriate accounting is done for internal trips. The community clubhouse is considered accessory to the residential uses and is therefore assumed to generate no off-site trips. As evidenced above, the uses proposed are within the PPS 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. A parking analysis was provided initially when this case was accepted, and upon receipt of initial staff comments was revised. 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. Using the parking schedule, it is shown that the uses would require 2,162 parking spaces. The applicant indicates that this is the base requirement per Section 27-574.
2. The plan provides 3,977 parking spaces to serve the residential uses, including on-street spaces.

3. The plan provides 55 parking spaces to serve the community clubhouse, and the base requirement for the clubhouse is 69 spaces. The applicant believes that sufficient parking to serve the clubhouse is shown, and the following reasons are provided:
  - A. There are 22 additional on-street parking spaces along Boulevard D adjacent to the clubhouse. Combined with the 55 spaces on-site, there are 77 spaces available and this number exceeds the 69-space requirement.
  - B. The clubhouse includes several uses whose peaks would not be expected to coincide. For example, the use of the pool would peak during the afternoon, while the use of party room, the conference room, and the various indoor fitness rooms would likely peak during the early evening.
4. Accordingly, the parking analysis concludes that the provision of 55 parking spaces at the clubhouse (vis-à-vis the 69-space base requirement) is adequate to serve the proposed use, and that overall the parking provided for the residential plus the clubhouse uses is sufficient to meet the requirements of the uses.

Based on information offered in the parking analysis, it is determined that the parking analysis and its conclusions are acceptable. The applicant's contentions regarding the clubhouse are reasonable. Furthermore, as a single mixed-use community with an extensive bicycle and pedestrian network, residents and visitors should be encouraged to use non-automobile modes to access the clubhouse.

MD 214 (Central Avenue) is a master plan expressway. US 301 southbound along the property's frontage is a master plan arterial. The current rights-of-way along both frontages were reviewed at the time of PPS. Both rights-of-way are adequate, and no additional dedication is required from this plan.

Access and circulation are acceptable. The Prince George's County Fire Department had several recommendations regarding street widths for the purpose of fire access within the site. The recommendations have been implemented, and the particular street widths have been modified on the most recent plan submittal.

#### **Prior Approvals**

CSP-02004 was approved by the Planning Board on June 12, 2003 (PGCPB Resolution No. 03-135(C)). The Planning Board approved the CSP with nine traffic-related conditions which are applicable to the review of this DSP and warrant discussion, as follows:

4. **MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
  - a. **The addition of a northbound left-turn lane along Church Road.**
  - b. **The addition of a eastbound left-turn lane along MD 214.**
  - c. **The addition of a westbound left-turn lane along MD 214.**

- d. **Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.**

These conditions are enforceable at the time of building permit.

5. **MD 214 at Hall Road/site access: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by the responsible permitting agency. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
  - a. **The addition of a eastbound exclusive right-turn lane along MD 214.**
  - b. **The addition of a westbound left-turn lane along MD 214.**
  - c. **The construction of the northbound approach to include two left-turn lanes and a shared through/right-turn lane.**

**The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.**

With the revised CSP layout, direct access to MD 214 has been removed from the proposed layout pursuant to Condition 10 in this resolution. Therefore, this condition is no longer applicable to South Lake. A new traffic signal has been approved and designed at the MD 214 and Old Central Avenue intersection.

6. **US 301 at Old Central Avenue: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA.**

These studies have been completed and it was determined that signalization is not warranted or approved by the Maryland State Highway Administration (SHA).

7. **US 301 at site entrance/median crossover: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
  - a. **The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. **The widening of the median crossing to provide to eastbound lanes, turning left (northbound) onto US 301**
  - c. **The construction of a northbound left-turn lane approaching the median crossing.**
  - d. **The construction of a southbound right-turn lane along the southbound US 301 approach.**

**The scope of access improvements may be modified at the time of preliminary plan review at the direction of SHA provided that alternative improvements provide an acceptable service level that meets the requirements of Subtitles 27 and 24.**

The required study has been done and it was determined that signalization is warranted. The required signalization and the improvements within this condition are currently in the design and permitting process with the Maryland State Highway Administration.

8. **Merge of ramp from eastbound MD 214 onto US 301: Prior to the issuance of any building permits within Phase II, as defined in Condition 10, the following road improvements shall (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 for the extension of the northbound merge lane to a length of no less than 400 feet subject to available right-of-way or in the alternative the elimination of said ramp by utilization of other acceptable improvement.**

Compliance with this condition is triggered with the onset of development within Phase II, as defined in Condition 11 of the CSP. As such, this condition does not apply to this DSP application.

9. **The applicant shall pay to Prince George's County a sum calculated as \$725,094.25 x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989). This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined at the time of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Conditions 6 and 8, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving the credit against said fee for the cost of said improvements. The scope of the improvements shall be determined at the time of preliminary plan.**

Compliance with the above is triggered at the time of issuance of any building permit. It is noted that this condition has been revised within the PPS resolution.

10. **All off-site traffic improvements may be altered or modified at preliminary plan dependent upon phasing schedules.**

This has occurred, and the PPS resolutions should be used as the definitive source for the scope and wording of the various conceptual site plan (CSP) conditions.

11. **Total development within the subject property shall be limited to uses which generate approximately than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table presented earlier in this memorandum, the subject application is within the trip cap shown in this condition. It is critical to note that the applicant's trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. Because these applications have no status at this time, the staff's analysis cannot consider those reductions because there are no mix of uses approved or under review for this site.

14. **Prior to preliminary plan signature approval, the applicant, his successors and/or assigns shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development.**

**This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of Detailed Site Plan, transportation planning and DPW&T staff shall review bus routing plans.**

The required information was provided prior to preliminary plan signature approval.

PPS 4-04035 was approved by the Planning Board on October 21, 2004 (PGCPB Resolution No. 04-247(C/3)(A/2)). The Planning Board approved the PPS with 11 traffic-related conditions which are applicable to the review of this DSP and warrant discussion, as follows:

- 22. MD 214 at Church Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (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:**
  - a. The addition of a northbound left-turn lane along Church Road.
  - b. The addition of an eastbound left-turn lane along MD 214.
  - c. The addition of a westbound left-turn lane along MD 214.
  - d. Restriping the eastbound right-turn lane along MD 214 to operate as a shared through/right-turn lane, thereby resulting in a third eastbound through lane.

These conditions are enforceable at the time of building permit.

- 23. Old Central Avenue at Site Access: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Old Central Avenue at the site access. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.**

The required study has been done and it was determined that signalization does not appear to be warranted. The applicant and the Maryland State Highway Administration will continue to monitor this location as the project develops to determine if signalization will become warranted at later phases, but for now the applicant has satisfied the condition.

24. **US 301 at Old Central Avenue:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA. In addition, the applicant shall add, to the northbound approach of Old Central Avenue, an additional exclusive left-turn lane, unless modified by SHA.

These studies have been completed and it was determined that signalization is not warranted or approved by SHA.

25. **US 301 at site entrance/median crossover:** Prior to the approval of the detailed site plan for the subject property (other than infrastructure), the applicant shall submit acceptable traffic signal warrant studies to SHA for the intersections of northbound and southbound US 301 and the site entrance/existing median crossing. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond the signal prior to the release of any building permits, †other than for infrastructure, model homes, or signage, within the subject property and install it at a time when directed by SHA. Also, prior to the issuance of any building permits, †other than for infrastructure, model homes or signage, within the subject property, the following road improvements shall (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:
- a. **The construction of the eastbound approach to include two left-turn lanes and a right-turn lane.**
  - b. **The widening of the median crossing to provide two eastbound lanes, turning left (northbound) onto US 301**
  - c. **The construction of a northbound left-turn lane approaching the median crossing.**
  - d. **The construction of a southbound right-turn lane along the southbound US 301 approach.**
  - e. **Construction of a second westbound lane in the median at the WAWA crossover to provide a two-lane approach to southbound US 301 (one left and one through).**

The required study has been done and it was determined that signalization is warranted. The required signalization and the improvements within this condition are currently in the design and permitting process with the Maryland State Highway Administration.

**26. US 301 widening:**

- a. Prior to the issuance of any permits, †other than for infrastructure, signage, or model homes, within Phase II, as defined in the trip cap condition contained in this report, the following road improvement shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of a new US 301 southbound lane beginning 1,000 feet north of the signal at the US 301 median crossover at the main site access and continue, to tie into the existing third southbound lane that already exists at Queen Anne Road, for a total distance of approximately 2,800 feet.**
- b. Prior to the issuance of any permits within Phase I that require the construction of a new access point(s) along southbound US 301, as defined in the trip cap condition contained in this report, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency: addition of new acceleration/deceleration lanes along southbound US 301 at the site entrance(s).**
- c. The proposed widenings are subject to available right-of-way. In the event that the necessary right-of-way is not available by the time the applicant is prepared to start construction of the respective Phases, the applicant shall pay to Prince George's County a sum calculated as  $\$725,094.25 \times (\text{FHWA Construction Cost Index at time of payment}) / (\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ . This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined prior to signature approval of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Condition 28A, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving credit against said fee for the cost of said improvements less the cost of the SHA mandated access improvements.**

These conditions are enforceable at the time of building permit.

- 27. MD 214 at Old Central Avenue: Prior to approval of the detailed site plan for the subject property (other than infrastructure, signage or model homes), the applicant shall submit an acceptable traffic signal warrant study to SHA for a possible signal at the intersection of Central Avenue (MD 214) and Old Central Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of the responsible agency.**

**If a signal is deemed warranted by the responsible agency at that time, the applicant shall bond and install it at a time when directed by the responsible permitting agency.**

The required study has been done and it was determined that signalization is warranted. The required signalization and the improvements within this condition are currently in the design and permitting process with the Maryland State Highway Administration.

- 28. Total development within the subject property shall be limited to uses which generate no more than 1,313 AM and 1,925 PM peak-hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I shall be identified as any development that generates up to 1,047 AM and 1,421 PM net off-site peak-hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II shall be identified as any development which generates more than 1,047 AM and 1,421 PM net off-site peak-hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table presented earlier in this memorandum, the subject application is within the trip cap shown in this condition. It is critical to note that the applicant's trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. Because these applications have no status at this time, the staff's analysis cannot consider those reductions because there are no mix of uses approved or under review for this site.

- 29. Prior to detailed site plan approval which includes these streets, the proposed typical sections for street types B, C, E, F, and I must have written approval by the county Department of Public Works and Transportation (or the appropriate operating agency). If such written approval is not received, street types B, C, E, and I must be revised to conform to a standard 70-foot right-of-way, and street type F must be reworked to function as street type A.**

The subject site has been annexed into the City of Bowie, and approval of the various street cross sections within the plan has been provided.

- 30. Prior to approval of the final plat of subdivision, the applicant, his successors and/or assignees shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR 29 1994).**

**This requirement may also be satisfied through the provision of privately-funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of detailed site plan (other than infrastructure), transportation planning and DPW&T staff shall review bus routing plans.**

The required information was provided prior to preliminary plan signature approval.

- 39. Notwithstanding any condition related to the ultimate connection of the proposed alternate Master Plan trail to the southern property line, the applicant will not be required to bond, permit, or actually construct the ultimate connection to the southern property line along Street W until Street W and Prince George's Boulevard are graded and actually connected. If private Street W is not ultimately constructed, an easement for the master plan trail connection to the southern property line of the site shall still be provided in accordance with Condition 14.**

This timing mechanism is noted. Street W and the trail connection are reflected on the DSP.

PPS 4-17027 was approved by the Planning Board on January 10, 2019 (PGCPB Resolution No. 19-06). The Planning Board approved the PPS with five traffic-related conditions which are applicable to the review of this DSP and warrant discussion. Conditions 5, 6, and 7 are identical to Conditions 23, 24, and 27 in the resolution for PPS 4-04035. The status of the remaining two conditions is as follows:

- 8. MD 214 at Church Road: Prior to issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency:**
- a. The restriping of the westbound right-turn lane along MD 214 to operate as a shared through/right-turn lane.**
  - b. The restriping of the northbound approach of Church Road to operate as one exclusive left turn lane, one exclusive through lane, and one exclusive right-turn lane, along with any signal modifications to reflect the change in lane use.**

These conditions are enforceable at the time of building permit.

- 9. Total development within the subject property shall be limited to uses, which generate no more than a total of 48 AM and 56 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The area of DSP-19023 includes the entirety of PPS 4-17027 and a portion of PPS 4-04035. As shown in the trip generation table presented earlier in this memorandum, the subject application is within the trip cap shown in this condition. It is critical to note that the applicant's trip generation analysis does include internal trip reductions attributed to future DSP applications which will include commercial uses. Because these applications have no status at this time, the staff's analysis cannot consider those reductions because there are no mix of uses approved or under review for this site.

Neither DSP-05042 nor its successor applications have any traffic-related conditions that require a review.

**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.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive  
 Upper Marlboro, Maryland 20772  
 www.mncppc.org/pgco

February 18, 2019

**MEMORANDUM**

TO: Henry Zhang, Development Review Division

FROM: Benjamin Ryan, Transportation Planning Section, Countywide Planning Division

SUBJECT: **Detailed Site Plan Review for Non-Motorized Transportation Master Plan Compliance**

The following detailed site plan (DSP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation (MPOT)* and the *2006 Approved Master Plan for Bowie and Vicinity* to provide the appropriate pedestrian and bicycle transportation recommendations.

**Detailed Site Plan Number:** DSP-19023 & CSP-02004-01

**Development Case Name:** South Lake

Type of Master Plan Bikeway or Trail

Private R.O.W.*	<u>      </u>	Public Use Trail Easement	<u>      </u>
PG Co. R.O.W.*	<u>  X  </u>	Nature Trails	<u>  X  </u>
SHA R.O.W.*	<u>      </u>	M-NCPPC - Parks	<u>      </u>
HOA	<u>      </u>	Bicycle Parking	<u>  X  </u>
Sidewalks	<u>  X  </u>	Trail Access	<u>  X  </u>

Subject to 24-124.01: No

<b>Preliminary Plan Background</b>	
Building Square Footage (non-residential)	N/A
Number of Units (residential)	1,035 Total: 128 Condominiums, 563 Townhomes, 344 Single Family Detached
Abutting Roadways	Central Avenue (MD-214), Crain Highway (US-301)
Abutting or Nearby Master Plan Roadways	Central Avenue, Crain Highway, Church Road, Hall Road
Abutting or Nearby Master Plan Trails	Collington Branch Trail, Central Avenue Planned Shared Roadway, Queen Anne Road Planned Shared Roadway, Jennings Mill Drive Planned Shared Roadway, Clagett Landing Road Planned Shared Roadway
Proposed Use(s)	Residential
Zoning	E-I-A
Centers and/or Corridors	N/A
Prior Approvals on Subject Site	CSP-02004, 4-04035, 4-17027

### **Previous Conditions of Approval**

Approved Conceptual Site Plan (CSP)-02004 includes the following condition of approval related to trail construction, specific to the subject property. Condition 27 from CSP-02004 is copied below:

27. The applicant shall construct an 8-foot-wide master-planned hiker/biker trail along the Collington Branch.

Approved Preliminary Plan of Subdivision 4-04035 includes the following condition of approval related to trail construction, specific to the subject property. Condition 15 from 4-04035 is copied below:

15. Prior to submission of the first detailed site plan for residential development, the applicant, his heirs, successors and/or assignees shall confer with [the Department of Parks and Recreation (DPR)] concerning the exact alignment of the master plan trail along the Collington Branch. The alignment shall be approved by DPR consistent with the master plan.

This condition was changed with a Planning Board Reconsideration of 4-04035 (Resolution 04-247(C/3)(A/2)). Condition 14, upon reconsideration of 4-04035, is copied below:

14. Prior to submission of the first detailed site plan for residential development, other than for multifamily development for the first 400 units, the applicant, his heirs, successors and/or assignees shall confer with DPR concerning the exact realignment of the alternate 10-foot-wide master plan trail from MD 214/Old Central Avenue through the project to the southern property line, as further depicted in Applicant's Exhibit A. The alternate alignment shall be approved by DPR consistent with the master plan. If the alternate master plan trail is located within a private right-of-way or any privately owned land, the applicant, prior to the approval of the applicable record plat, shall provide M-NCPPC with a public access easement to ensure public access to the alternate master plan trail located within the private right-of-way or privately owned land.

**Comment:** The submitted plans are in conformance with the conditions noted above. The original location of the trail ran north/south along the western edge of the property. By shifting the trail location to the eastern portion of the property closer to Crain Highway, the trail will be centrally located within the neighborhood and will better connect to future development. The realigned master-planned trail will be located within the right-of-way along the main north/south road.

### **Existing Conditions Sidewalks and Bike Infrastructure**

The subject property is bound to the north by Central Avenue and the east by Crain Highway. There are no sidewalks or bicycle lanes which currently serve the subject property along either roadway. A network of sidewalks is included in the proposed DSP and serve the subject site. There are no dedicated bicycle lanes associated with the project.

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

Per Section 27-500(c), "A Mixed-Use Planned Community in the E-I-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use. The Development shall meet all M-X-T Zone requirements in Part 10."

Per Section 27-542(a)(4), "The purposes of the M-X-T Zone are (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 Transportation Systems Section of the *Approved Master Plan for Bowie and Vicinity* (p.52) makes the following recommendation:

Policy 3:

Develop bicycle-friendly roadways in conformance with the latest standards and guidelines.

**Comment:** In the immediate vicinity of the project site, the MPOT recommend a planned shared roadway along Central Avenue which fronts the subject property. Additional MPOT planned shared roadways are recommended along Queen Anne Road and Clagett Landing Road, both of which are located east of the project site.

The Transportation Systems Section of the *Approved Master Plan for Bowie and Vicinity* (p.52) makes the following recommendations:

Policy 2:

Incorporate appropriate pedestrian-oriented development (POD) features in all new development and improve pedestrian safety in existing development.

Per Section 27-544(e)(6) Mixed-Use Planned Community Regulations, "The community should be focused on a central public space that is surrounded by a combination of commercial, civic, cultural or recreational facilities."

Per Section 27-546(d)(7) Site Plans, "The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development."

**Comment:** The realignment of the master plan trail to the eastern portion of the property helps achieve the sense of a central public space. Further, the proposed trailhead location, which will be included in a future detailed plan, will be located in between the townhouse community and the future retail site, helping to create a strong central gathering area within the neighborhood. The realignment of the trail is supported by the requirements of the Ordinance and the *Approved Bowie and Vicinity Master Plan*. The applicant has provided marked crosswalks at the roundabout intersection along Road C, however the other proposed roundabout at the Road Q, Road P, and the private trail, does not have marked crosswalks. Staff recommend marked crosswalks at all legs of this roundabout.

The Complete Streets element of the MPOT reinforces the need for multimodal transportation, and the accommodation of pedestrians and bicyclists along all transportation facilities. This section includes the following relevant policies (MPOT, p. 9-10):

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers. (p.9)

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 proposes to construct an internal sidewalk network which adequately serves the project site and is in conformance with MPOT Complete Streets recommendations.

MD 214 (Central Avenue) is a planned shared roadway. Staff recommend that a "share the road with a bike" bikeway signage be installed. While the submitted plans provide details for the internal master plan trail, the plans do not provide for bicycle parking at the community center. Designated space for bicycle parking that is convenient to building entrances is an important component of a bicycle-friendly roadway network.

**Recommended Conditions of Approval:**

1. Prior to the first building permit, the applicant, the applicant's heir, successors and/or assignees shall provide \$420 to the Department of Permits, Inspections and Enforcement for the placement of one "Share the Road with a Bike" signage assembly along Central Avenue.
2. Prior to certification, the applicant, the applicant's heir, successors and/or assignees shall add;
  - a. bicycle parking racks at the proposed community center. The racks shall accommodate at least six bicycles and shall be the "inverted-u" style rack.
  - b. Marked crosswalks on all legs of the Road Q and Road P roundabouts.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division  
Historic Preservation Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
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301-952-3680

January 27, 2020

**MEMORANDUM**

TO: Adam Bossi, Urban Design Section, Development Review Division

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

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

**SUBJECT: DSP-19023 & CSP-02004 South Lake**

The subject property comprises 381.52 acres at 100 Karrington Center Boulevard located in the southwest quadrant of the intersection of MD 214 and US 301. The application proposes the construction of 1,035 residential dwelling units including 128 two-family attached, 563 townhouses and 344 single-family. The subject property is Zoned M-X-T.

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 was high as indicated on the *Historic Preservation/Archeology Pre-Submittal Checklist for Development Applications*. The subject property was graded precluding the presence of archeological sites. A Phase I archeological survey is no longer recommended on the subject property. There are no historic sites or resources on/or adjacent to the subject property. This proposal will not impact any historic sites or resources or existing archeological sites. Historic Preservation staff recommends approval of DSP-19023 and CSP-02004 South Lake with no conditions.

February 19, 2020

MEMORANDUM

TO: Adam Bossi, Urban Design Section

FROM: John Linkins, Permit Review Section

SUBJECT: South Lake, DSP-19023

1. Please provide a note on the cover sheet that Development of this property is allowed per Council Bill CB-73-2016.
2. The parking provided for the clubhouse is 14 less than required. Street parking of 22 spaces adjacent to the clubhouse is demonstrated and requested in the statement of justification as adequate.
3. Architectural elevations for the clubhouse have not been included in the review package and should be submitted for approval.
4. A Hardscape plan for the clubhouse and pool area should be provided for approval.

5. Provide details for recreation areas 2, 4, 9, and 12, details have been provided for all others.
6. Will the recreational facilities be bonded? A recreational facilities agreement be required for the bonding and phasing of installation?
7. Landscape Sheet 39 of 57 is missing the Section 4.6 Buffer Schedule.
8. A Section 4.7 Buffer Schedule has not been provided for the adjacent multifamily sections. Please provide a schedule or a not that the buffer is on the adjacent multifamily property.
9. Please note the Section 4.7 Buffer for commercial area Phase 2 will be located on the commercial area or provide the required schedule and buffers.
10. Please provide an additional sign detail sheet identifying the location of the signs and noting which sign to be emplaced at each location.



*Division of Environmental Health/Disease Control*

Date: February 19, 2020

To: Adam Bossi, Urban Design, M-NCPPC

From: Adebola Adepoju, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: DSP-19023 South Lake (CSP-02004-01)

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the detailed site plan submission for South Lake and has the following comments / recommendations:

1. Health Department permit records indicate there are no existing carry-out/convenience store food facilities or markets/grocery stores within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes. ***The applicant can designate space within the retail area for a store that provides healthy food options for the surrounding community.***
2. Conversion of large areas of open space into impervious surface is proposed. Demonstrate that the site is in compliance with the County's Watershed Implementation Plan (WIP).
3. The property is located in the recharge area for the Patuxent aquifer, a groundwater supply that serves the Beltsville Agricultural Research Center, Patuxent Wildlife Research Center and the City of Bowie. Creation of impervious surfaces in this recharge area could have long term impacts on the sustainability of this important groundwater resource.
4. The proposed residential properties are within 500 feet of Central Avenue Route 214 and Robert Crain Highway U.S. Route 301. Several large-scale studies demonstrate that increased exposure to fine particulate air pollution is associated with detrimental cardiovascular outcomes, including increased risk of death from ischemic heart disease, higher blood pressure, and coronary artery calcification.
5. There is an emerging body of scientific evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma. Published scientific reports have found that road traffic, considered a chronic environmental stressor, could impair



Angela Alsbrooks  
County Executive

Environmental Engineering/Policy Program  
Largo Government Center  
9201 Basil Court, Suite 318, Largo, MD 20774  
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711  
[www.princegeorgescountymd.gov/health](http://www.princegeorgescountymd.gov/health)

cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests.

6. During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
7. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

If you have any questions or need additional information, please contact me at 301-883-7677 or [aoadepoju@co.pg.md.us](mailto:aoadepoju@co.pg.md.us).



Angela D. Alsobrooks  
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT  
Department of Permitting, Inspections and Enforcement  
Site/Road Plan Review Division



MEMORANDUM

February 14, 2020

**TO:** Adam Bossi, Urban Design Section  
Development Review Division, M-NCPPC

**FROM:** Mary C. Giles, P.E. Associate Director  
Site/Road Plan Review Division, DPIE

*my 2/13/20*

**Re:** South Lake (Formerly Karington)  
Detailed Site Plan No. DSP-19023

**CR:** Central Avenue (MD 214)

**CR:** Robert S. Crain Highway (US 301)

**CR:** Old Central Avenue (MD 978)

In response to Detailed Site Plan No. DSP-19023, referral for development of 1,035 dwelling units as part of a mixed-use planned community and revision to conceptual site layout, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The above-referenced site is located on the southeast quadrant of the intersection of Central Avenue (MD 214) and Robert S. Crain Highway (US 301).
- MD 214, US 301 and MD 978 are State-maintained roadways; therefore, right-of-way dedication and roadway improvements are to be coordinated with the Maryland State Highway Administration (SHA) as determined necessary.
- The proposed Detailed Site Plan and Conceptual Site Plan layout for the roads and buildings are inconsistent with the approved Stormwater Management Concept Plan No. 26947-2002-03. Since the property has been annexed into the City of Bowie, a revision to the Stormwater Management Concept Plan is required to be approved by the City of Bowie.
- The proposed site will require a City of Bowie storm drain/stormwater management technical approval.

- Stormwater management facilities and drainage systems are to be constructed in accordance with City of Bowie requirements.
- Floodplain delineation has been approved under FPS 900028. Floodplain easement is required.
- This site contains Marlboro Clay. The following requirements must be addressed during or prior to site development grading permits through DPIE.
  - a) A geotechnical report for site grading, roads and stormwater management ponds shall be provided. The ponds should be analyzed for geotechnical impacts on the proposed roads and structures in the vicinity.
  - b) The site should be evaluated for the presence of Marlboro Clay and slope stability for slopes steeper than or equal to 5:1.
  - c) The geotechnical report shall also analyze the proposed grading in Marlboro Clay areas, and recommend maximum allowable slopes. Any slope in excess of 5H:1V shall be specifically evaluated, and recommendations shall be provided.
  - d) The 1.5 factor of safety (FS) line shall be shown on the plan. Structures are to be located at least 25 feet from the 1.5 FS line.
  - e) Grading in Marlboro Clay areas must not exceed 5H:1V without specific geotechnical analysis that proves its stability.
  - f) Permit plans of both site grading, storm drain, and paving shall comply with the recommendations of the geotechnical report.
  - g) Compliance with recommendations from the geotechnical report shall be verified on the plans by the preparer of the geotechnical report, and in the field by the geotechnical engineer.
  - h) Due to Marlboro Clay, field investigation, lab testing, engineering analysis and preparation of geotechnical reports and site plans shall be in compliance with DPIE's 005-2018, Techno-gram.

Adam Bossi  
February 14, 2020  
Page 3

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2060.

MA:SJ:csw

cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE  
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE  
Salman Babar, CFM, Engineer, S/RPRD, DPIE  
MJ Labban, Engineer, S/RPRD, DPIE  
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE  
Selam Jena, Engineer, S/RPRD, DPIE  
Rogers Consulting, Inc., 1101 Mercantile Lane, Suite 280,  
Upper Marlboro, Maryland 20774  
South Lake Partners, LLC, 4750 Owings Mills Boulevard,  
Owings Mills, Maryland 21117



**INTER-OFFICE MEMORANDUM  
PRINCE GEORGE'S COUNTY  
POLICE DEPARTMENT**



**M E M O R A N D U M**

DATE: February 6, 2020  
TO: Planning Coordinator, Urban Design Application Section  
Development Review Division  
FROM: Major Steve Yuen, Planning/Research Division  
Prince George's County Police  
SUBJECT: DSP-19023 South Lake Mixed Use Community

---

Upon review of these site plans, I have no comments.



# THE PRINCE GEORGE'S COUNTY GOVERNMENT

## Fire/EMS Department

Office of the Fire Marshal



February 6, 2020

Adam Bossi, Planner Coordinator  
Urban Design Division  
The Maryland-National Capital Park and Planning Commission  
Development Review Division  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

Dear Mr. Bossi:

The Office of the Fire Marshal of the Prince George's County Fire and EMS Department has reviewed the referral for DSP-19023-00, South Lake. We have the following comments:

- 1) Hydrants shall be provided so that no exterior portion of the building is more than 500' from a hydrant as hose is laid by the fire department.
- 2) Groups of 2 over 2 townhomes will be protected by a fire sprinkler system with a Fire Department Connection (FDC). This FDC must have a fire hydrant within 200'. Ensure 2 over 2 units on Sheet 10 of 49 Units 93-127 on Alley V and all units equipped with an FDC will be served by hydrant within 200' as hose is laid by the fire department. Hydrants must be located within 12' of a fire access road.
- 3) Please show the width of the alley to the rear of lots 1-6 on Road C on Sheet 9 of 49.
- 4) Units on Alley V on Sheet 9 of 49 are not served by a 22' fire access road. For Units 71-82, a personnel door must be provided on each unit within 150' of a fire access road.
- 5) Units 53-64 on Alley C on Sheet 10 of 49 are not served by a fire access road.
- 6) Units 93-127 on Alley V on Sheet 10 of 49 are not served by a fire access road.
- 7) Units 43-52 on Alley E on Sheet 15 of 49 are not served by a fire access road.
- 8) Units 16-25 on Alley D on Sheet 16 of 49 are not served by a fire access road.
- 9) Units 62-68 on Alley I on Sheet 17 of 49 are not served by a fire access road.

6820 Webster Street  
Landover Hills, Maryland 20784

- 10) Units 69-75 on Alley H on Sheet 17 of 49 are not served by a fire access road.
- 11) Units 76-82 on Alley G on Sheet 17 or 49 are not served by a fire access road.

Sincerely,

A handwritten signature in black ink, appearing to read 'JVR', with a long horizontal flourish extending to the right.

James V. Reilly  
Contract Project Coordinator III

# MEMO



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION  
Department of Parks and Recreation, Prince George's County

February 18, 2020

TO: Adam Bossi, Planner Coordinator  
Urban Design Section  
Development Review Division  
Planning Department

VIA: Helen Asan, Supervisor  
Land Acquisition/Management and Development Review Section  
Park Planning and Development Division *HA*  
Department of Parks and Recreation

FROM: Thomas Zyla, Landscape Architect *TZ*  
Land Acquisition/Management and Development Review Section  
Park Planning and Development Division  
Department of Parks and Recreation

SUBJECT: **DSP-19023, SOUTH LAKE (Formerly KARINGTON)**

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The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Detailed Site Plan (DSP) for conformance with the requirements and recommendations of the approved Conceptual Site Plan (CSP-02004) and Preliminary Plans (4-04035) & (4-17027), as they pertain to public parks and recreational facilities.

## FINDINGS

The subject DSP contains 283 acres of the overall approximately 381 acres of the South Lake (formerly known as Karington) development area. This DSP is for the residential portion of the development and proposes 1,035 residential dwelling units (DUs).

DPR has reviewed this DSP and has determined it to be in conformance with the previous CSP and PPS approvals and conditions, related to DPR-related issues including mandatory dedication of parkland and on-site public recreational facilities.



COMMISSIONERS  
 Chris Lawson, Chair  
 T. Eloise Foster, Vice Chair  
 Fausto R. Bayonet  
 Howard A. Denis

GENERAL MANAGER  
 Carla A. Reid

August 1, 2019

South Lake Partners, LLC  
 10100 Business Parkway  
 Lanham, Maryland, 20706  
 Attn: MR. Gary Michael

Re: Amended Letter of Findings # 2 WSSC Project No. DA4249Z05, South Lake (previously known as Karington, Commercial Office Park, and Collington Corporate Center)

Dear Mr. Michael:

The letter of findings for the South Lake project has been amended per your request. This amendment supersedes any previous letter of findings. The following changes have been approved:

- change in ownership from The Michael Companies to South Lake Partners LLC,
- change in number of units or type of development,
- change in construction sequence,
- change in water and sewer main alignments,
- change in number or configuration of parts of the project,

Please refer to the updated 200'-scale sketch enclosed along with the summary table and an all-inclusive list of project conditions provided below:

<b>HYDRAULIC SUMMARY TABLE</b>	
Proposed Development: SFUD: 344 Units, Townhouse: 563 Units, Apartments: 325 Unit, 2 over 2s: 128 Units, Office: 165,000 sq. ft., Medical Office: 165,000 sq. ft., Retail: 195,000 sq. ft., Restaurant: 4625 seats, Hotel: 235000 sq. ft. Clubhouse: 20,000 sq. ft., and multiple Pools	
200-ft Sheet: 201NE13 & 14, 201SE14	
<b>SEWER</b>	<b>WATER</b>
WWTP Service Area: Western Branch	Hydraulic Zone Group: Prince George's High
Mini-Basin Number: 14-130, 14-108, & 14-107	Pressure Zone: 317A
	High Grade: 355 feet
	Low Grade: 275 feet

Washington Suburban Sanitary Commission

301-206-WSSC (9772) • 301-206-8000 • 1-800-828-6439 • TTY: 301-206-8345 • www.wsscwater.com

The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued

#### PART 3 SEWER OUTFALL ALIGNMENT

The alignment of the sewer outfall proposed as Part 3 is subject to detailed SEP design review and approval. The alignment of the sewer will be required to be accessible and maintainable with adequate cross-slopes, grading and separation from floodplain and stormwater management features.

#### SERVICE CATEGORY CHANGE REQUIRED

Design plans cannot be signed until this property is designated as water and sewer service category 3. Contact the Prince George's County Department of Permitting, Inspections & Enforcement (DPIE) at 301-636-2060 / Montgomery County Department of Environmental Protection at 240-777-7716 for more information on changing a property's category.

#### MANDATORY REFERRAL PROCESS

This project may be subject to the Maryland-National Capital Park and Planning Commission's Mandatory Referral Program, depending on its planned water / sewer infrastructures and associated appurtenances. It is the Applicant's responsibility to contact the appropriate County's Department of Park and Planning for specific guidance and their standards for Mandatory Referral Review. During Phase 2 Design Review, WSSC must be notified, if the project is subject to the Mandatory Referral Process.

#### MARLBORO CLAY

The Prince George's Atlas website indicates the presence of Marlboro Clay on the site. Because this type of soil has a tendency to be unstable, the applicant and the applicant's engineer should be advised that special design measures are required to prevent shifting of proposed sanitary sewer and water extensions constructed within the zone of influence of the Marlboro Clay.

#### SUBMIT SHEETING AND SHORING PLAN

Submit an Excavation Support System Plan (ESS) to WSSC for review if your project involves subsurface features such as an underground parking garage or a deep excavation which will require tiebacks in the area of existing or proposed WSSC mains. This ESS Plan submission should be made at the time of Design Plan Submission. If, however, the excavation support work will be done before the Design Plan Submission, it will be necessary to submit the plan as a Non-DR Plan to WSSC. No work should be done in the vicinity of WSSC mains until the

ESS Plans have been reviewed by WSSC. If no ESS Plans are required for the project, the engineer should provide a letter from the Project Structural Engineer certifying that the building does not require it.

**CORROSION CONTROL**

Based on measured distance in GIS from rail road to proposed pipelines, it appears that sources of stray current are within 2,000 feet of this site. In accordance with the requirements of the latest WSSC Pipeline Design Manual Part 3 Section 28, the Form "B" Corrosion Documentation will be required to be submitted as part of the design and cathodic protection may be required for this project. If you would like to discuss the corrosion control requirements for this site or locations of testing prior to the submission of the design plans, please contact Mark Lanham within the Engineering and Environmental Services Division at 301-206-8573.

***SANITARY SEWER CONDITIONS***

**REQUIRED SANITARY SEWER MAIN SIZES**

Design flow for gravity sewers having capacity greater than an 8-inch sewer at minimum slope are shown on the attached sketch. All other sewer shall be 8-inch diameter gravity sewer.

Gravity sewers larger than 8-inch may be required. The table below shows the design flow required for the segments indicated on the sketch. Refer to the latest WSSC Pipeline Design Manual for the list of standard maximum sewer sizes at allowable minimum slopes.

Segment	Design Flow (mgd)
C' - D	0.8 mgd
D - E'	1.2 mgd
E' - E	2.0 mgd
E - G	2.3 mgd
G - I	2.4 mgd
K - J	1.3 mgd
J - L	1.6 mgd
L - N	2.0 mgd

**CAPITAL IMPROVEMENT PROGRAM (CIP)**

During the Design phase, the proposed sewer segment E' to I and J to N may be designed a CIP size (15" and larger).

The proposed 3400 - foot and 1300 - foot extensions of potentially CIP size sanitary sewers are not considered a “major project” since they meet at least one of the following criteria: 1) is less than 2,000 feet, 2) provides only local service, and 3) is built to avoid unnecessary and uneconomical duplication when a major project is constructed. Therefore, it is not necessary to include these mains in the WSSC’s Capital Improvement Program (CIP) before construction can begin.

Costs paid by the Applicant to construct a CIP-sized main may entitle the Applicant to a credit or reimbursement of the System Development Charge (SDC) imposed by WSSC. The amount of the credit will be subject to an SDC Credit Agreement. Please declare in writing if you want this project to be considered for SDC credits and/or reimbursement. The declaration must be received no later than the first design plan submittal to be considered for SDC credits and/or reimbursement.

If the total construction costs plus the other costs is equal to or greater than \$500,000, prevailing wages are required for the portions of CIP projects that are eligible for SDC Credit/Reimbursement.

#### SEWER SERVICE DEPENDENCY

It is the applicant’s responsibility to meet all downstream sewer dependencies for each development part prior to release of the part. All downstream sewers must be Released for Service (RFS) prior to issuance of the RFS for the subject part (WSSC contract).

#### INSTALL EJECTOR/GRINDER PUMPS

Based on the proposed grading plan, ejector or grinder pump(s) and on-site low-pressure sewer may be required for service. A registered plumber must install the pumps at the developer’s expense.

For properties to be served by a grinder pump system, the developer is responsible for all on-site installation (i.e. materials, electrical equipment, the grinder pump unit and plumbing hook-up which shall be installed by a registered plumber). Grinder pump units must be approved by WSSC. Ultimately the property owner will be responsible for all on-site maintenance of grinder pump systems. Builder/developers/owners should disclose this requirement to purchasers at property settlement.

#### EXTRA-DEPTH SEWER

Due to proposed grades, it will be necessary to construct extra-deep sewer ranging deeper 10 feet. See the latest WSSC Pipeline Design Manual, Section C-2.2, for

easement width requirements for deep sewers. Any pipe deeper than 20 feet (trench bottom) will require a special design that takes into consideration future maintenance of the deep sewer.

#### SHALLOW-DEPTH SEWER

A minimum cover of 4 feet must be maintained over the sanitary sewer.

#### ENVIRONMENTAL IMPACTS

The proposed sewer main outfall will impact wetlands, stream buffers, 100-year flood plain, steep slopes, and possibly large trees. The alignment may need adjustment during the design stage.

#### SHOW MINIBASIN BOUNDARY ON DESIGN PLANS

This project will be served by more than one sewer system mini-basin. Design plans that encompass more than 1 mini-basin should indicate the boundary as shown on the attached sketch.

### ***WATER MAIN EXTENSION CONDITIONS***

#### FIRE FLOW OF 2000 GPM

The Applicant for this project requested 2000 gpm fire flow. WSSC can provide 2000 gpm of fire flow to commercial units in Parts XI, XIX, XX, XXI, XXII, XXIII, XXIV & XXV and at no other locations.

#### EXTEND WATER MAINS

There are several locations where water mains need to be extended or added to serve units, complete a loop, or provide outage protection redundancy.

- Extend segments ① to ② and ③ to ④ to complete the water loops. Extend segment ⑧ to ⑨ to allow service to two end lots in Part IV adjacent to the end of road in Part IX. See attached sketch for location of segments.
- Add water main segment from ⑩ to ⑪ as shown on the sketch to avoid outage for Parts XVII and XVIII since they exceed 50 units. Construct this segment as part of Part XVII.
- Extend the proposed 12" water main from ⑤ to ⑥. This is required by WSSC. All water mains are to extend to the Applicant's property line. Also, extend the 12" water beyond the property line to connect to the existing 12" (Contract 1982-5425A) along Prince George's Blvd, segment ⑥ to ⑦ on the sketch. This extension allows for service flexibility for

this project and existing system, in the event of 24" cast iron pipe is out of service. Build segments from ⑤ to ⑦ as part of Part VII

#### LARGE DIAMETER WATER MAINS IN THE VICINITY

There is a 24-inch diameter water main located in the vicinity of this project. WSSC records indicate that the pipe material is Cast Iron (CI)

Prior to submittal of Phase 2 System Integrity review, it is the applicant's responsibility to test pit the line and determine its exact horizontal and vertical location as well as to verify the type of pipe material. *The applicant's engineer is responsible for coordinating with WSSC for monitoring and inspecting test pits for this project.* Results of the test pit findings must be accurately depicted on ALL Phase 2 plan submittals and support documents.

Please refer to the latest WSSC Pipeline Design Manual, Part 3, Section 11, Loading Analysis, for additional general information and guidance.

#### REQUIRED WATER MAIN SIZES

The diameters of the proposed mains, **4, 8, 10 and 12 inches**, are shown on the attached sketch.

#### ISOLATION VALVES

Provide sufficient numbers of isolation valves on new mains to provide redundancy. Isolation valves are required on existing public mains when a proposed main connects to an existing public main. See the sketch for preliminary locations of isolation valves. Keep valves *Open*. Numbers and exact location of valves will be determined during the Design phase.

#### PRESSURE REDUCING VALVES REQUIRED

Due to high water pressure conditions (greater than 80 psi), the on-site plumbing system requires pressure reducing valves for all buildings.

#### OUTSIDE METERS

Any residential water service over 300 feet in length will require an outside meter. For commercial water service connections, built to serve a standard or minor site utility (on-site) system over 80 feet in length, WSSC would prefer an outside meter in a vault, however an indoor meter may be allowed under certain conditions.

#### PRINCE GEORGE'S COUNTY METER LAW APPLIES TO 2 OVER 2 UNITS

In accordance with State law, the Commission shall require **individual metering of residential units** within a multi-unit condominium **or**

**cooperative ownership** property located in Prince George’s County. See the 2019 WSSC PLUMBING & FUEL GAS CODE for more information. This document can be found on WSSC website.

WATER SERVICE DEPENDENT ON OTHER CONSTRUCTION

Since this project will be built in separate parts, the following table provides information on which parts are dependent on the other parts being constructed and released for service:

<b>Part*</b>	<b>Dependencies</b>	<b>Part</b>	<b>Dependencies</b>
Part IV	Isolation Valve on 24” main, see sketch	Part XV	Part IV & Part X
Part V	Isolation Valve on 24” main, see sketch	Part XVI (includes Segment ③ to ④)	Part IV, Part IX, Part XIV, Segment ③ to ④ & Part XIII
Part VI	Part IV	Part XVII	Part V, Part VI, Part VII, & Segments ⑤ to ⑦ & from ⑩ to ⑪
Part VII (includes Segments ⑤ to ⑦)	none	Part XVIII	Part V, Part VI, Part VII, Part XVII & Segments ⑤ to ⑦
Part VIII	Part IV	Part XIX	Part V, Part VI, & Part VII
Part IX	Part IV	Part XX	Part V & Part VI
Part X	Part IV & Part IX	Part XXI	Part V & Part VI
Part XI	Part V	Part XXII	Part V, Part VI, & Part VII
Part XII	Part IV & Part V	Part XXIII	Part V, Part VI, & Part VII
Part XIII	Part IV, Part V, Part X, & Part XII	Part XIV	Part IV
Part XIV (includes Segments 1-2)	Part IV, Part IX, Segment ① to ②, Part XVI & Part XIII	Part XXV	Part IV & Part VI

\*Parts I, II, & III are sewer mains. Part VII is a mainline water and sewer. Units are not associated with these parts.

Based on the above water dependencies, the sequencing of parts may have to be revisited since there are conflicts between sewer and water dependencies, (i.e. Part X & Part IX).

## ***EASEMENT CONDITIONS***

### **GENERAL**

WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC Pipeline Design Manual. Landscaping and Hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case by case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

### **PRIVATE STREET & ALLEY EASEMENT REQUIREMENTS**

Service mains proposed for this project are located in roadways that are or may be private. Private water and sewer mains are preferred in private streets and alleys. If the applicant desires public water and sewer mains in these private streets and alleys, then the following criteria must be met:

- All separation requirements in the latest WSSC Pipeline Design Manual (PDM) must be met.
- A 10 foot Public Utility Easements (PUE) shall be provided on both sides of the private street and/or alley or space within the private street will be provided to assure PDM separations are met and limiting utility crossings of the WSSC water and sewer lines.
- Blanket easements for other utilities (gas, electric, telephone, CATV, fiber optic, etc.) within the private street and/or alley parcel will not be allowed. The HOA documents shall not provide for a blanket easement across and under a private street and/or alley parcel.
- Dry utilities are to be located in the PUE or as described above. No dry utilities are to be placed within the WSSC easement for public water and sewer except to cross perpendicular to the public water and sewer mains.
- The storm drain system located in a private street and/or alley containing public water and sewer mains shall also be public and maintained by the County.

### **COORDINATION WITH OTHER BURIED UTILITIES**

Refer to the latest WSSC Pipeline Design Manual Pages G-1 and G-2 for utility coordination requirements. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC easement unless specifically approved by WSSC. Longitudinal occupancy of WSSC easements (by other utilities) is not permitted. Proposed utility crossings of WSSC pipelines or easements that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at the design plan review phase. Refer to the latest WSSC Pipeline

Design Manual Part Three, Section 3. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including impacts to proposed street and building layouts.

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 easements. Upon completion of the site construction, any utilities that are found to be located within WSSC’s easements (or in conflict with WSSC pipelines) must be removed and relocated at the applicant’s expense.

#### IMPACTS DUE TO GRADING / PIPE LOADING CHANGES

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 easement 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 easement 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. For Relocations work associated with a Systems Extension Project or a Site Utility Project, contact the Development Services Division. Please arrange for this review before plan submittal. See WSSC Design Manual C-11.

#### PROVIDE FREE EASEMENT TO WSSC

Easements across your property for water and sewer line placement must be provided at no cost to the WSSC. Also, an easement and construction easement across your property for future WSSC water line placement, as shown on the attached sketch, must be provided at no cost to WSSC. The Applicant shall execute and deliver on-property easements prior to plan approval in accordance with the Development Services Code, which shall constitute an irrevocable offer by the Applicant to convey all on-property easements to WSSC.

#### PROVIDE ADDITIONAL EASEMENT TO WSSC

Additional easement may be required to adequately maintain the existing water and sewer mains.

#### ADHERE TO MINIMUM EASEMENT WIDTHS

The minimum easement width for a normal (14 inches diameter or less) extension, either water or sewer, installed at normal depth is 20 feet. A minimum easement width of 30 feet is required when both normal-diameter water and gravity sewer lines are installed in the same easement at normal depth. Installation of deep or large water and / or sewer mains will require additional easement width. For minimum horizontal separation between a building and a WSSC pipeline, refer to the requirements in the latest WSSC Pipeline Design Manual, Part Three, Section 3.c.2. Based on WSSC requirements, the minimum spacing between adjacent buildings with both water and sewer lines between them should be at least 40 feet and, in some cases, greater when connections, fire hydrants, or deep sewer or water lines are involved. Balconies and other building appurtenances are not to be within the easement. Additionally, water and sewer pipeline alignment should maintain 5 feet horizontal clearance from storm drain pipeline / structures and other utilities.

#### ***CONNECTION AND SITE UTILITY CONDITIONS***

##### MINIMIZE CONNECTION LENGTHS

The length of all connections should be minimized.

##### SITE UTILITY PROCESS REQUIRED

The Site Utility process is usually required for water lines greater than 2 inches in diameter or sewer lines greater than 4 inches. Contact Permit Services at 301-206-8650 or at [www.wsscwater.com](http://www.wsscwater.com) for more information on electronic submittal of Site Utility plans.

##### ENVIRONMENTAL CONDITIONS

The applicant must resolve all environmental issues directly with the Environmental reviewer. All outstanding environmental issues must be resolved prior to the Design Phase.

The next step in the process is Phase 2, Review for System Integrity. Contact Permit Services at 301-206-8650 or at [www.wsscwater.com](http://www.wsscwater.com) for more information on electronic submittal of System Integrity Review Packages. Should you wish to schedule a pre-design meeting, please contact me at (301) 206-8812 or [Shari.Djourshari@wsscwater.com](mailto:Shari.Djourshari@wsscwater.com).

This Letter of Findings will expire if no “actions” are taken by the applicant over the 3-year period following the date of this letter. For definition of “actions”, see the latest Development Services Code, Section 405.1.1.

South Lake Partners, LLC  
MR. Gary Michael  
8/1/2019  
Page 11

If you have any questions or concerns, please feel free to contact me at 301-206-8812 or [Shari.Djourshari@wsscwater.com](mailto:Shari.Djourshari@wsscwater.com)@wsscwater.com.

Sincerely,  
Shari Djourshari, Ph. D.



Project Manager  
Development Services Division

Enclosure: 200'-scale sketch

cc: Paul B Woodburn – Ben Dyer Associates, Inc.  
Ms. Shirley Branch ([sbranch@co.pg.md.us](mailto:sbranch@co.pg.md.us)) - Department of Permitting,  
Inspections & Enforcement (DPIE)

**Additional Back-up**

**For**

**Detailed Site Plan DSP-19023**

**South Lake**



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

March 4, 2020

The Honorable Elizabeth M. Hewlett, Chairman  
Prince George's County Planning Board  
14741 Governor Oden Bowie Drive  
County Administration Building  
Upper Marlboro, Maryland 20772

RE: Detailed Site Plan #DSP-19023  
South Lake

Dear Chairman Hewlett:

On December 2, 2019 and March 2, 2020, the Bowie City Council conducted public hearings on the above referenced Detailed Site Plan. The site is located in the southwestern quadrant of the U.S. Route 301/MD Route 214 (Central Avenue) interchange, and is zoned E-I-A (Employment and Institutional Area), but is being developed under the regulations for the M-X-T zone. Detailed Site Plan #DSP-19023 includes the development of 1,035 residential dwelling units (344 single-family detached units, 563 townhouse units and 128 two-over-two/condominium units), a 5,272+/- sq. ft. clubhouse, in-ground swimming pool, several recreational amenities and a trail network on 282.97 acres.

During the public hearing, the City Council focused its discussion on approved area road improvements associated with the development, and the types of retail/commercial uses the developer is attempting to attract to this mixed-use community. The City Council found that the proposed Detailed Site 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.

At the conclusion of the public hearing, the Council voted to recommend **APPROVAL** of **Detailed Site Plan #DSP-19023** for South Lake with the following conditions, which are intended to improve site and building aesthetics, and to conform to the City's Development Review Guidelines and Policies:

1. Building Architecture and Materials.
  - A. Clubhouse Complex.
    - (i) The brick water table and cementitious siding building materials proposed on the end walls of the two buildings facing each other shall be shown and identified on the plans.
    - (ii) The trash/recycling area shall be bounded on three sides by an 8-foot high solid wall constructed of the brick used on the clubhouse buildings, and shall be enclosed by an 8-foot high visually-solid wooden fence. A detail of this enclosure area shall be shown on the plans.
2. Recreational Amenities.
  - A. The surface mount coil bike racks shall be replaced with bike racks of the inverted "U" design to accommodate a minimum of 12 bicycles. These bike racks shall be more evenly located throughout the clubhouse complex (perhaps locating several of them between the two buildings), as well as

**Detailed Site Plan #DSP-19023  
South Lake**

adjacent to/between the court area and patio. All bike racks shall be placed on a paved/concrete surface in locations that do not interfere with pedestrian access or circulation.

- B. Inverted "U-type" bike racks to accommodate a minimum of five bicycles shall be located at each of the following locations: the two playgrounds; the two open play areas; the tot lot; the pre-teen lot; and, the pocket park.
- C. Temporary signage shall be installed on the sites of future recreational amenities to inform future residents living near or adjacent to one of the recreational amenity locations that a recreational feature will be constructed next to, across from, etc., their dwelling.

3. Landscaping.

The planting of White Pine trees shall be limited to the perimeter of the site where the existing woodlands being preserved can help support the White Pines by limiting their exposure to wind gusts. Throughout the remainder of the site, the White Pine trees proposed shall be replaced with American Holly trees ('Ilex Opaca'), 6 ft. to 8 ft. in height at the time of planting.

4. Signage.

The plans shall be revised to provide information how Signs #2, #3 and #4 will be lit.

During the public hearing, the applicant's representative stated agreement with the above conditions.

Thank you for allowing the City to participate in the County's land development review process.

Sincerely,



Bowie City Council  
Timothy J. Adams  
Mayor

cc: Mr. Nat Ballard, Senior Associate, Rodgers Consulting  
Mr. Adam Bossi, Urban Design Section, M-NCPPC  
Mr. Arthur J. Horne, Jr., Shipley and Horne, P.A.  
Mr. Charlie Howe, P.E. Senior Team Engineer, Rodgers Consulting  
Mr. Kevin Kennedy, NAI Michael  
Ms. Jill Kosack, Urban Design Section, M-NCPPC  
Mr. Jonathan Mayers, Chesapeake Realty Partners  
Mr. Scott Rouk, Chesapeake Partners Realty  
Mr. Matthew C. Tedesco, McNamee, Hosea, Jernigan, Kim, Greenan and Lynch, P.A.  
Mr. Paul Woodburn, Ben Dyer and Associates  
Mr. Henry Zhang, AICP, LEED AP, Urban Design Section, M-NCPP

t:/bccletter>plgbd.doc



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

March 10, 2020

Mr. William "Bill" Tyler, Director  
Department of Parks and Recreation  
6600 Kenilworth Avenue  
Riverdale MD 20737

RE: Planning Board Approval Condition #16  
Corrected Amended Resolution PGCPB No. 04-247(C/3)(A/2)  
Preliminary Plan #4-04035  
South Lake

Dear Director Tyler:

We have been in communication with your staff regarding the referenced Planning Board condition of approval for South Lake. The condition concerns design of the Master Plan trail through the development (shown on Applicant's Exhibit A, attached). As a result of decisions made during the review process, the trail will be wholly located within the public right-of-way which will be dedicated to the City and maintained by the City.

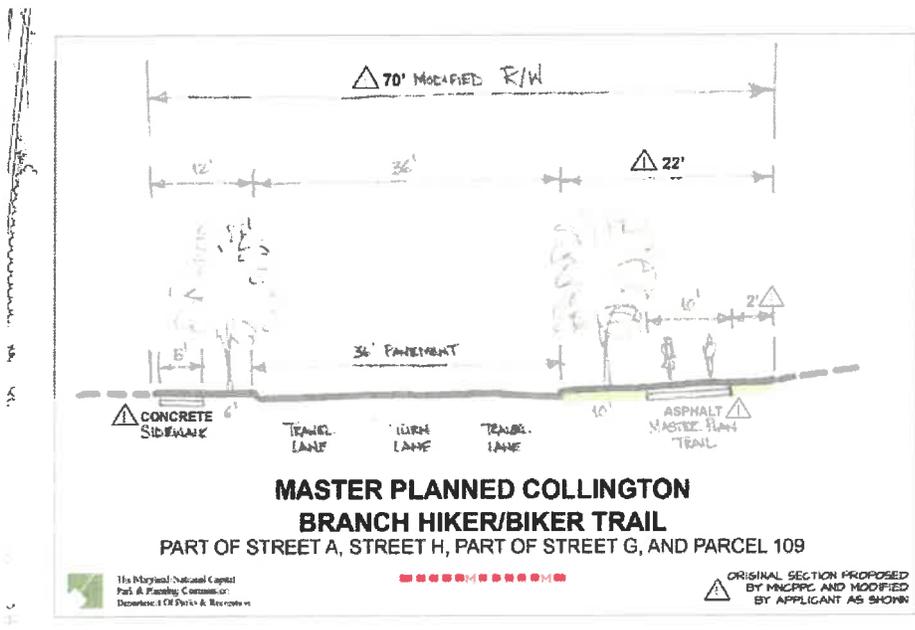
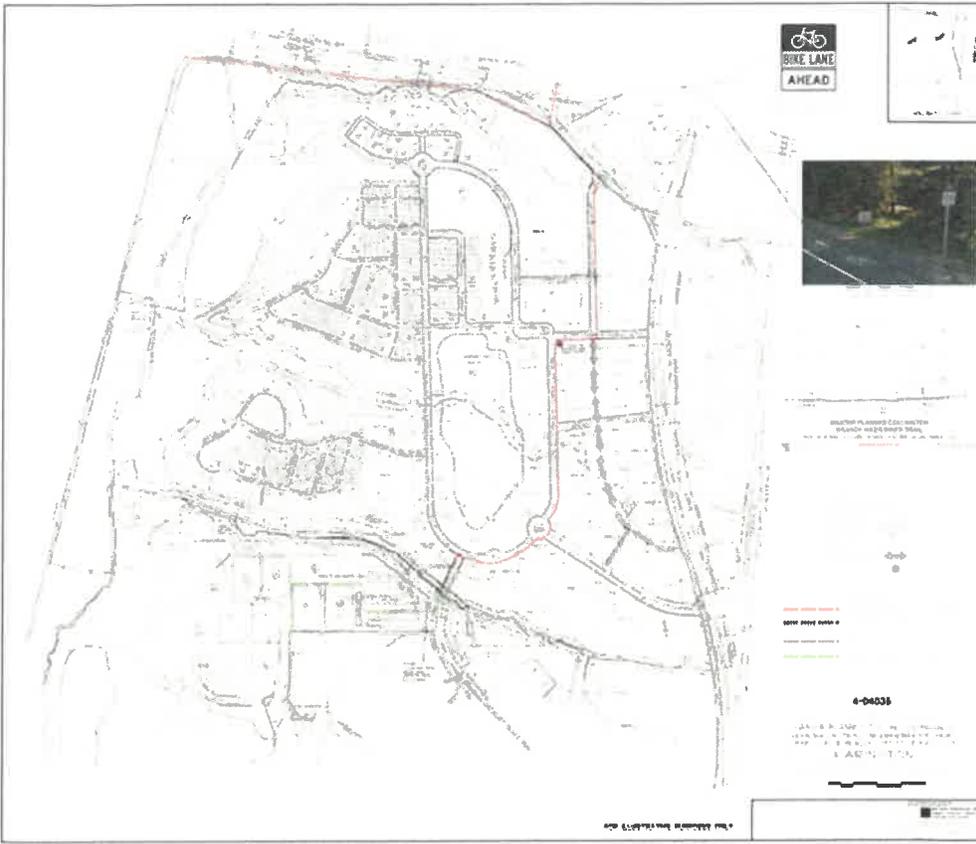
Per Condition #16, the Department of Parks and Recreation (DPR) must review and approve of the trail within public or private right-of-way, including design of the trail per the Applicant's Exhibit A. The infrastructure plans reviewed by the City include this trail and meet the design requirements of Exhibit A, within the public right-of-way. The City has approved these construction drawings, which will include standard street lighting that will light the trail. Since the Master Plan trail will be a City trail, we hope that no further review is required by DPR. Please advise if you have any questions or require anything else from the City.

Sincerely,

Joseph M. Meinert, AICP  
Director of Planning  
and Community Development

cc: Ms. Helen Asan, Development Review Section Supervisor  
Mr. Tom Zyla, Development Review Section  
Ms. Sonja Ewing, Assistant Division Chief, Park Planning and Development Division  
Ms. Bridget Stesney, Division Chief, PPD  
Mr. Joseph Arce, Park Planner, Central Area  
Ms. Wanda Ramos, Division Chief, Central Area Operations  
Mr. Kevin Kennedy, NAI Michael  
Mr. Scott Rouk, Chesapeake Realty Partners  
Mr. Paul Woodburn, Ben Dyer  
Mr. Henry Zhang, M-NCPPC Urban Design Master Planner  
Mr. George Stephanos, City Public Works Director

Preliminary Plan #4-04035 APPLICANT'S EXHIBIT A



# **Applicant's Additional Back-up**

**For**

## **Detailed Site Plan DSP-19023 South Lake**

# SOUTH LAKE CSP-02004 & DSP-19023

*Applicant's Proposed Amended Findings:*

**General**

As a point of clarification, the 10-foot wide Collington Branch master planned trail is not included in this application and was approved as part of the review of DSP-05042-02.

**Stormwater Management**

At the time of the 35 submittal, the site had a SWM Concept Plan Approval Letter (26947-2002-03) and plans approved on May 8, 2017 by DPIE. DPIE has subsequently issues an extension (received March 6, 2020) which extends the approval date to May 8, 2023. A pdf copy of the approval was forwarded to Mr. Adam Bossi on March 10, 2020.

\* \* \* \* \*

*Applicant's Proposed Amended Conditions:*

**RECOMMENDATION**

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

B. APPROVE Detailed Site Plan DSP-19023 and Type II Tree Conservation Plan TCPII-126-05-03 for South Lake, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:

\* \* \* \* \*

c. Add the location of the mitigated 1.5 safety factor line, as applicable, based on the revised grading plan to the DSP and Type II tree conservation plan. Include the line symbol in the legend, delineate the required building setback line, as applicable, and add a note to all sheets identifying whether the plan sheet includes a 1.5 mitigated safety factor line. If no mitigated 1.5 safety factor line exists on the site, a note shall be added to all plan sheets stating there is no 1.5 mitigated safety factor line included on-site.

d. Revise the Type II tree conservation plan (TCPII), as follows:

~~(1) — Use the standard symbols and labeling provided in the Environmental Technical Manual in the legend and on the plan set.~~

~~(1)~~ (1) Provide a complete legend of all graphic elements represented on the plan set and place it on all plans included in the plan set.

~~(2)~~ (2) Identify the tree protection fence in the legend as (temporary) and use the correct acronym, TPF.

- ~~(4)~~ (3) Separately identify unmitigated and mitigated noise contours in legend and on plan.
- ~~(5)~~ (4) Tree protection signs should be identified as temporary or permanent. Add a detail of a temporary tree protection sign suitable for use during construction to the plan set [as applicable](#) and show how the signage is attached to the temporary tree protection fence. Temporary tree protection signs shall be spaced 50 feet apart.
- ~~(6)~~ (5) Provide a detail for the installation of permanent tree protection signs after the removal of temporary devices. Add a post-type permanent tree protection detail to the plan and provide notes for implementation. Permanent tree protection signage should be spaced 50 feet apart.
- ~~(7)~~ (6) Add a graphic for the 1.5 safety factor line to the legend, [as applicable](#).
- ~~(8)~~ (7) Add the approval date and signature in typeface to the approval block.
- ~~(9)~~ (8) Add ~~a standard~~ non-native invasive species management [guidelines plan](#) to the detail sheet.
- ~~(10)~~ (9) Add all current and ~~applicable~~ standard Type II Tree Conservation Notes to the plan as found in the Environmental Technical Manual-[as applicable](#).
- ~~(11)~~ ~~Identify what the colored dots on lots throughout the development are illustrating. Add to legend if applicable to the TCPII or remove from plans.~~
- ~~(12)~~ (10) Provide a woodland conservation sheet summary table on each plan sheet [containing woodland conservation](#).
- ~~(13)~~ ~~Delineate and label mitigated and unmitigated noise contours as applicable. Include ground level upper level noise contours if indicated.~~
- ~~(14)~~ (11) Label all stormwater management (SWM) features on the site by type and identifier on the final technical SWM plan.
- ~~(15)~~ (12) Remove lines on the plan which indicate rights-of-way that have been vacated.
- ~~(16)~~ (13) Where retaining walls are proposed, woodland conservation shall be set back a minimum of 10 feet from the top and bottom of the walls to allow for a work and maintenance zone.
- ~~(17)~~ (14) Label all metes and bounds on all property lines that are external to the development.
- ~~(18)~~ (15) On Sheets 51 and 52, remove all grading and proposed development elements from the preservation area.
- ~~(19)~~ (16) Revise TCPII as necessary to address all other conditions of approval.
- ~~(20)~~ (17) Adjust and reconcile all worksheets and tables to reflect any revisions to the TCPII.

~~(21)~~ (18) Have the revised plan signed and dated by the qualified professional that prepared the plan.

\* \* \* \* \*

~~3. Prior to submission of a final record plat, the applicant and the applicant's heirs, successors, and/or assignees shall submit, for approval, three original, executed Recreational Facility Agreements (RFAs) to the Prince George's County Department of Parks and Recreation (DPR) for construction of public on-site recreational facilities. Upon approval by DPR, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to recordation.~~

4. ~~3.~~ Prior to approval of any building permit, the applicant shall:

- c. Provide a noise certification prepared by a professional engineer, with competency in acoustical analysis, stating that the interior noise levels have been reduced to 45 dBA Ldn or less through the proposed building materials, for the portions of the residential buildings only within the unmitigated 65 dBA Ldn or higher noise impact area.
- d. Provide \$420 to the Prince George's County Department of Permitting, Inspections and Enforcement for the placement of one Share the Road with a Bike signage assembly along MD 214 (Central Avenue).
- e. 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 all private recreational facilities and the master-planned trail.

~~5.~~ 4. The development proposed by this DSP shall conform with the following development standards:

	Townhouses	Two Family Attached	Single Family Detached
Minimum Lot / Parcel Size	1,300 sf	--	6,000 SF
Min. Width at Front Street ROW	16'	100'	25'
Maximum Lot / Parcel Coverage	80%	80%	70%
Minimum Setback to Front of Unit	10'	15'	20'
Minimum Setback to Side of Unit	<u>0 feet (interior units)</u> / 4 feet ( <u>end units</u> )	<u>0 feet (interior units)</u> / 4 feet ( <u>end units</u> )	5'
Minimum Setback to Rear of Unit	18'	N/A	20'
Maximum Building Height	36'	50'	36'
Minimum Green Area	20%	20%	30%
Accessory Improvements***			
	Fences*	Decks*	Sheds*,**
Minimum Side Yard Setback	0'	<u>0 feet (interior units)</u> / 4 feet ( <u>end units</u> )	1'
Minimum Rear Yard Setback	0'	10'	1'

Maximum Height	6'	n/a	10' to peak of roof
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KEY:

Underscoring indicates language added to conditions.

~~Strikethrough~~ indicates language deleted from conditions.

Asterisks \*\*\* indicate intervening existing conditions that remain unchanged.

EXHIBIT'S LIST

**Regular Planning Board Meeting**

**MARCH 26, 2020 (for March 19, 2020 Agenda Items)**

**Exhibits Transmitted to Development Review Division**

AGENDA ITEM #6- DETAILED SITE PLAN

DSP-19023 SOUTH LAKE

The following exhibits were accepted and entered into the record:

- Memorandum from Staff 2-pages
- Letters from City of Bowie (March 4 and March 10, 2020) 4-pages
- Applicant's Proposed Revised Conditions 5-pages

***MARIE PROCTOR***

*Marie Proctor*

***SIGN AND DATE***

***MARCH 26, 2020***



REC'D BY PGCPB ON 3-26-2020  
ITEM # 6 CASE # DSP-19023  
EXHIBIT # Staff Memorandum - Revisions  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
www.pgplanning.org

March 25, 2020

**MEMORANDUM**

TO: The Prince George's County Planning Board

VIA: James Hunt, Chief, Development Review Division  
Jill Kosack, Supervisor, Urban Design Section, Development Review Division JSK

FROM: Adam Bossi, Planner Coordinator, Urban Design Section AB  
Development Review Division

SUBJECT: **Item 6 – Conceptual Site Plan CSP-02004 & Detailed Site Plan DSP-19023  
South Lake**  
Planning Board Agenda March 19, 2020 – Staff Revisions to Technical Report

Based upon recommendations and analysis received from the Bowie City Council, staff recommends the following revised findings and conditions of approval (added text underlined, deleted text [~~strikethrough~~]):

**Revised Finding 15n, page 41**

- n. **City of Bowie**—[At the time of writing of this staff report, the City of Bowie City Council was scheduled to review the subject DSP and related DSP-19024 on March 2, 2020. Their recommendations will be incorporated, prior to the Planning Board hearing.]

In a letter dated March 4, 2020 (Adams to Hewlett), incorporated herein by reference, the Bowie City Council recommended approval of this DSP, subject to four conditions relative to the clubhouse architecture, bike racks and temporary signage at the recreational facilities, plant types, and signage details.

Staff concurs with the Bowie City Council's Conditions 1, 2a, 2b, and 4, as applicable to the Planning Board's review of this DSP, and has included these conditions in the Recommendation Board's review of this DSP, and has included these conditions in the Recommendation section. In respect to Condition 2c, the requested temporary signage is not required and should not be a part of the DSP. In respect to Condition 3, the DSP has been found to be in conformance with the applicable

requirements of the Landscape Manual; however, the applicant indicated they intend to comply to the City's request for a change to plant material.

**New and Revised Conditions, pages 42-43**

- B. APPROVE Detailed Site Plan DSP-19023 and Type II Tree Conservation Plan TCPII-126-05-03 for South Lake, subject to the following conditions:
1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:
    - b. Provide inverted U-shaped bicycle parking racks at the proposed clubhouse, that accommodate at least ~~six~~ 12 bicycles. These bicycle racks shall be evenly located near the clubhouse, patio area, and sport court; placed on paved/concrete surfaces; and located so as not to interfere with pedestrian circulation.
    - e. Provide inverted U-shaped bicycle parking racks to accommodate a minimum of five bicycles at each of the following recreational areas: the two playgrounds, the two open play areas, the tot lot, the pre-teen lot, and the pocket park.
    - f. Revise the clubhouse elevation to label the brick watertable and cementitious siding on the sides of the two buildings that face each other.
    - g. Provide a detail of the clubhouse trash enclosure, illustrating it is enclosed on three sides by an eight-foot-high solid wall faced with the same brick to be used on the clubhouse façade.
    - h. Provide details/notes of how Signs 2, 3, and 4 are to be lit.
    - i. Revise the plan sheets to identify all highly visible residential units.



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

REC'D BY PGCPB ON 3-26-2020  
ITEM # 6 CASE # DSP 19023  
EXHIBIT # City of Bowie Ltrs (2)

March 4, 2020

The Honorable Elizabeth M. Hewlett, Chairman  
Prince George's County Planning Board  
14741 Governor Oden Bowie Drive  
County Administration Building  
Upper Marlboro, Maryland 20772

RE: Detailed Site Plan #DSP-19023  
South Lake

Dear Chairman Hewlett:

On December 2, 2019 and March 2, 2020, the Bowie City Council conducted public hearings on the above referenced Detailed Site Plan. The site is located in the southwestern quadrant of the U.S. Route 301/MD Route 214 (Central Avenue) interchange, and is zoned E-I-A (Employment and Institutional Area), but is being developed under the regulations for the M-X-T zone. Detailed Site Plan #DSP-19023 includes the development of 1,035 residential dwelling units (344 single-family detached units, 563 townhouse units and 128 two-over-two/condominium units), a 5,272+/- sq. ft. clubhouse, in-ground swimming pool, several recreational amenities and a trail network on 282.97 acres.

During the public hearing, the City Council focused its discussion on approved area road improvements associated with the development, and the types of retail/commercial uses the developer is attempting to attract to this mixed-use community. The City Council found that the proposed Detailed Site 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.

At the conclusion of the public hearing, the Council voted to recommend **APPROVAL** of **Detailed Site Plan #DSP-19023** for South Lake with the following conditions, which are intended to improve site and building aesthetics, and to conform to the City's Development Review Guidelines and Policies:

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    - (i) The brick water table and cementitious siding building materials proposed on the end walls of the two buildings facing each other shall be shown and identified on the plans.
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  - A. The surface mount coil bike racks shall be replaced with bike racks of the inverted "U" design to accommodate a minimum of 12 bicycles. These bike racks shall be more evenly located throughout the clubhouse complex (perhaps locating several of them between the two buildings), as well as

adjacent to/between the court area and patio. All bike racks shall be placed on a paved/concrete surface in locations that do not interfere with pedestrian access or circulation.

- B. Inverted "U-type" bike racks to accommodate a minimum of five bicycles shall be located at each of the following locations: the two playgrounds; the two open play areas; the tot lot; the pre-teen lot; and, the pocket park.
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4. Signage.

The plans shall be revised to provide information how Signs #2, #3 and #4 will be lit.

During the public hearing, the applicant's representative stated agreement with the above conditions.

Thank you for allowing the City to participate in the County's land development review process.

Sincerely,



Bowie City Council  
Timothy J. Adams  
Mayor

cc: Mr. Nat Ballard, Senior Associate, Rodgers Consulting  
Mr. Adam Bossi, Urban Design Section, M-NCPPC  
Mr. Arthur J. Horne, Jr., Shipley and Horne, P.A.  
Mr. Charlie Howe, P.E. Senior Team Engineer, Rodgers Consulting  
Mr. Kevin Kennedy, NAI Michael  
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Mr. Paul Woodburn, Ben Dyer and Associates  
Mr. Henry Zhang, AICP, LEED AP, Urban Design Section, M-NCPP



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

March 10, 2020

Mr. William "Bill" Tyler, Director  
Department of Parks and Recreation  
6600 Kenilworth Avenue  
Riverdale MD 20737

RE: Planning Board Approval Condition #16  
Corrected Amended Resolution PGCPB No. 04-247(C/3)(A/2)  
Preliminary Plan #4-04035  
South Lake

Dear Director Tyler:

We have been in communication with your staff regarding the referenced Planning Board condition of approval for South Lake. The condition concerns design of the Master Plan trail through the development (shown on Applicant's Exhibit A, attached). As a result of decisions made during the review process, the trail will be wholly located within the public right-of-way which will be dedicated to the City and maintained by the City.

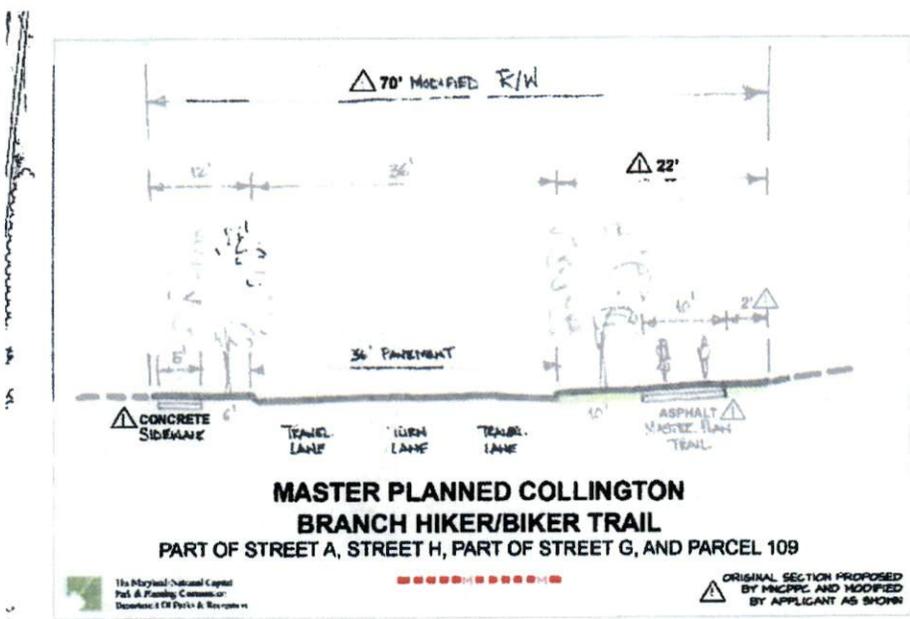
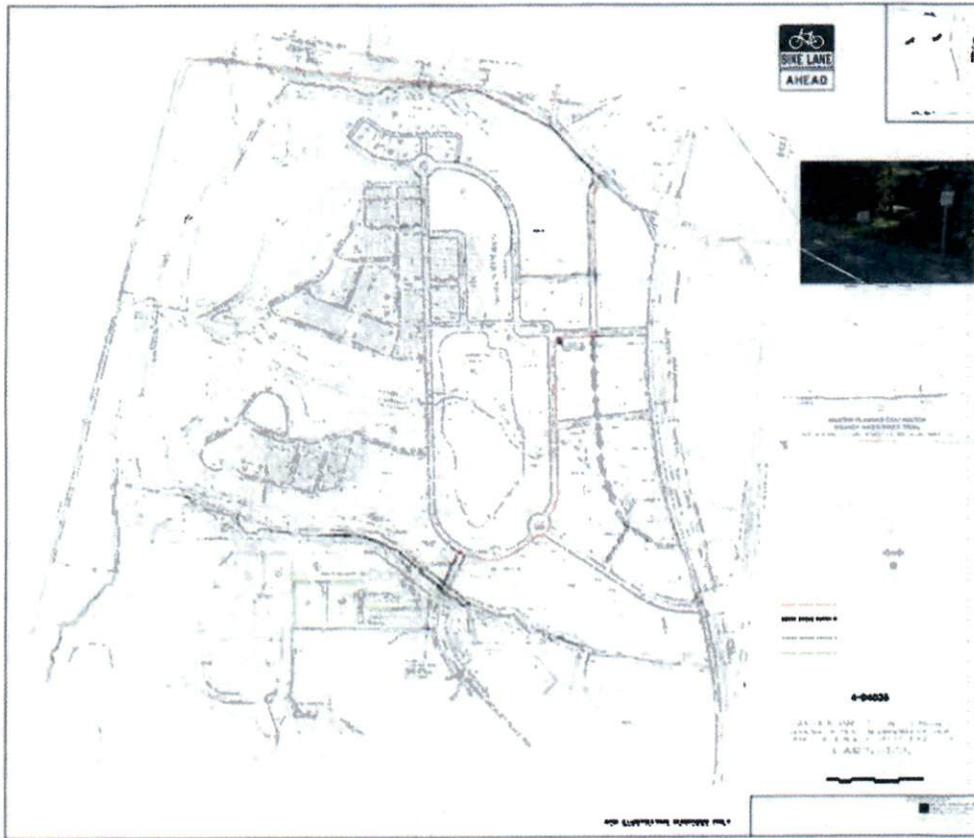
Per Condition #16, the Department of Parks and Recreation (DPR) must review and approve of the trail within public or private right-of-way, including design of the trail per the Applicant's Exhibit A. The infrastructure plans reviewed by the City include this trail and meet the design requirements of Exhibit A, within the public right-of-way. The City has approved these construction drawings, which will include standard street lighting that will light the trail. Since the Master Plan trail will be a City trail, we hope that no further review is required by DPR. Please advise if you have any questions or require anything else from the City.

Sincerely,

Joseph M. Meinert, AICP  
Director of Planning  
and Community Development

cc: Ms. Helen Asan, Development Review Section Supervisor  
Mr. Tom Zyla, Development Review Section  
Ms. Sonja Ewing, Assistant Division Chief, Park Planning and Development Division  
Ms. Bridget Stesney, Division Chief, PPD  
Mr. Joseph Arce, Park Planner, Central Area  
Ms. Wanda Ramos, Division Chief, Central Area Operations  
Mr. Kevin Kennedy, NAI Michael  
Mr. Scott Rouk, Chesapeake Realty Partners  
Mr. Paul Woodburn, Ben Dyer  
Mr. Henry Zhang, M-NCPPC Urban Design Master Planner  
Mr. George Stephanos, City Public Works Director

Preliminary Plan #4-04035 APPLICANT'S EXHIBIT A





# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

March 4, 2020

The Honorable Elizabeth M. Hewlett, Chairman  
Prince George's County Planning Board  
14741 Governor Oden Bowie Drive  
County Administration Building  
Upper Marlboro, Maryland 20772

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    - (i) The brick water table and cementitious siding building materials proposed on the end walls of the two buildings facing each other shall be shown and identified on the plans.
    - (ii) The trash/recycling area shall be bounded on three sides by an 8-foot high solid wall constructed of the brick used on the clubhouse buildings, and shall be enclosed by an 8-foot high visually-solid wooden fence. A detail of this enclosure area shall be shown on the plans.
2. Recreational Amenities.
  - A. The surface mount coil bike racks shall be replaced with bike racks of the inverted "U" design to accommodate a minimum of 12 bicycles. These bike racks shall be more evenly located throughout the clubhouse complex (perhaps locating several of them between the two buildings), as well as

adjacent to/between the court area and patio. All bike racks shall be placed on a paved/concrete surface in locations that do not interfere with pedestrian access or circulation.

- B. Inverted "U-type" bike racks to accommodate a minimum of five bicycles shall be located at each of the following locations: the two playgrounds; the two open play areas; the tot lot; the pre-teen lot; and, the pocket park.
- C. Temporary signage shall be installed on the sites of future recreational amenities to inform future residents living near or adjacent to one of the recreational amenity locations that a recreational feature will be constructed next to, across from, etc., their dwelling.

3. Landscaping.

The planting of White Pine trees shall be limited to the perimeter of the site where the existing woodlands being preserved can help support the White Pines by limiting their exposure to wind gusts. Throughout the remainder of the site, the White Pine trees proposed shall be replaced with American Holly trees ('Ilex Opaca'), 6 ft. to 8 ft. in height at the time of planting.

4. Signage.

The plans shall be revised to provide information how Signs #2, #3 and #4 will be lit.

During the public hearing, the applicant's representative stated agreement with the above conditions.

Thank you for allowing the City to participate in the County's land development review process.

Sincerely,



Bowie City Council  
Timothy J. Adams  
Mayor

cc: Mr. Nat Ballard, Senior Associate, Rodgers Consulting  
Mr. Adam Bossi, Urban Design Section, M-NCPPC  
Mr. Arthur J. Horne, Jr., Shipley and Horne, P.A.  
Mr. Charlie Howe, P.E. Senior Team Engineer, Rodgers Consulting  
Mr. Kevin Kennedy, NAI Michael  
Ms. Jill Kosack, Urban Design Section, M-NCPPC  
Mr. Jonathan Mayers, Chesapeake Realty Partners  
Mr. Scott Rouk, Chesapeake Partners Realty  
Mr. Matthew C. Tedesco, McNamee, Hosea, Jernigan, Kim, Greenan and Lynch, P.A.  
Mr. Paul Woodburn, Ben Dyer and Associates  
Mr. Henry Zhang, AICP, LEED AP, Urban Design Section, M-NCPP



# City of Bowie

15901 Excalibur Road  
Bowie, Maryland 20716

March 10, 2020

Mr. William "Bill" Tyler, Director  
Department of Parks and Recreation  
6600 Kenilworth Avenue  
Riverdale MD 20737

RE: Planning Board Approval Condition #16  
Corrected Amended Resolution PGCPB No. 04-247(C/3)(A/2)  
Preliminary Plan #4-04035  
South Lake

Dear Director Tyler:

We have been in communication with your staff regarding the referenced Planning Board condition of approval for South Lake. The condition concerns design of the Master Plan trail through the development (shown on Applicant's Exhibit A, attached). As a result of decisions made during the review process, the trail will be wholly located within the public right-of-way which will be dedicated to the City and maintained by the City.

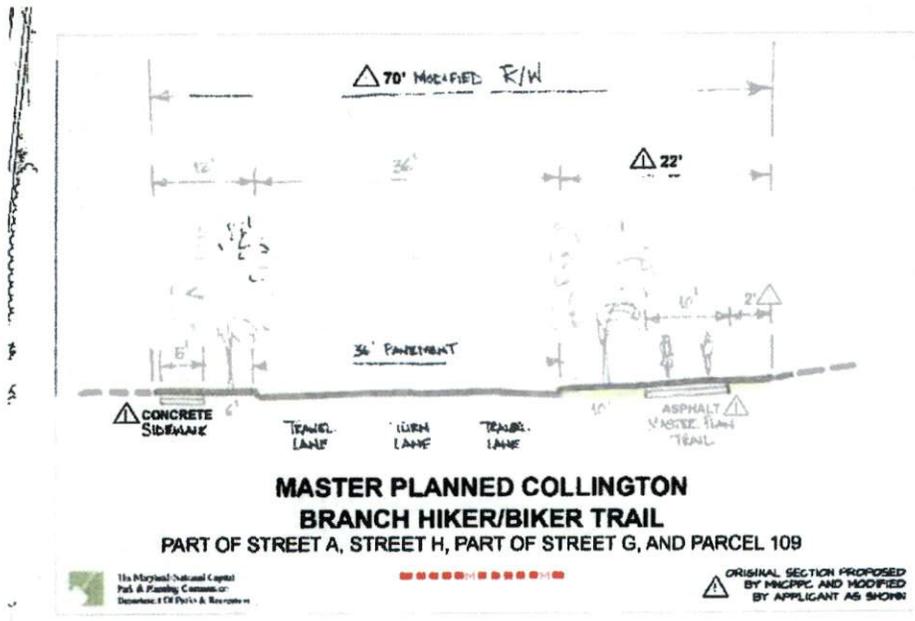
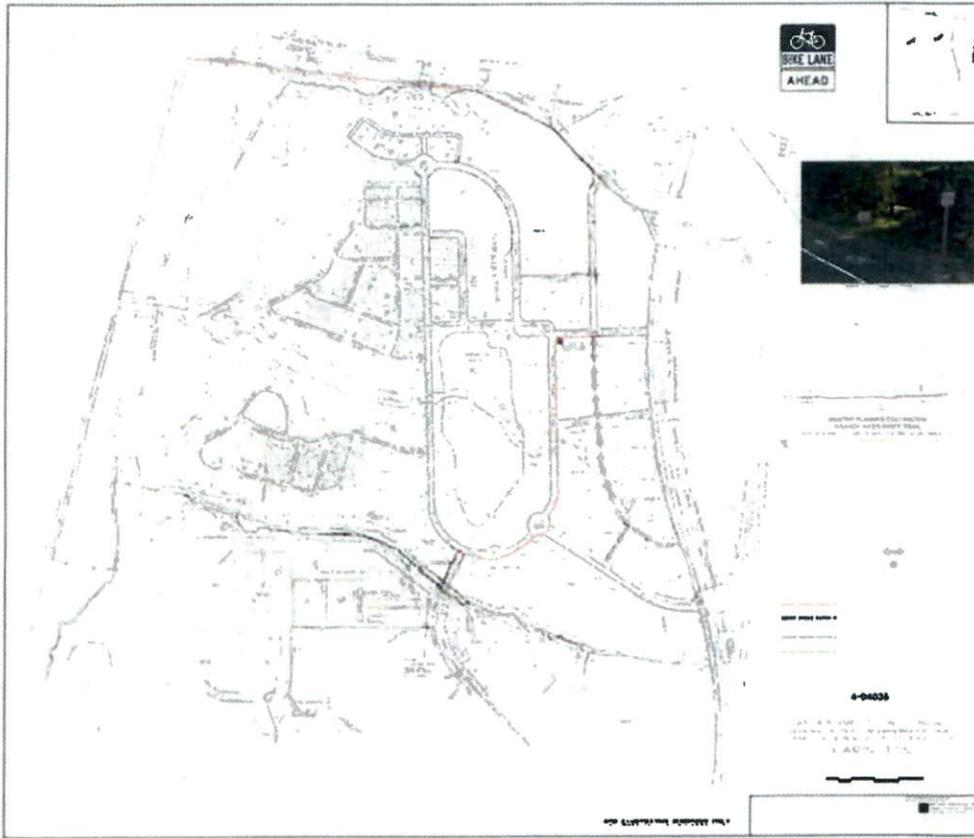
Per Condition #16, the Department of Parks and Recreation (DPR) must review and approve of the trail within public or private right-of-way, including design of the trail per the Applicant's Exhibit A. The infrastructure plans reviewed by the City include this trail and meet the design requirements of Exhibit A, within the public right-of-way. The City has approved these construction drawings, which will include standard street lighting that will light the trail. Since the Master Plan trail will be a City trail, we hope that no further review is required by DPR. Please advise if you have any questions or require anything else from the City.

Sincerely,

Joseph M. Meinert, AICP  
Director of Planning  
and Community Development

cc: Ms. Helen Asan, Development Review Section Supervisor  
Mr. Tom Zyla, Development Review Section  
Ms. Sonja Ewing, Assistant Division Chief, Park Planning and Development Division  
Ms. Bridget Stesney, Division Chief, PPD  
Mr. Joseph Arce, Park Planner, Central Area  
Ms. Wanda Ramos, Division Chief, Central Area Operations  
Mr. Kevin Kennedy, NAI Michael  
Mr. Scott Rouk, Chesapeake Realty Partners  
Mr. Paul Woodburn, Ben Dyer  
Mr. Henry Zhang, M-NCPPC Urban Design Master Planner  
Mr. George Stephanos, City Public Works Director

Preliminary Plan #4-04035 APPLICANT'S EXHIBIT A



**SOUTH LAKE  
CSP-02004 & DSP-19023**

*Applicant's Proposed Amended Findings:*

**General**

As a point of clarification, the 10-foot wide Collington Branch master planned trail is not included in this application and was approved as part of the review of DSP-05042-02.

**Stormwater Management**

At the time of the 35 submittal, the site had a SWM Concept Plan Approval Letter (26947-2002-03) and plans approved on May 8, 2017 by DPIE. DPIE has subsequently issues an extension (received March 6, 2020) which extends the approval date to May 8, 2023. A pdf copy of the approval was forwarded to Mr. Adam Bossi on March 10, 2020.

\* \* \* \* \*

*Applicant's Proposed Amended Conditions:*

**RECOMMENDATION**

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

B. APPROVE Detailed Site Plan DSP-19023 and Type II Tree Conservation Plan TCPII-126-05-03 for South Lake, subject to the following conditions:

1. Prior to certification of this detailed site plan (DSP), the following revisions shall be made, or information provided:

\* \* \* \* \*

c. Add the location of the mitigated 1.5 safety factor line, as applicable, based on the revised grading plan to the DSP and Type II tree conservation plan. Include the line symbol in the legend, delineate the required building setback line, as applicable, and add a note to all sheets identifying whether the plan sheet includes a 1.5 mitigated safety factor line. If no mitigated 1.5 safety factor line exists on the site, a note shall be added to all plan sheets stating there is no 1.5 mitigated safety factor line included on-site.

d. Revise the Type II tree conservation plan (TCPII), as follows:

~~(1)~~ — Use the standard symbols and labeling provided in the Environmental Technical Manual in the legend and on the plan set.

~~(2)~~ (1) Provide a complete legend of all graphic elements represented on the plan set and place it on all plans included in the plan set.

~~(3)~~ (2) Identify the tree protection fence in the legend as (temporary) and use the correct acronym, TPF.

- (4) (3) Separately identify unmitigated and mitigated noise contours in legend and on plan.
- (5) (4) Tree protection signs should be identified as temporary or permanent. Add a detail of a temporary tree protection sign suitable for use during construction to the plan set as applicable and show how the signage is attached to the temporary tree protection fence. Temporary tree protection signs shall be spaced 50 feet apart.
- (6) (5) Provide a detail for the installation of permanent tree protection signs after the removal of temporary devices. Add a post-type permanent tree protection detail to the plan and provide notes for implementation. Permanent tree protection signage should be spaced 50 feet apart.
- (7) (6) Add a graphic for the 1.5 safety factor line to the legend, as applicable.
- (8) (7) Add the approval date and signature in typeface to the approval block.
- (9) (8) Add ~~a standard~~ non-native invasive species management guidelines plan to the detail sheet.
- (10) (9) Add all current and ~~applicable~~ standard Type II Tree Conservation Notes to the plan as found in the Environmental Technical Manual as applicable.
- ~~(11) Identify what the colored dots on lots throughout the development are illustrating. Add to legend if applicable to the TCPII or remove from plans.~~
- (12) (10) Provide a woodland conservation sheet summary table on each plan sheet containing woodland conservation.
- ~~(13) Delineate and label mitigated and unmitigated noise contours as applicable. Include ground level upper level noise contours if indicated.~~
- (14) (11) Label all stormwater management (SWM) features on the site by type and identifier on the final technical SWM plan.
- (15) (12) Remove lines on the plan which indicate rights-of-way that have been vacated.
- (16) (13) Where retaining walls are proposed, woodland conservation shall be set back a minimum of 10 feet from the top and bottom of the walls to allow for a work and maintenance zone.
- (17) (14) Label all metes and bounds on all property lines that are external to the development.
- (18) (15) On Sheets 51 and 52, remove all grading and proposed development elements from the preservation area.
- (19) (16) Revise TCPII as necessary to address all other conditions of approval.
- (20) (17) Adjust and reconcile all worksheets and tables to reflect any revisions to the TCPII.

(21) (18) Have the revised plan signed and dated by the qualified professional that prepared the plan.

\* \* \* \* \*

~~3. — Prior to submission of a final record plat, the applicant and the applicant’s heirs, successors, and/or assignees shall submit, for approval, three original, executed Recreational Facility Agreements (RFAs) to the Prince George’s County Department of Parks and Recreation (DPR) for construction of public on-site recreational facilities. Upon approval by DPR, the RFA shall be recorded among the Prince George’s County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to recordation.~~

4. 3. Prior to approval of any building permit, the applicant shall:

- c. Provide a noise certification prepared by a professional engineer, with competency in acoustical analysis, stating that the interior noise levels have been reduced to 45 dBA Ldn or less through the proposed building materials, for the portions of the residential buildings only within the unmitigated 65 dBA Ldn or higher noise impact area.
- d. Provide \$420 to the Prince George’s County Department of Permitting, Inspections and Enforcement for the placement of one Share the Road with a Bike signage assembly along MD 214 (Central Avenue).
- e. 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 all private recreational facilities and the master-planned trail.

~~5.~~ 4. The development proposed by this DSP shall conform with the following development standards:

	Townhouses	Two Family Attached	Single Family Detached
Minimum Lot / Parcel Size	1,300 sf	--	6,000 SF
Min. Width at Front Street ROW	16'	100'	25'
Maximum Lot / Parcel Coverage	80%	80%	70%
Minimum Setback to Front of Unit	10'	15'	20'
Minimum Setback to Side of Unit	<u>0 feet (interior units) / 4 feet (end units)</u>	<u>0 feet (interior units) / 4 feet (end units)</u>	5'
Minimum Setback to Rear of Unit	18'	N/A	20'
Maximum Building Height	36'	50'	36'
Minimum Green Area	20%	20%	30%
Accessory Improvements***			
	Fences*	Decks*	Sheds*,**
Minimum Side Yard Setback	0'	<u>0 feet (interior units) / 4 feet (end units)</u>	1'
Minimum Rear Yard Setback	0'	10'	1'

Maximum Height	6'	n/a	10' to peak of roof
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KEY:

Underscoring indicates language added to conditions.

~~Strikethrough~~ indicates language deleted from conditions.

Asterisks \*\*\* indicate intervening existing conditions that remain unchanged.