

PGCPB No. 11-78(A)(C)

File No. SDP-1001

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, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

~~*[WHEREAS, in consideration of evidence presented at a public hearing on July 28, 2011, regarding Specific Design Plan SDP-1001 for Edwards Property, the Planning Board finds:]~~

*WHEREAS, SDP-1001 for the Edwards Property was approved by the Planning Board on July 28, 2011, and PGCPB Resolution No. 11-78 was adopted on September 15, 2011; and

*WHEREAS, on September 26, 2011, District Council elected to review this case; and

*WHEREAS, on November 14, 2011, the District Council voted to remand the case to the Planning Board in accordance with Section 27-290 of the Zoning Ordinance in order to reconsider the removal of tree canopy including 24 specimen trees, and traffic impacts of the proposed development including issues of pedestrian safety; and

*WHEREAS, in consideration of evidence presented at a second public hearing on February 9, 2012 regarding CDP-1001 for the Edwards Property, the Planning Board made the following amended findings:

1. **Request:** The request in this case is for construction of 22,288 square feet of retail development in a visually-integrated, 9,275-square-foot freestanding pharmacy and a 13,013-square-foot retail building on approximately 4.14 acres in the Local Activity Center (L-A-C) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	L-A-C	L-A-C
Gross tract area	4.14 acres	4.14 acres
Area within the 100-year floodplain	0.48 acre	0.48 acre
Net tract area	3.67 acres	3.67 acres

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

PARKING AND LOADING

USE/REQUIREMENTS		REQUIRED/ALLOWED	PROVIDED
Retail Use-9,275 GFA			
Minimum Parking	1 Space/150 SF for first 3,000 SF	20	
	1 Space/200 SF for over 3,000 SF	32	
TOTAL REQUIRED (ADA + COMPACT + STANDARD)		52	52
ADA Parking:	1 Space/25 Provided Spaces	3	3
Van Accessible:	1 Space/4 ADA Spaces	1	2
Compact Spaces:	30% of minimum allowed	15	3
Standard Spaces:	(Provided-ADA-Compact)	34	46
CVS Use-13,013 GFA			
Minimum Parking:	1 Space/150 SF for first 3,000 SF	20	
	1 Space/200 SF for over 3,000 SF	51	
TOTAL REQUIRED (ADA + COMPACT + STANDARD)		71	73
ADA Parking:	1 Space/25 Provided Spaces	3	4
Van Accessible:	1 Space/4 ADA Spaces	1	2
Compact Spaces:	30% of minimum allowed	21	0
Standard Spaces:	(Provided-ADA-Compact)	47	69
Retail Use-9,275 GFA			
2,000-10,000 GFA:	1 Loading Space Required	1	1
CVS Use-13,013 GFA			
2,000-10,000 GFA	1 Loading Space Required		
10,000-100,000 SF GFA:	+Loading Space Required	2	2

3. **Location:** The subject project is located on a triangular piece of land bounded by Riggs Road (MD 212) to the south, Edwards Way to the west, and Adelphi Road to the east.
4. **Surrounding Uses:** Across the respective rights-of-way identified above are located: Metzerott Plaza shopping center to the south, George Washington Memorial Cemetery and a church to the northeast, and multifamily residential land use to the west.
5. **Approval History and other Pending Applications:** The site is the subject of approved Stormwater Management Concept Plan 2925-2005-02, dated May 5, 2011 and approved on May 27, 2011. Basic Plan A-9954 was approved for the project on September 9, 2004. Also in the approval history for the project are Preliminary Plan of Subdivision 4-06029, which was withdrawn on May 20, 2008, and Comprehensive Design Plan CDP-0502, which was withdrawn January 29, 2009. In addition, Comprehensive Design Plan CDP-1001 was approved by the Planning Board on June 16, 2011 and formalized in PGCPB Resolution No. 11-62. On that same day, Preliminary Plan of Subdivision 4-10019 was approved for the project, as formalized in PGCPB Resolution No. 11-63. *The Planning approved Specific Design Plan SDP-1001 on

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*July 28, 2011, as formalized in PGCPB Resolution No. 11-78 for this site for 22,288 square feet of retail development including a 13,013-square foot free standing pharmacy and a 9,725-square foot two-tenant building.

6. **Design Features:** The SDP proposes a 22,288-square-foot retail development, including a 9,275-square-foot freestanding CVS drug store and a 13,013-square-foot retail building connected by a drive-through architectural archway, which would connect the two buildings on the second story. The plan proposes two vehicular access points to the site, one from Adelphi Road and one from Riggs Road (MD 212). Parking for the project is located primarily on three sides of the building along the Riggs and Adelphi Road frontages and on the right side of the building. A limited amount of parking is located on the left side of the buildings. Three loading spaces are indicated for the project: one on the left side of the Riggs Road façade of the proposed CVS, one on its left side elevation, and a third adjacent to the second retail building on the site, proximate to the Adelphi Road frontage. The point of this triangular site defined by Edwards Way and Adelphi Road, where a stream is proposed to be relocated, will be landscaped and provide a bioretention function. A focal feature is provided for the project at the intersection of Adelphi and Riggs Roads including enhanced landscaping, a trellis, and two brick wall features flanking a sign that reads "Welcome to Adelphi."

Complete details for the exact construction of all streetscape and focal point amenities required by the CDP and the landscaping along Edwards Way were not provided in the SDP. Therefore, conditions of this approval define these details and enable a finding that the applicant has met the requirements of the CDP. See Finding 8 for a detailed description of the subject project's conformance to the requirements of the CDP with respect to design features.

The proposed architecture for the project is largely rectilinear, with an archway motif articulating the main façade of the CVS pharmacy and first story of the entry to the drive-through between the two buildings. Materials utilized include brick on the first story, with brick piers periodically rising from the first story to the project's flat roofline. The second story of the proposed buildings is proposed to be predominantly exterior insulation finishing system (EIFS), yellow in color. EIFS is also utilized in a buff color to create the illusion of capitals on the pilasters between the first and second story and as a cornice along the roofline. An aluminum, vinyl/acrylic product is utilized for the signage and door and window framework. Fenestration for the building is almost residential in style in the upper story, including four- and six-light windows.

*In response to Remand Point B.2, the Planning Board required as a condition of this approval that drought-resistant native perennial and annual ornamental and flowering plants augment the offering of the landscape plan, including on the parking lot islands.

COMPLIANCE WITH EVALUATION CRITERIA

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7. **Basic Plan A-9954:** Basic Plan A-9954 was approved for the project and its approval formalized in Zoning Ordinance 10-2004 on July 30, 2004. Each condition of that approval is listed in bold face type below, followed by comment.

- (1) **The Basic Plan shall be revised to show the following rights-of-way along the frontages of the subject property: MD 212 – 40 feet from center line (towards the ultimate right-of way of 80 feet); Adelphi Road – 50 feet from center line (toward the ultimate right-of way of 100 feet); Edwards Way – 35 feet from center line (in accordance with Zoning Ordinance requirements adjacent to a commercial zone).**

The above condition had been met. Further, this was also a condition of approval of Preliminary Plan of Subdivision 4-10019 and Comprehensive Design Plan CDP-1001, and this dedication will be demonstrated at the time of final plat approval for the project.

- (2) **The Applicant will provide a double left-turn lane along southbound/westbound MD 212 at the approach to Adelphi Road. Timing of this improvement will be determined at the preliminary plan of subdivision.**

This improvement is required by the approved basic plan and that the applicant must provide the improvement unless the District Council modifies the requirement. Further, this was also a condition of Preliminary Plan of Subdivision 4-10019 and Comprehensive Design Plan CDP-1001 and is required to be met at the time of issuance of the first building permit for the project.

- (3) **Prior to the approval of the Specific Design Plan for the subject property, the Applicant shall submit an acceptable traffic signal warrant study to the County Department of Public Works and Transportation (DPW&T) for the intersection of Adelphi Road and Edwards Way. The applicant shall use a new 12-hour count and shall analyze signal warrants under total future traffic as well as existing traffic.**

This was also a condition of Preliminary Plan of Subdivision 4-10019 and Comprehensive Design Plan CDP-1001, which stated that “prior to the approval of a specific design plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for signalization at the intersection of Adelphi Road and Edwards Way.” The required signal warrant study has been received.

- (4) **During the review of Preliminary Plan of Subdivision, the Applicant shall provide more detailed operational analyses at the intersections of MD 212/Edwards Way and MD 212/site entrance. The scope of these analyses will be determined after approval of the proposed Basic Plan and in consideration of the permitted access to the site.**

This condition was met as required at the time of approval of the relevant Preliminary Plan of Subdivision, 4-10019.

- (5) **Total commercial development of the subject 4.14 acre site shall be limited to a maximum of 40,000 square feet.**

The development approved in the subject application is 22,288 square feet, which is well within the cap of 40,000 square feet specified in this condition.

- (6) **During the Comprehensive Design Plan and Subdivision review, the Applicant shall address the addition of public streets to accomplish access from Adelphi Road or obtain a variance from Section 24-121 of the Subdivision Regulations.**

The applicant obtained a variance from Section 24-121 of the Subdivision Regulations at the time of approval of the relevant preliminary plan, as required by this condition.

- (7) **Development of the subject property shall have a woodland conservation threshold of 20 percent. If off-site mitigation is proposed, the first priority for mitigation sites shall be within the Anacostia Watershed.**

In a Type 2 tree conservation plan (TCP2) submitted with the subject application; however, a threshold calculation of 15 percent instead of 20 was utilized in the worksheet. The Type 1 Tree Conservation Plan (TCP1-015-06-01) approved with CDP-1001, and subsequently with Preliminary Plan 4-10019, uses a threshold of 20 percent as required by condition of this approval. The TCP2 must be revised in order to be in conformance with the approved TCP1. Because the entire woodland conservation requirement is proposed to be met off-site, the required revision will not affect the proposed design.

- (8) **During the Comprehensive Design Plan and the Specific Design Plan review, the Applicant shall address the following issues:**

- A. **Architectural design shall be distinctive in order to create an image of quality and permanence.**

The approved architecture may be said to be distinctive in order to create an image of quality and permanence. It would be completed largely in brick, utilize form, massing, and architectural detail so as to create a pleasing architectural aspect. The use of archways between the two buildings on-site to create a nexus between the two buildings is imaginative and creates additional visual interest.

- B. **A build-to line shall be considered in order to create an inviting streetscape.**

A build-to line was considered by the applicant, but was not implemented in this case, because it was not believed to be practical for this project. An effort was made to suggest a build-to line by the connection of the two buildings by an arched element parallel to the street. Treatment of the streetscape will be further enhanced by conditions of this approval in deference to the expressed desire in the basic plan to create an inviting streetscape.

C. The streetscape shall create a pedestrian-friendly environment with consideration of the following elements:

- (1) Street furniture including pedestrian lighting**
- (2) Trash receptacles**
- (3) Bike racks**
- (4) Pedestrian crosswalks should be a contrasting paving material**
- (5) Need for bus stop**

Streetscape elements discussed and indicated by a detail include a decorative fence, monument wall with a "Welcome to Adelphi" sign, a bench, a trash receptacle, a bike rack, a bus shelter, and a stamped and striped pedestrian crosswalk. However, the location of these details had not been consistently, clearly, or adequately shown on the plans, drawn to scale. Also, although some site lighting is located on the plans, no detail had been included. Therefore, conditions of this approval require all details be included in the plans, drawn to scale, and that the streetscape design be improved. In particular, several different types of streetscape design defined in the conditions of this approval shall be utilized in the subject application, including a knee wall topped by a fence and periodic masonry piers.

D. Massive surface parking facilities adjacent to either Riggs Road or Adelphi Road shall be prohibited.

A "massive" aspect for surface parking has been avoided by providing some of the parking on each side of the buildings. The parking will be largely screened by landscaping and by streetscape treatments along the street frontages.

E. An architectural focal point and/or sculpture located within a green area shall be provided at the intersection of Adelphi and Riggs Road.

A focal feature is provided for the project at the intersection of Adelphi and Riggs Road, including enhanced landscaping, a trellis, two brick wall features flanking a sign that reads "Welcome to Adelphi," a brick pier on either side of the trellis, and an evergreen hedge behind it. The architectural focal point serves as an expression of civic pride for the Adelphi locality. A condition of this approval requires a more detailed plan for the same be approved by staff as designee of the Planning Board prior to signature approval to ensure appropriate conformance to this requirement.

F. No loading and/or dumpster areas shall be visible from adjacent roadways.

The site has been designed so that loading and the dumpster enclosure are located on the Edwards Way frontage, which is most heavily landscaped and further enhanced by conditions of this approval. The loading space and dumpster enclosure should not be

visible from Edwards Way as it will be screened in conformance with the requirements of Section 4.4 of the 2010 *Prince George's County Landscape Manual*.

- G. The design plans shall address the entire property, so that the final development of the individual lots creates a visually cohesive development, compatible in regard to architectural treatment and site layout.**

Architectural style (ornamentation, massing, and detail) are well coordinated between the buildings. They appear to be one and the materials and architectural design of the two buildings are in harmony.

(9) Other conditions of approval:

- A. The leadership of the Buck Lodge Citizens Association, White Oak Manor Civic Association, and Hampton's Association will each nominate two representatives and one alternate to participate with the developer of the subject property in regular meetings, scheduled by the developer, during each of the phases of development (including but not limited to the Preliminary Plan of Subdivision, Comprehensive Design Plan, and Specific Design Plan) of the property.**

The applicant has provided evidence of having corresponded and met with representatives of the Buck Lodge Citizens Association, White Oak Manor Civic Association, and the Hampton's Association, with a history dating back to March 2005. Most notably among this correspondence is a letter signed by Ken Morgan of the Buck Lodge Citizens Association, Larry Sledd of the White Oak Manor Civic Association, and Lisa Arrington of the Hampton's Association, which included the following understanding:

- They understand the project to include two buildings; one for a drugstore and the second to have a maximum of two tenants.

The applicant is now proposing the second building with four tenants, a minor deviation.

- They feel that the project generally meets the zoning conditions except those that cannot be met due to site constraints.
- They support the revised architecture as being distinctive, and that it will create an image of quality and permanence both in terms of its exterior, which is specified as predominantly brick, extensive glazing around the building entries, and a bricked archway connecting the two buildings which gives the appearance of respecting a build-to line along the street frontage.

- They feel that the revised plans create a pedestrian-friendly environment by the addition of street furniture, pedestrian lighting, trash receptacles, bike racks, and bus stop areas.
 - They like the entry feature as a focal point at the Adelphi/Riggs Road intersection.
 - They feel that massive parking areas and visible loading and dumpster areas have been eliminated by building and parking placement and by moving the loading and dumpsters closer to Edwards Way, where landscaping is the heaviest.
 - They think the changes show good improvement and warrant moving forward with the approval of the comprehensive design plan for the project.
- B. At the time of the Preliminary Plan application, the developer of the subject property shall include the intersection of Metzert Road and Riggs Road in its traffic study, to demonstrate the adequacy of transportation facilities in the surrounding area,**

Compliance with this requirement was evaluated at the time of preliminary plan of subdivision approval.

- C. Any required widening and improvements to the public rights-of-way for Riggs Road, Adelphi Road, and Edwards Way shall include five-foot wide sidewalks, in accordance with applicable State and County standards.**

Sidewalks along Riggs and Adelphi Roads meet this requirement.

- D. The developer of the subject property shall work with the Maryland State Highway Administration on the improvements to Riggs Road, Maryland Route 212, to provide a center turn lane to allow northbound traffic to make left turns into the subject property without impeding through traffic.**

In a letter dated March 29, 2011, the State Highway Administration (SHA) noted that the traffic consultant proposed to widen eastbound Riggs Road (MD 212) to provide an exclusive left turn lane, and that they generally concurred with the proposed improvements at MD 212. Therefore, it may be said that the developer of the property is working with the SHA on the improvements to Riggs Road to provide a center turn lane to allow northbound traffic to make left turns into the subject property without impeding through traffic.

- E. The developer of the subject property shall be responsible for payments for all road and intersection improvements necessary to mitigate any failing traffic condition caused by the on-site development. Such improvements will be determined at the time of Preliminary Plan Review.**

Compliance with this condition was evaluated at the time of approval of the preliminary plan of subdivision for the project.

- F. The developer of the subject property shall work with the various transit authorities and agencies to maintain the locations of the existing bus stops along Riggs Road and Adelphi Road. The developer shall construct a bus pull-off area to allow the loading and unloading of passengers out of the travel lanes of the roadways, within the public rights-of-way.**

Two bus stops are indicated, one along the Adelphi Road frontage and the other along the Riggs Road frontage.

- G. The developer of the subject property shall work with the Prince George's County [sic] Department of the Environment, to utilize low impact stormwater management techniques to the degree practicable.**

The applicant has offered to utilize low impact stormwater management techniques to the degree practicable. See Finding 8, Environmental comments, for a more detailed discussion of the applicant's stormwater management for the site.

- H. The developer of the subject property shall take all reasonable actions to alleviate and reduce the possibility of crime occurring on or adjacent to the property.**

The site will be well lit including lighting on the periphery of the site along the street frontages. Additionally, the proposed streetscape treatment, improved by conditions of this approval, provides needed visibility so as to deter crime in accordance with Crime Prevention through Environmental Design (CPTED) principles.

- J. The developer shall keep clean all areas of the subject property, during and after development.**

A condition of this approval requires that trash receptacles and the dumpster be emptied as needed and that the site and its landscaping be regularly maintained. All dust free surfaces shall be washed and swept as needed.

- K. The developer shall incorporate trees, shrubs, open areas, flowers, walkways, and lighting into the site plan. The property shall be cleared of poorly lit or secluded areas, and adequate safety lighting shall be installed to improve visibility into the site and deter illegal activity.**

Trees, shrubs, walkways, and lighting have been incorporated into the plans. The addition of perennial and annual flowering plants to the landscape plan are required by a condition of this approval.

- (10) **The developer shall make its best efforts to include a restaurant as an ancillary tenant on the subject property.**

The developer has proffered evidence that he has made efforts to include a restaurant as an ancillary tenant on the subject property. However, the size of the site and the volume of passing traffic were mentioned as two of the reasons that have made these efforts unsuccessful to date.

8. **Comprehensive Design Plan CDP-1001:** Comprehensive Design Plan CDP-1001 was approved for the subject project on March 14, 2011. The approval was later formalized in a resolution, PGCPB Resolution No. 11-62, adopted by the Planning Board on July 7, 2011. Plans for the CDP have not yet been certified. Each requirement of that approval is reiterated below in **bold face type**, followed by staff comment:

1. **Prior to signature approval of the plans, the applicant shall revise the plans as follows or provide the additional specified documentation:**

- a. **Provide a double left-turn lane along southbound/westbound Riggs Road (MD 212) at the approach to Adelphi Road or such other modification approved by DPW&T and SHA.**

- b. **The following shall be added as a note in the general notes of the comprehensive design plan:**

"Total development within the subject property shall be limited to uses which generate no more than 23 AM and 268 PM peak-hour vehicle trips. Any development generating an impact greater than this amount shall require an amended comprehensive design plan with a new determination of the adequacy of transportation facilities."

- c. **The plans shall clearly indicate that access to the site shall be limited to a right-in/right-out access on Adelphi Road and to a full movement intersection on Riggs Road (MD 212) opposite Metzert Plaza and revised to replace the grey arrows with blue, indicating only pedestrian access to Edwards Way.**

- d. **Indicate clearly on the comprehensive design plan a dedication of 35 feet from the centerline of Edwards Way, 40 feet from the centerline of Riggs Road (MD 212), and 50 feet from the centerline of Adelphi Road as required by Basic Plan A-9964-C.**

- e. **Procure from DPW&T a written statement that the subject project is in conformance with the requirements of the approved stormwater management concept or its revisions, should the applicant be required by DPW&T to revise the concept. Such statement shall be submitted to the Urban Design Section as designee of the Planning Board.**
- f. **Additional trash receptacles shall be added to the site and provided interior to the site and along all street frontages. Final design of this additional pedestrian streetscape element shall be approved by the Urban Design Section as designee of the Planning Board.**
- g. **A note shall be added to the plans stating that trash receptacles and the dumpster shall be emptied as needed; that the site and its landscaping shall be regularly maintained; and that all dust free surfaces shall be washed and swept as needed.**
- h. **Perennial and annual flowering plants shall augment the offerings of the landscape plan. Final design of such additional landscaping shall be approved by the Urban Design Section as designee of the Planning Board.**

As plans for the comprehensive design plan have not yet been certified, the Planning Board reviewed the specific design plan for the items listed above and found it not to be in conformance with the requirements of this condition. A condition of this approval ensures that these requirements are conformed to by the subject SDP.

- 3. **Prior to approval of the first specific design plan for the subject property, the applicant shall:**
 - a. **Submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection of Adelphi Road and Edwards Way. The applicant shall utilize a new 12-hour count, and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible operating agency. If any signal or other traffic control improvements is/are deemed warranted by the traffic signal warrant for signalization at the intersection of Adelphi Road and Edwards Way, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by the agency.**

In an e-mail dated July 12, 2011, from the applicant's traffic engineer to the Department of Public Works and Transportation (DPW&T) he stated that the Planning Board had attached a copy of a traffic signal warrant evaluation for the intersection of Adelphi Road and Edwards Way to their e-mail. However, since no return e-mail from DPW&T was

received by or forwarded to indicating that DPW&T found the study "acceptable," a condition of this approval requires that, prior to signature approval of the specific design plan, the applicant provide a written statement from DPW&T indicating that they found the traffic signal warrant evaluation for the intersection of Adelphi Road and Edwards Way submitted by the applicant's traffic engineer to be acceptable.

- b. **Proffer detailed dimensioned color drawings to scale, including all materials describing the exact construction of all streetscape and focal point amenities, including but not limited to the "Welcome to Adelphi" sign, all types of walls to be utilized around the periphery of the site and in the focal point, benches, trash receptacles, bike racks, and decorative light fixtures. The location of [sic] all such details and amenities shall be indicated on the specific design plan.**

A condition of this approval requires conformance to this requirement prior to signature approval.

- c. **Provide a detailed landscape plan including trees, shrubs and annual and perennial flowers creating a diversity of seasonal interest and a vegetative buffer along Edwards Way.**

The landscaping indicated in the vegetative buffer along Edwards Way includes 16 *Acer saccharum* 'Green Mountain'/Green Mountain Sugar Maples, 5 *Celtis occidentalis* 'Common Hackberry, 3 *Zelkova serrata* 'Green Vase'/Green Vase Zelkova, 2 *Quercus Rubra* 'Red Oaks, one unidentified shrub grouping (#10) proximate to its intersection with Adelphi Road, and nine additional groups of shrubs intermittently located along the project's Edwards Way frontage. A condition of this approval requires that the planting schedule be revised to include some evergreen trees to create a diversity of seasonal interest and annual and perennial flowers as required by the condition.

- d. **Provide a thorough analysis of all specimen trees whose removal have been approved by the companion variance to CDP-1001 to determine if preservation of any of the specimen trees can be achieved through adjustment of grading, use of retaining walls or other measures.**

The applicant has provided an exhibit entitled "Specimen Tree/Root Zone Impacts." Such analysis included all specimen trees whose removal was approved in the variance from the requirements of Section 25-122(b)(1)(G) that was granted together with CDP-1001. The Planning Board concurs that preservation of the specimen trees authorized to be removed by that variance cannot be achieved through adjustment of grading, use of retaining walls, or other measures. Therefore, the applicant is in conformance with this requirement.

- 9. **Preliminary Plan of Subdivision 4-10019:** Preliminary Plan of Subdivision 4-10019 was approved by the Planning Board on June 16, 2011 and the Planning Board adopted PGCPB

Resolution No. 11-63 on June 16, 2011, subject to 16 conditions, formalizing this approval. Each relevant condition of approval is included in **bold face type** below, followed by staff comment:

1. **Prior to signature approval of the subject preliminary plan of subdivision, the following technical corrections shall be made:**

- a. **General Note 23 shall be reworded as follows:**

“Any abandoned well found within the confines of the above referenced property will be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department. Any abandoned septic tank found within the confines of the property will be pumped out by a Health Department licensed scavenger and either removed or backfilled in place.”

As the preliminary plan has not yet received signature approval, a condition of this approval requires that the preliminary plan for the project be certified prior to signature approval of the subject specific design plan.

2. **Total development within the subject property shall be limited to uses which generate no more than 23 AM and 268 PM peak-hour vehicle trips. Any development generating an impact greater than this amount shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

This requirement echoes Condition 1b of approved CDP-1001. Condition 1i below ensures that this statement be added to the SDP prior to signature approval.

3. **Access to the site shall be limited to a right-in/right-out access on Adelphi Road and to a full movement intersection on Riggs Road (MD 212) opposite Metzert Plaza. Prior to the issuance of the first building permit within the subject property, the applicant shall complete a traffic queuing analyses for the Maryland State Highway Administration (SHA) at the proposed site access point on MD 212. The applicant will be responsible for any improvements required by SHA, including the provision of a center turn lane, at this location.**

This requirement echoes Condition 1c of approved CDP-1001. Condition 1i below requires that the first portion of this requirement be clearly shown on the SDP prior to signature approval. The second portion of this requirement is triggered at the later time of “prior to the issuance of the first building permit within the subject property.”

4. **Prior to the approval of the specific design plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to the Department of Public Works and Transportation (DPW&T) for signalization at the intersection**

of Adelphi Road and Edwards Way. The applicant shall utilize a new 12-hour count, and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible operating agency. If a signal or other traffic control improvements are deemed warranted at that time, the applicant shall bond the signal with the appropriate agency prior to the release of any building permits within the subject property, and install it at a time when directed by the agency.

Requirements in this respect have been met by applicant's traffic engineer transmitting to DPW&T a copy of a traffic signal warrant evaluation for the intersection of Adelphi Road and Edwards Way. However, since no return e-mail from DPW&T was received by or forwarded to the Planning Board indicating that DPW&T found the study was "acceptable" as required by the condition, a condition of this approval requires that, prior to signature approval of the specific design plan, the applicant provide a written statement from DPW&T that they found the traffic signal warrant evaluation for the intersection of Adelphi Road and Edwards Way submitted by the applicant's traffic engineer to be acceptable.

5. **Prior to issuance of the first building permit within the subject property, the following transportation improvements (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 installation of double left-turn lanes on the southbound/westbound approach of Riggs Road (MD 212) at Adelphi Road. This improvement will not be required if it is rescinded by the District Council. The applicant will be responsible for any associated pavement markings, signage, traffic signal modifications, etc. at this location. These improvements are under the purview and permitting by SHA.**
 - b. **An acceptable traffic signal warrant study, by the applicant, to SHA for signalization at the intersection of Riggs Road (MD 212) and Edwards Way and any signal or other traffic control improvements that are deemed warranted at that time. The applicant shall utilize a new 12-hour count, and shall analyze signal warrants under total future traffic as well as existing traffic at the direction of the responsible operating agency.**

This requirement is triggered at a time later than approval of the subject SDP, i.e. prior to the issuance of the first building permit within the subject property.

7. **Provide a striped crosswalk across Riggs Road (MD 212) at the intersection of Riggs Road and Adelphi Road to be reviewed at the time of specific design plan.**

This off-site improvement is indicated on the plans for the project.

8. **Provide a striped crosswalk across Riggs Road (MD 212) at the main driveway entrance to the site across to the main entrance to the property across Riggs Road, to be reviewed at the time of specific design plan.**

This off-site improvement is indicated on the plans for the project.

9. **Provide striped crosswalks across Edwards Way at the intersection of Adelphi Road and at the intersection of Riggs Road (MD 212) to be reviewed at the time of specific design plan.**

A condition of this approval requires inclusion of this off-site improvement in the plans for the project, prior to signature approval.

10. **Provide striped crosswalks across Adelphi Road at the intersection of Riggs Road (MD 212) and at the intersection of Edwards Way to be reviewed at the time of specific design plan.**

A crosswalk is indicated across Adelphi Road at its intersection with Riggs Road, but not Edwards Way. A condition of this approval requires inclusion of this off-site improvement in the plans for the project, prior to signature approval.

11. **The applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$420 to DPW&T for the placement of two fluorescent yellow-green bicycle warning signs (MUTCD W11-2 combined with W16-1P) to be placed along Riggs Road (MD 212) and Adelphi Road, subject to modification by DPW&T. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.**

This two-part condition is triggered at later times in the development review process, unless modified by DPW&T, i.e. time of approval of a final plat for the project and prior to issuance of the first building permit for the project.

12. **Provide five-foot-wide sidewalks along Edwards Way, Riggs Road (MD 212), and Adelphi Road, unless modified by DPW&T.**

The sidewalks have been provided as required.

13. **Development of this subdivision shall be in compliance with an approved Type 1 Tree Conservation Plan (TCP1-016-06-01). The following note shall be placed on the final plat of subdivision:**

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-015-06-01), or as modified by the Type 2 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 Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission.”

This requirement is triggered at a time later than the approval of the subject SDP.

- 14. Prior to approval of a specific design plan, copies of the approved stormwater management concept plan and letter shall be submitted that depict the proposed stormwater management features on the site. All associated plans shall be revised to reflect the final stormwater concept design.**

A copy of the stormwater management concept plan did not accompany the appropriate letter, so a condition of this approval requires, prior to signature approval of the plans, its inclusion in the case file. The Planning Board is in receipt, however, of the appropriate letter and a written indication from DPW&T that the subject SDP conforms to its requirement. As this condition is included in the subject approval, it may be said that the applicant has conformed fully to the requirements of this condition.

- 15. At the time of final plat, the applicant shall dedicate a ten-foot public utility easement (PUE) along all public rights-of-way as delineated on the approved preliminary plan of subdivision.**

This requirement is triggered at a later time in the development review process.

- 16. Any residential development on the proposed Parcel 1, 2, or A shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.**

No residential development is included in the subject project. However, this requirement will remain applicable to the subject property and, if residential development is proposed on the site at any time in the future, the approval of a new preliminary plan of subdivision shall be required prior to approval of any building permits pursuant to the condition.

- 10. Zoning Ordinance:** The Planning Board has evaluated the project and found it to be in conformance with Section 27-495, Uses in the Local Activity Center (L-A-C) Zone, as the proposed retail uses are permitted in the L-A-C Zone. The Planning Board has also evaluated the project and found it to be in conformance with Section 27-496, Regulations in the L-A-C Zone, and that it meets the requirements of Section 27-274 of Part 3, Division 9, Design Guidelines. The

Planning Board is able to make the required findings for approval of a specific design plan contained in Section 27-528. Please see finding 16 for a detailed description of the project's conformance in this respect.

11. **Prince George's County Landscape Manual:** The Planning Board has reviewed the submitted landscape plan against the requirements of the 2010 *Prince George's County Landscape Manual* and finds it to be in conformance with the requirements of the Landscape Manual.
12. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The project site is subject to the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site had a previously approved tree conservation plan. The Planning Board is approving a Type 2 tree conservation plan, with conditions together with the subject SDP. Therefore, the project conforms to the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance.
13. **The Tree Canopy Coverage Ordinance:** The project is subject to the Prince George's County Tree Canopy Coverage Ordinance. Provided the applicant includes the required tree canopy coverage schedule on a revised landscape plan for the project, as conditioned, it is in conformance with the requirements of the Tree Canopy Coverage Ordinance. The project conforms to the requirements of the Prince George's County Tree Canopy Coverage Ordinance.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The proposed 22,288-square-foot retail development would have no effect on identified historic sites, resources, or districts.
 - b. **Archaeology**—A Phase I archeological survey was completed on the 4.14-acre Edwards Property in September 2006. Four copies of the final report, *A Phase 1 Archeological Survey of the Edwards Property: A 4-Acre +/- Parcel Located at the Intersection of Adelphi and Riggs Roads in Adelphi, Prince George's County, Maryland (Development Case No. CDP-0502)*, has been received and was accepted on May 19, 2008, identifying one early to mid-20th century sanitarium park or garden, 18PR841. The study stated, however, that the site did not contain significant information and no further archeological work was recommended. The Planning Board concurs with the report's finding that no further archeological work is necessary on Edwards Property.
 - c. **Community Planning**—The Planning Board stated the following:
 - The application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developed Tier.

- The application conforms to the 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67* for a village activity center. It also conforms to the recommendation of the corresponding sectional map amendment (SMA) for the development of the property through a comprehensive design zone.
- The proposal does not conform to all of the conditions of its approval for its rezoning to the L-A-C Zone.

See Finding 7 for a detailed discussion of the project's conformance to the requirements of the approval of Basic Plan A-9954-C.

- d. **Transportation**—The Planning Board has reviewed the transportation issues connected with the subject project. The property consists of approximately 4.14 acres of land in the L-A-C Zone. The property is located on Riggs Road (MD 212) and Adelphi Road. The triangular piece of land is also bordered on the west by Edwards Way. The proposed use is for a shopping center of 22,288 square feet consisting of two buildings. One of the buildings will contain a pharmacy with drive-through service.

Background

In September 2004, the District Council approved Basic Plan A-9954-C, which rezoned the site from R-R to the L-A-C Comprehensive Design Zone. This approval contained several transportation-related conditions. These included conditions for rights-of-way, turn lanes, and bus pull-off areas. These were addressed in Preliminary Plan 4-10019 and CDP-1001.

- (1) The basic plan shall be revised to show rights-of-way of 40 feet from the centerline of Riggs Road, 50 feet from the centerline of Adelphi Road, and 35 feet from the centerline of Edwards Way.

This was a condition of approval for Preliminary Plan 4-10019 and CDP-1001. At the time of final plat approval, the applicant will demonstrate dedication of these rights-of-way as shown above. This condition has been met.

- (2) The applicant will provide a double left-turn lane along southbound/westbound MD 212 at the approach to Adelphi Road. The timing of this improvement will be determined at the preliminary plan of subdivision.

This improvement is listed in the approved basic plan; therefore, the applicant is responsible for it unless it is rescinded by the District Council. This was a condition of approval for Preliminary Plan 4-10019 and CDP-1001. This condition will be met at the time of building permit.

- (3) A traffic signal warrant study is required at the intersection of Adelphi Road and Edwards Way prior to the approval of the specific design plan.

This was a condition of approval for Preliminary Plan 4-10019 and CDP-1001 which states that "prior to the approval of the Specific Design Plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for signalization at the intersection of Adelphi Road and Edwards Way." The the traffic signal warrant study has been received by the Planning Board.

- (4) At the preliminary plan stage the applicant shall provide detailed operational analyses at the intersections of MD 212 and Edwards Way and MD 212 and the proposed site entrance.

This condition has been met and was completed as part of the traffic study submitted with Preliminary Plan 4-10019.

- (5) During the CDP process and subdivision review the applicant shall address the addition of public streets or obtain a variance from Section 24-121 of the Subdivision Regulations.

This condition has been met. A variation from Section 24-121(a)(3) to allow access to Adelphi Road, a master plan arterial roadway, was submitted for review. This was approved at the preliminary plan stage.

- (6) At the time of the preliminary plan submittal, the applicant shall include the intersection of Metzert Road and Riggs Road (MD 212) in the traffic study.

This condition has been met. The intersection was included in the traffic study submitted with Preliminary Plan 4-10019.

- (7) The applicant shall work with SHA to provide a center turn lane on MD 212 to allow northbound traffic to make left turns into the subject property without impeding traffic.

This condition has been met. It was a condition of approval for Preliminary Plan 4-10019. In addition, the applicant was also required to complete a traffic queuing analyses for SHA at the Riggs Road (MD 212) access point where the center turn lane is needed.

- (8) The applicant shall be responsible for all road and intersection improvements necessary to mitigate any failing traffic condition caused by the proposed development. These improvements will be determined at the preliminary plan stage.

This condition was met at the preliminary plan stage. The applicant is responsible for road and intersection improvements.

- (9) The applicant shall work with transit agencies to maintain existing bus stops along Riggs Road and Adelphi Road. The applicant shall construct a bus pull-off area to allow the loading and unloading of passengers out of the travel lanes of the roadways, within the public rights-of-way.

This condition has not been met to date. Although notes on the specific design plan say "Proposed Bus Stop Location To Be Determined and Permitted by SHA or DPW&T," the bus pull-off areas are not shown along Riggs Road (MD 212) and Adelphi Road out of the travel lanes and within the public rights-of-way. Bus pull-off areas must be shown prior to signature approval of the specific design plan.

Site Access and Circulation

The right-in/right-out access point on Adelphi Road, a roadway designated as an arterial in the *Approved Countywide Master Plan of Transportation*, required a variance from Section 24-121(a)(3) of the Subdivision Regulations. The variation request was submitted, reviewed, and approved with the preliminary plan. A full movement access point was proposed on Riggs Road (MD 212). SHA is in agreement with this and required a traffic queuing analyses at this location to study the effects of queuing on nearby intersections. This was a condition of approval for Preliminary Plan 4-10019. The two access points will work together to ensure safe access to the site. They will provide better on-site circulation and reduce traffic conflicts on all three adjacent roadways.

The overall traffic circulation on the site and the location of the drive-through pharmacy appear reasonable. Driveways on the site are adequate. One driveway is shown as one-way to prevent conflicts with the drive-through service.

The subject property is required to make roadway improvements in the area pursuant to a finding of adequate transportation facilities made in approved Preliminary Plan of Subdivision 4-10019 and in consideration of the findings and conditions associated with Basic Plan A-9954-C and Comprehensive Design Plan CDP-1001. These findings were supported in part by a traffic study submitted in 2010. Insofar as the basis for the findings is still valid, and in consideration of the scope of this application, the Planning Board can make a finding that the subject property is in general conformance with Preliminary Plan 4-10019, CDP-1001, and the approved Basic Plan, A-9954-C.

The Planning Board also finds that the subject application will be served by adequate transportation facilities within a reasonable period of time pending confirmation by DPW&T that the traffic signal warrant study for the intersection of Adelphi Road and Edwards Way is acceptable and bus pull-off areas at existing and/or proposed bus stop locations along Riggs Road and Adelphi Road have been provided.

*The Planning Board has reviewed the transportation-related issues in connection with the remand of the subject specific design plan and finds the following:

- *• With respect to explaining the traffic impacts on close-by residents of Districts 2 and 3, particularly ingress and egress for communities with entrances along Edwards Way, Riggs and Adelphi Roads, a reanalysis has been done including the following assumptions:
 - *• Right-in/right-out access along Adelphi Road.
 - *• Right-in/right-out access along Riggs Road (MD 212). This had been presumed to be a full access point, but the latest correspondence from the State Highway Administration (SHA) indicates that this agency is only willing to approve right-in/right-out access.
 - *• A signal at Adelphi Road/Edwards Way appears to be warranted and likely for approval. While this applicant shall be required to study signal warrants at Riggs Road (MD 212)/Edwards Way, SHA is unlikely to approve a signal at this location due to the proximity of signals at Adelphi Road and Metzert Road.
 - *• The site trip generation and distribution is as assumed in the traffic study. The assignment has changed from that shown in the traffic study because SHA has intended to limit the site access onto Riggs Road (MD 212) to right-in/right-out movements.
- *Assignment sheets are attached that show AM peak hour and PM peak hour assignments for site traffic. In particular, the final assignment shows 5 AM and 63 PM peak hour trips using Edwards Way. The following trip assignments are noted for nearby communities:
- *• For communities along Edwards Way, they would follow Edwards Way to a right turn onto Adelphi Road and proceed into the site. Leaving, they would turn right onto Riggs Road (MD 212) and continue with a right turn onto Edwards Way to return home.
 - *• For communities north of the site along Riggs Road (MD 212), they would follow MD 212 to a right turn into the site. Leaving, they would turn right onto Adelphi Road and continue with a left turn onto MD 212 to return home.

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*• For communities south of the site along Riggs Road (MD 212), they would follow MD 212 to a left turn onto Edwards Way, followed by a right turn onto Adelphi Road, and proceed into the site. Leaving, they would turn right onto MD 212 and continue south to return home.

*• For communities along Adelphi Road, they would follow Adelphi Road to a right turn into the site. Leaving, they would turn right onto Riggs Road (MD 212) and continue with a right turn onto Edwards Way, followed by a left turn onto Adelphi Road to return home.

*No changes to the conditions of this approval are required as a result of this assignment.

*The installation of a signal at Adelphi Road and Edwards Way will greatly reduce delay for traffic using Edwards Way, and should reduce any queuing that currently occurs. The queuing occurs because most traffic using Edwards Way northbound is turning left onto Adelphi Road. Left-turning traffic from Edwards Way encounters a conflict with through traffic along Adelphi Road. Signalization will remove the conflict by giving left-turning traffic a protected situation to complete the maneuver. The end result should be less queuing and less overall delay.

*Reference the Planning Board's Trails findings with respect to the second point of remand.

*With regard to the third issue, the *Trip Generation, 8th Edition (Institute of Transportation Engineers)* includes trip generation rates for several types of uses with and without drive-through facilities. The results of an analysis of these rates are summarized in the table below (without consideration of pass-by):

<u>*Comparison of Estimated Trip Generation for Service Uses Having and Not Having a Drive-Through Window (N/A = No Data Available)</u>				
<u>Use</u>	<u>Square Feet</u>	<u>AM Pk. Hr. Trips</u>	<u>PM Pk. Hr. Trips</u>	<u>Daily Trips</u>
		<u>Total</u>	<u>Total</u>	
<u>Pharmacy</u>				
<u>No Drive-Through</u>	<u>10,000 square feet</u>	<u>32</u>	<u>80</u>	<u>901</u>
<u>With Drive-Through</u>	<u>10,000 square feet</u>	<u>27</u>	<u>104</u>	<u>882</u>
<u>Fast-Food Restaurant</u>				
<u>No Drive-Through</u>	<u>5,000 square feet</u>	<u>219</u>	<u>131</u>	<u>3,580</u>
<u>With Drive-Through</u>	<u>5,000 square feet</u>	<u>247</u>	<u>169</u>	<u>2,480</u>
<u>Coffee/Donut Shop</u>				
<u>No Drive-Through</u>	<u>2,500 square feet</u>	<u>293</u>	<u>102</u>	<u>N/A</u>
<u>With Drive-Through</u>	<u>2,500 square feet</u>	<u>277</u>	<u>107</u>	<u>2,046</u>
<u>Bread/Donut/Bagel Shop</u>				
<u>No Drive-Through</u>	<u>2,500 square feet</u>	<u>176</u>	<u>70</u>	<u>N/A</u>
<u>With Drive-Through</u>	<u>2,500 square feet</u>	<u>92</u>	<u>49</u>	<u>N/A</u>

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*Sample size may vary for each statistic, and some statistics are based on samples that are not significant in size. However, in one-half of the circumstances documented in the table, peak hour trips are less for uses that have drive-through versus those that do not. Given this data, it is not possible to conclusively claim that the uses would generate less traffic. Based on this published data, it would be concluded, specifically regarding this property, that the presence of multiple drive through facilities would have little or no impact on traffic generated by the site.

*No changes to the previously approved transportation-related conditions associated with the plan approval are warranted. The previous transportation-related findings of the Planning Board regarding the review of this case are still applicable and are hereby made a part of the subject approval.

- e. **Permits**—Numerous permit review comments have been addressed by revisions to the plans or in the conditions of this approval.
- f. **Public Facilities**— The Planning Board has reviewed the project in accordance with Section 27-528 (a) (2) and finds that:

“The development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the appropriate Capital Improvement Program or provided as part of the private development.”

The following findings are hereby made with respect to Fire and Rescue, the Capital Improvement Program, Police Facilities, and Water and Sewerage Findings:

Fire and Rescue

This Specific Design Plan is within the 7-minute required response time for the first due fire station using the *Seven Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire/EMS Department.

First Due Fire/EMS Company #	Fire/EMS Station	Address
34	Chillum-Adelphi	7833 Riggs Road

The required fire and rescue facility has been determined to be adequate.

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Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
34	Chillum-Adelphi	Engine	7833 Riggs Road	2.94	3.25	Within
34	Chillum-Adelphi	Ladder Truck	7833 Riggs Road	2.94	4.25	Within
12	College Park	Paramedic	8115 Baltimore Ave.	4.47	7.25	Within
34	Chillum-Adelphi	Ambulance	7833 Riggs Road	2.94	4.25	Within

Capital Improvement Program (CIP)

The Capital Budget and Program for Fiscal Years 2011–2016, proposes no CIP projects for public safety facilities proposed in the vicinity of the subject site.

Police Facilities

The Planning Board has determined that the subject project is located in District I, Hyattsville. Police facilities have been determined to be adequate.

Water and Sewerage Findings

Section 24-122.01(b)(1) states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of immediate or planned availability of public water and sewerage for preliminary or final plat approval.” The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

- g. **Subdivision**—The property is the subject of Preliminary Plan of Subdivision 4-10019, formalized in PGCPB Resolution No. 11-63, adopted by the Planning Board on July 7, 2011, including a variation to Section 24-121(a)(3) of the Subdivision Regulations, to allow access to an arterial road was approved for the subject application. The approval involves the creation of a 22,288-foot retail development, including a pharmacy. The subject 4.14-acre property is located on Tax Map 24, Grid E-3, and is known as Parcel 88. The preliminary plan remains valid until July 6, 2013 and approval of a final plat is required before that date. See Finding 9 of this approval for a detailed discussion of the subject project’s conformance to the requirements of PGCPB Resolution No. 11-63. A condition of this approval requires that plans for Preliminary Plan of Subdivision 4-10019 be certified prior to those of the subject specific design plan approval.
- h. **Trails**— The Planning Board reviewed this proposal for conformance with the conditions of approval of Basic Plan A-9954-C and the *Approved Countywide Master Plan of Transportation* (MPOT) for pedestrian and bicyclist improvements. The site is also subject to the recommendations contained in the Approved Langley Park-College Park-Greenbelt Master Plan (area master plan).

Basic Plan Conditions

The subject property does not conflict with the conditions of approval of Basic Plan A-9954-C, which was approved with conditions related to bicycle and pedestrian mobility and transit operations. The following is an analysis of Conditions 8c and 9c, which require streetscape improvements to create a pedestrian-friendly environment.

Condition 8c requires that, during the comprehensive design plan and the specific design plan review, the applicant shall address a need for a streetscape and “shall create a pedestrian-friendly environment with consideration of the following elements:

- “(1) Street furniture including pedestrian lighting
- “(2) Trash receptacles
- “(3) Bike racks
- “(4) Pedestrian crosswalks should be a contrasting paving material
- “(5) Need for bus stop”

Bike racks, pedestrian crosswalks with contrasting paving material crossing Riggs Road (MD 212) and Adelphi Road, and a bus stop location are shown on the proposal. These elements do not conflict with the basic plan approval conditions and appear to be adequate for the proposed use. It is required by this approval that the applicant construct the legs of the proposed crosswalks that provide direct access to the subject property frontage across Edwards Way, subject to modification by DPW&T and SHA.

The proposal includes several internal crosswalks and crosswalks across the proposed driveway entrances on Riggs Road (MD 212) and Adelphi Road. A crosswalk is shown crossing the proposed pharmacy drive-through aisle. The drive aisle is channelized and necked down to calm traffic. Bicycle parking is provided along the Riggs Road (MD 212) side of the building and a detail for a u-shaped bicycle rack is shown on the plans.

Condition 9c requires that any required widening and improvements to the public rights-of-way for Riggs Road (MD 212), Adelphi Road, and Edwards Way shall include five-foot-wide sidewalks, in accordance with applicable state and county standards. Sidewalks are shown on the subject specific design plan along Edwards Way, Riggs Road (MD 212), and Adelphi Road. Paving section details are shown on the plans for decorative stamped concrete, and these details appear to be adequate for the proposed use.

Condition 9f requires that the developer of the subject property shall work with the various transit authorities and agencies to maintain the locations of the existing bus stops along Riggs Road (MD 212) and Adelphi Road, and that the developer shall construct a bus pull-off area to allow the loading and unloading of passengers out of the travel lanes of the roadways, within the public rights-of-way. A bus stop location is shown on the proposal, and this is subject to approval and modification by SHA. The bus stop location appears to be adequate for the proposed use.

Countywide Master Plan of Transportation (MPOT)

The MPOT, Complete Streets Policy 2, recommends that “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.”

Adelphi Road is recommended in the MPOT for a side path for pedestrians and bicyclists from New Hampshire Avenue (MD 650) to University Boulevard (MD 193). This road is owned and operated by DPW&T and provides pedestrian and bicyclist access to the University of Maryland. The location of a side path on Adelphi Road has not been determined by the county. The applicant has provided a sidewalk and sufficient land area on the specific design plan for the provision of a side path in the future by the county. The sidewalks do not conflict with the conditions of the basic plan approval. By condition of the preliminary plan approval bicycle warning signage shall be placed along the frontage of Adelphi Road to accommodate the MPOT recommendation for bicyclists.

The MPOT recommends Riggs Road (MD 212) contain sidewalks and on-road bicycle facilities from Powder Mill Road (MD 212) to Washington D.C. Currently, sidewalks are fragmented or missing along some segments of the road. The sidewalks proposed by the applicant appear to be adequate and will not conflict with the MPOT recommendations. The MPOT specifically recommends that crosswalk improvements and other pedestrian safety features along MD 212 may be appropriate at some locations. The applicant has demonstrated adequate crosswalk locations along MD 212 at the main site entrance and at Adelphi Road. These crosswalk locations are subject to approval and modification by DPW&T and SHA. The applicant should construct the legs of the proposed crosswalks that provide direct access to the subject property frontage, unless modified by SHA or DPW&T as appropriate.

No analysis regarding the provision of bicyclists on Riggs Road (MD 212) has been provided by SHA. Right-of-way constraints may prohibit bike lanes. As with Adelphi Road, it is required that bicycle warning signage be placed along the frontage of MD 212.

Edwards Way is not specifically described in the MPOT, but as with all roads contained within the Developed Tier, Edwards Way should not be overlooked when it comes to accessible and safe roads. Complete Streets Policy 5 contained in the MPOT recommends that new development proposals in the Developed and Developing Tiers be evaluated for conformance with the Complete Streets principles. The principles recommend increasing road crossing opportunities, encouraging medians and pedestrian refuge islands, and encouraging pedestrian-scaled land use and urban design while reducing crossing distances for pedestrians. An existing crosswalk is located across Edwards Way south of Riggs Road (MD 212).

Bicycle facilities are not specifically recommended along Edwards Way in the MPOT, but because bicyclists currently utilize this road and because increased bicycle use can be expected because of the proposed development, it is recommended that bicycle warning signage be placed along the frontage of Edwards Way, subject to modification by DPW&T.

Conclusion

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities exist to serve the proposed subdivision if the application as it is approved as follows:

- (1) Proposed stamped concrete crosswalks on Riggs Road (MD 212) and Adelphi Road provide direct access to the subject property frontage, subject to approval and modification by DPW&T and SHA.
- (2) Because Adelphi Road is a county right-of-way, the applicant and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation (DPW&T) for the placement of fluorescent yellow-green bicycle warning signage (MUTCD W11-2 combined with W16-1P), subject to modification by DPW&T. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit per condition of the preliminary plan.
- (3) Because Edwards Way is a county right-of-way, the applicant and the applicant's heirs, successors, and/or assignees should provide a financial contribution of \$210 to the Department of Public Works and Transportation (DPW&T) for the placement of fluorescent yellow-green bicycle warning signage (MUTCD W11-2 combined with W16-1P), subject to modification by DPW&T. A note should be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
- (4) Because Riggs Road (MD 212) is a state right-of-way, the applicant and the applicant's heirs, successors, and/or assignees shall provide for the placement of fluorescent yellow-green bicycle warning signage (MUTCD W11-2 combined with W16-1P), subject to modification by the State Highway Administration (SHA). A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit, per condition of the preliminary plan.

*The Planning Board, in its re-review of pedestrian/bicycle facilities as required by the Remand Order indicated that they felt that these issues had been attended to in the original approval. Further, they stated that in terms of pedestrian and bicycle facilities, the

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*approval includes design elements, facilities, and amenities, such as adequate bicycle and pedestrian transportation facilities to serve the proposed development as required under Section 27-521 of the Zoning Ordinance.

- i. **Environmental**—The Planning Board has reviewed the specific design plan with respect to environmental issues and Type 2 tree conservation plan for Edwards Property, stamped as received on June 27, 2011. The Planning Board finds the following with respect to environmental issues:

Background

The Planning Board previously reviewed the subject property for a zoning map amendment (Basic Plan A-9954) filed in 2002 requesting rezoning from the R-R Zone to the L-A-C Zone. Basic Plan A-9954 was approved subject to conditions contained in PGCPB Resolution No. 02-102. The site was also reviewed for a Natural Resources Inventory (NRI-063-05-01), Comprehensive Design Plan (CDP-0502), Preliminary Plan of Subdivision (4-06029), and Type I Tree Conservation Plan (TCPI-015-06). The NRI was approved; however, the latter applications were subsequently withdrawn.

The site has a Comprehensive Design Plan (CDP-1001), Preliminary Plan of Subdivision (4-10019), and Type I Tree Conservation Plan (TCP1-015-06-01) that were recently approved by the Planning Board. The conditions of approval can be found in PGCPB Resolution No. 11-62 for the CDP and PGCPB Resolution No. 11-63 for the preliminary plan. This application seeks the approval of a specific design plan to construct 22,288 square feet of retail development on a site totaling 4.14 acres in the L-A-C Zone.

The project is subject to the requirements of Subtitle 27 of the Prince George's County Code that became effective September 1, 2010 because the project does not have any previously approved development applications that were approved prior to September 1, 2010. The project is subject to the current requirements of Subtitle 25, Division 2, the Woodland and Wildlife Habitat Conservation Ordinance, because the project site is greater than 40,000 square feet in size, contains more than 10,000 square feet of woodland, and does not have a previously approved tree conservation plan.

Site Description

The 4.14-acre property is located on the west side of Adelphi Road where it intersects with Edwards Way to the north and Riggs Road to the south. The site is characterized with terrain gradually sloping toward the north of the property, and drains into unnamed tributaries of the Northwest Branch in the Anacostia River basin. The predominant soil types on the site are Chillum Urban Land, Codorus-Hatboro, Croom-Urban Land, and Glenelg-Wheaton-Urban Land. Current aerial photos indicate that the site is

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predominantly wooded and not developed. Based on information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this site. A review of the available information indicates that streams, 100-year floodplain, and steep slopes occur on the site; however, wetlands are not found to occur on this property. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. The subject property is adjacent to Adelphi Road, an arterial roadway generally regulated for noise; however, the proposed use is commercial. Because no residential or residential-type uses are proposed, this application was not evaluated for noise from transportation sources. This property is located in the Developed Tier as delineated on the *Prince George's County Approved General Plan*.

Basic Plan A-9954

The conditions of approval for the zoning map amendment which are environmental in nature for Basic Plan A-9954, as expressed in PGCPB Resolution No. 02-102, are addressed below:

- (7) **Development of the subject property shall have a woodland conservation threshold of 20 percent. If off-site mitigation is proposed, the first priority for mitigation sites shall be within the Anacostia Watershed.**

A Type 2 tree conservation plan (TCP2) is approved with this application; however, a condition of this approval corrects the worksheet using a calculation of 20 percent instead of 15 percent. The Type 1 Tree Conservation Plan (TCP1-015-06-01) approved with the Comprehensive Design Plan CDP-1001, and subsequently with Preliminary Plan 4-10019, uses a threshold of 20 percent as required. The TCP2 shall be revised to be in conformance with the approved TCP1. Because the entire woodland conservation requirement is proposed to be met off-site, the required revision will not affect the proposed design.

Comprehensive Design Plan CDP-1001

The condition of approval for the CDP which is environmental in nature is addressed below:

3. **Prior to approval of the first specific design plan for the subject property, the applicant shall:**
 - d. **Provide a thorough analysis of all specimen trees whose removal have been approved by the companion variance to CDP-1001 to determine if preservation of any of the specimen trees can be achieved through adjustment of grading, use of retaining walls or other measures.**

The review of the CDP included a variance request to Section 25-122(b)(1)(G) for the removal of all 24 specimen trees. Per the Planning Board resolution, the following finding was made:

(1) The required findings of Section 25-119(d) have been adequately addressed for the removal of Specimen Trees 1 through 24.

Although the variance was approved, further evaluation of the trees for opportunities for preservation was placed as a condition of approval of the CDP. To address this condition, an exhibit showing the location and critical root zones of all specimen trees, in addition to the proposed development, was submitted.

The following is a detailed analysis of trees with the proposed project.

Tree No.	Location	Comment
1, 2, 3, 4, 7, 22	These trees are located near the eastern boundary of the site, adjacent to Adelphi Road. Tree 3 is located near the southeast corner of the site. Tree 7 is located near the boundary adjacent to Riggs Road.	A portion of the critical root zone of each of these trees is limited to the boundary of the site where the existing right of way begins. The required right of way improvements for Adelphi Road, which includes widening of the road, will require grading of approximately 10 feet into the site, removing more of the root system. The required 10-foot wide public utility easement (PUE) will result in grading into the area of these trees. It would not be possible to preserve these trees unless the road widening is no longer required.
16, 17, 20, 21	These trees are located near the western boundary of the site, adjacent to Edwards Way	The trees in this area are on existing steep slopes. In addition to the required road dedication and PUE, approximately 20 feet into the site, a cutting depth, up to 9 feet will be necessary in order to bring the site to a suitable grade for development. A retaining wall is also necessary to stabilize the difference in grade. Trees 16, 17, and 20 will need to be removed completely to meet the required setbacks. Tree 21 which is in an area established for stormwater management, as required by the Department of Public Works and Transportation (DPW&T) will need to be removed so that stormwater may be treated and conveyed safely to the onsite stream.
8, 9, 10, 15, 18, 19, 23, 24	These trees are located in the more central area of the site.	The trees are located in the most developable portion of the site. Because of the setbacks required by county code, the area of development has been constrained to this location. If these trees are preserved, the site could not be developed in conformance with the L-A-C zone requirements for building setbacks and parking.

Tree No.	Location	Comment
11, 12, 13, 14	These trees are located near the northern part of the site and within the Primary Management Area (PMA).	A significant portion of these trees and associated critical zones are within the PMA. Other portions of the critical root zones are in an area where parking and structures are proposed. As discussed in the resolution for the associated preliminary plan (4-10019), the existing stream on the site is in an unstable condition. The proposed design, which includes stream realignment within the PMA, was found by the Planning Board to "preserve the PMA in a natural state to the fullest extent possible by disturbance to the entire PMA and relocation and reestablishment of the natural channel. The proposed design, regardless of the building and parking that is proposed, will require the removal of these trees.
5, 6	Located on the southeastern side of the site, near Adelphi Road	The proposed trees are in a critical circulation area of the site that will allow safe traffic flow for vehicles entering and leaving the site. The critical root zones of the trees are also in an area where bioretention is proposed for a parking island. Additionally, the preservation of these trees will significantly limit the number of parking spaces that can be established on the site, reducing it to a number below the required minimum of 123. Currently 125 parking spaces are proposed for the entire development.

The requirements for road dedication, public utilities, stormwater management, parking, and grading result in the loss of some trees and a significant portion of the critical root zones of several of the trees along the boundaries of the site. Generally, when a third or more of a tree's critical root zone is lost, the tree will not survive very long afterwards. In an attempt to acquire space and nutrients, the root of the tree will start to girdle around the base of the tree, sort of in a choking manner, blocking nutrients and water from getting to other roots. The critical root zone of the trees near the site boundaries are already constrained by the existing right-of-way. Additionally, the grading road widening and the public utility easement (PUE) will put additional strain on the trees, whereas, likely resulting in post-development mortality.

Based on this analysis, it would not be possible to preserve enough of the critical root zone of the trees, particularly along the boundaries and within the primary management area (PMA). Additionally, if trees within the central area of the site were preserved, the developable area would be severely limited.

The approval of Comprehensive Design Plan CDP-1001 contained the approval of the required variance to remove the existing specimen trees numbered 1 through 24.

Preliminary Plan of Subdivision 4-10019

The environmentally-related conditions of approval for the preliminary plan are addressed below:

14. **Prior to approval of a specific design plan, copies of the approved stormwater management concept plan and letter shall be submitted that depict the proposed stormwater management features on the site. All associated plans shall be revised to reflect the final stormwater concept design.**

This condition has been addressed. Copies of the revised and approved Stormwater Management Concept Letter and Plan (2925-2005-02) have been submitted. The concept plan shows the realigned stream as shown on the proposed TCP2. In addition to the realignment, the concept plan shows an overflow pipe diverted around the stream. The pipe is intended to pick up stormwater during high volume rain events. The TCP2 and SDP shall be revised to show the overflow pipe on the plan, prior to signature approval.

Environmental Review

- (1) The preliminary plan application has an approved Natural Resources Inventory (NRI-063-05-01) dated November 9, 2010 that was included with the application package. The NRI shows a stream and 100-year floodplain in the northern section of the site. The stream is piped above and below the subject property because the site is bounded by public roadways on all sides (Adelphi Road, Edwards Way, and Riggs Road).

The site is 4.14 acres in size and contains approximately 3.35 acres of mature hardwood forest dominated by white oak and southern red oak. The understory contains a high percentage of invasive species, including greenbrier, English ivy, and multiflora rose. According to the NRI, there are 24 specimen trees on-site. The existing conditions on the NRI are correctly shown.

- (2) The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has a previously approved Type 1 Tree Conservation Plan (TCP1-015-06-01). Type 1 Tree Conservation Plan TCP1-015-06-01 was initially approved with companion case CDP-1001, and subsequently with 4-10019, also a companion case to this application. A Type 2 Tree Conservation Plan, TCP2-011-11, has been submitted.

As previously discussed, the site uses a woodland conservation threshold of 15 percent, although there is a zoning condition that requires a 20 percent threshold. This information was correctly calculated on the approved TCP1. The TCP2 shall be revised to show this correction. Because the TCP2 proposes to clear the site of all existing woodland, and based on a required threshold of

20 percent, the required woodland conservation is 2.47 acres. The requirement will be met off-site.

- (3) The site contains a primary management area (PMA) that is required to be preserved to the fullest extent possible (Section 27-528(a) (5) of the Zoning Ordinance). The PMA includes a stream and associated 100-year floodplain that flows onto the site on the east side of the site from a storm drain pipe under Adelphi Road, and exits the site on the northwest side into a storm drain pipe.

A statement of justification, stamped as received on May 14, 2011, was reviewed with the Preliminary Plan (4-140019). The proposed design showed the realignment of the existing stream and the installation of bioretention ponds. The proposed design allows for a more stable channel to better control high volumes of off-site runoff and treat and control on-site runoff. Per the findings of PGCPB Resolution No. 11-63, the proposed impacts to the stream were found to demonstrate the preservation of the PMA to the fullest extent possible. The same design is proposed on the approved TCP2 and SDP.

The design as shown on the TCP2 preserves the PMA in a natural state to the fullest extent possible by disturbance to the entire PMA and relocation and reestablishment of the natural channel.

- (4) Subtitle 25, Division 3, Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned L-A-C are required to provide a minimum of ten percent of the gross tract area in tree canopy.

The overall development has a gross tract area of 4.14 acres and as such, TCC of 0.41 acres, or 18,034 square feet, is required. This approval meets the requirement with 18,225 square feet of tree canopy through landscaping. The TCC worksheet has been provided on the TCP2; but shall be shown on the landscape plan by condition of this approval.

*The Planning Board found the following with respect to the environmentally-related issues raised in the Order of Remand:

*The Planning Board previously reviewed and approved development plans for this site with Comprehensive Design Plan CDP-1001, Preliminary Plan of Subdivision 4-10019, Type 1 Tree Conservation Plan TCP1-015-06/01, Specific Design Plan SDP-1001, and Type 2 Tree Conservation Plan TCP2-011-11.

*Denotes Amendment

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*Upon review of the CDP and SDP applications by the District Council, the applications were remanded back to the Planning Board to address various concerns, one of which (Item B) is specific to woodland conservation and the preservation of specimen trees.

*Item B of the Order of Remand, dated November 17, 2011, states the following:

*As to the clearing of trees and afforestation, it should be determined whether replacement trees can be located nearby and other voluntary restrictions, such as larger afforestation acreage or close location to residential areas, can serve to mitigate further loss of the existing tree canopy and pervious surfaces. In doing so, the Planning Board shall:

*1. Reexamine the deforestation plan with a goal of preserving any specimen trees that have at least a 50 percent chance of survival given the disturbance associated with the primary management area. Save as many mature trees as possible, particularly in and around the 100-year floodplain.

*The site contains two specimen trees (Trees 11 and 12) within the primary management area (PMA). There are also two specimen trees (Trees 13 and 14) with a significant amount of critical root zone within the PMA. Within the PMA, Trees 11 and 12 will be completely impacted as a result of the proposed realignment of the stream, which is necessary to provide a more stable channel for stormwater entering the site. Additionally, the two trees within the PMA will also be impacted by the location of the proposed entrance. During the review of the preliminary plan, it was determined that the proposed location was the only suitable area along Adelphi Road where the site could be safely accessed.

*With regard to Trees 13 and 14, a significant area of critical root zone will be lost due to the necessary grading associated with the realignment of the stream. Aside from the grading, the fill necessary to bring the site to a suitable grade for development will result in 8 to 10 feet of fill over the roots of the trees, blocking oxygen and nutrients needed for the trees to survive.

*During the review of Specific Design Plan SDP-1001, the following detailed analysis of all of the specimen trees on-site was provided in accordance with Condition 3.d of CDP-1001:

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*Provide a thorough analysis of all specimen trees whose removal has been approved by the companion variance to CDP-1001 to determine if preservation of any of the specimen trees can be achieved through adjustment of grading, use of retaining walls or other measures.

*As part of that review, the Planning Board evaluated the impacts on the critical root zone of each tree and looked for opportunities where more of the critical root zone of each tree could be saved. Based on further review in accordance with this Remand Order, the Planning Board's conclusion is the same as the prior review. Due to the need to grade the site to make it suitable for development, the requirements for road dedication, public utilities, and stormwater management, it would not be possible for any of the trees to survive long-term under such constraints.

*2. Wherever possible, drought resistant native perennial and annual ornamental and flowering plants shall augment the offerings of the landscape plan, including parking lot islands. Revise landscape plans to indicate the use of native perennial and annual flowering plants.

*This has been addressed by a condition of this approval.

*3. Specify a nearby site for tree mitigation within the Anacostia River Watershed, particularly in and around property within the 100-year floodplain.

*In order to provide tree planting off-site as credit to meet the on-site woodland conservation requirement, credits must be obtained from an established woodland conservation bank by agreement between the applicant and the owner of the bank prior to issuance of the first grading permit for the benefiting property. The current process of establishing available banks reduces the challenge of finding property owners who are willing to provide such easements on their property, along with the responsibilities of maintaining such easements. The TCP2 currently proposes to meet the entire woodland conservation requirement in an off-site woodland conservation bank. Currently, there are no woodland conservation mitigation banks with available acreage within the Anacostia watershed.

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*While the Prince George's County Code does allow for properties within the Developed Tier to meet a portion of its off-site requirement with a fee-in-lieu if a site can be established for planting, there is no current process that details how the funds are provided at the time of implementation. The Department of Environmental Resources (DER) is currently the administrator of the Woodland Conservation Fund, to which the fee-in-lieu is paid. With the uncertainty of a private and/or public land owner's consent, as well as the vehicle for how the funding is provided at the time of implementation, the Planning Board does not recommend this option.

*According to the Maryland Stream Corridor Assessment for the Anacostia Watershed, the closest areas near the subject site identified as having inadequate buffer for the adjacent stream are approximately 300 feet from the subject site (see attached exhibit). The sites are located on private land and are currently developed with what appears to be multifamily residential units. Although the sites appear to be ideal for providing additional riparian buffer for the on-site stream, it is uncertain if the property owners are willing to agree to establish a woodland conservation area on the property. This would be the same concern for any property outside of a woodland conservation bank.

*At this time, the Planning Board approves the proposed off-site woodland conservation because it guarantees that the woodland conservation requirement will be met prior to issuance of the first grading permit.

- j. **Potomac Electric Power Company (PEPCO)**—In an email dated March 30, 2011, PEPCO stated that the proposed public utility easement should be free and clear of all landscaping.
- k. **Prince George's County Fire and Emergency Management Services Department**—The Prince George's County Fire and Emergency Management Services Department offered comment on private road design, needed accessibility, and the location and performance of fire hydrants.
- l. **Department of Public Works and Transportation (DPW&T)**—DPW&T offered the following:
 - Adelphi Road (a collector) and Edwards Way (an arterial) are county-maintained roads. Right-of-way dedication and roadway improvements should be done in accordance with DPW&T's appropriate standards.

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- All improvements within the public right-of-way as dedicated to the county are to be in accordance with the County Road Ordinance, DPW&T Specifications and Standards, and the Americans with Disabilities Act (ADA).
- Property frontages are improved, but any required widening and the replacement of any deteriorated concrete curb and gutter, sidewalks, street tree and street lighting standards, and commercial entrances must be completed in accordance with DPW&T Specifications and Standards, which include full-width, two-inch mill and overlay.
- All storm drainage systems and facilities are to be designed in accordance with DPW&T requirements.
- Existing utilities may require relocation and/or adjustments in accordance with DPW&T's Utility Policy and coordination with the various utility companies. Proper temporary and final patching and the related mill and overlay in accordance with the established DPW&T Specification for Utility Installation and Maintenance Permits are required.
- The proposed site plan is not consistent with approved Stormwater Management Concept Plan 2925-2005-01, dated April 2, 2008 and reapproved March 18, 2010. The existing storm drain is to be extended to the proposed receiving storm drain system.
- An access study must be conducted by the applicant and reviewed to determine the adequacy of access points and the need for acceleration/deceleration and turning lanes.
- Sidewalks are required in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- Any proposed master plan roadways that lie within the property limits must be addressed through coordination between The Maryland-National Capital Park and Planning Commission (M-NCPPC) and DPW&T, and may involve right-of-way reservation, dedication, and/or road construction in accordance with DPW&T Specifications and Standards.
- All existing/proposed culverts located under the roadway should be designed and replaced to handle the 100-year frequency storm runoff.
- Due to capacity problems associated with a shared through/left turn lane, DPW&T requires widening on Adelphi Road to create an exclusive left turn on southbound Adelphi Road at Riggs Road (MD 212).

- The right-in/right-out location should be placed far enough from the intersection of MD 212, so as not to cause any conflict with the proposed left-turn lane to east MD 212.
- A crosswalk with pedestrian indications should be added as part of the signal modifications across MD 212 at Adelphi Road.
- Traffic from the west on Adelphi Road using the right-in/right-out entrance will use Edwards Way to return to West Adelphi Road. This will increase traffic at the nonsignalized intersection of Adelphi Road at Edwards Way which is a level-of-service (LOS) F. DPW&T will require that the developer install a signal at this location. A bond for \$250,000 must be submitted for the new signal.
- Due to the high volume of left turns from southbound MD 212 to Adelphi Road, a double-left turn would improve the level of service. Since the signal falls under the jurisdiction of SHA, they will make the final decision as to the design of the signal.
- There are currently no bus routes along the property frontage on Adelphi Road. Coordination with the Washington Metropolitan Area Transit Authority (WMATA) will be required for the proposed bus pullouts. Bus shelters will also be required.
- Coordination with SHA and WMATA will be required for the proposed bus pullout on MD 212. DPW&T has no objections to this bus pullout.

In a subsequent email received July 12, 2011, a representative of DPW&T stated that SDP-1001, Edwards Property, is consistent with approved Stormwater Management Concept Plan 2925-2005-02, which supersedes the original stormwater management concept plan approved for the project, 2925-2005-01. The revision, dated May 5, 2011, was approved by DPW&T on May 27, 2011.

DPW&T's concerns shall be addressed through their separate permitting process.

m. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail received March 29, 2011, WSSC offered the following comments:

- The application will be reevaluated at time of application for water /sewer service.
- WSSC requires coordination as specified with other buried utilities.
- All WSSC rights-of-way are required to remain free and clear unless otherwise approved.

- Unless otherwise noted, all extensions of WSSC's system require a request for hydraulic planning analysis and need to follow the System Extension Permit process.

In separate comments transmitted to the applicant at the Subdivision and Development Review Committee (SDRC) Meeting on April 1, 2011, the applicant offered extensive comments on hydraulics and design.

WSSC's issues are not addressed herein, but through their separate permitting process.

n. **Maryland State Highway Administration (SHA)**—SHA offered the following comments:

- The applicant should coordinate with SHA's Access Management Division (AMD) regarding the provision of a full movement access and the associated improvements from Riggs Road (MD 212).
- An access permit will be required for the proposed access and associated improvements. Plans should be submitted for review and comment. SHA is concerned that the proposed full movement site access is too proximate to the MD 212/Adelphi Road signalized intersection. Traffic queuing analysis should be prepared to insure that it will not adversely impact surrounding intersections. The roadway improvement plans for widening, grading, and paving shall be prepared according to SHA standards and in compliance with the American Association of State Highway and Transportation Officials (AASHTO) (*A Policy on Geometric Design of Highways and Streets, Current Edition*).
- Truncations and right-of-way dedications/donations need to be designed/accomplished in accordance with the Master Plan of Highways. Plats designed in accordance with SHA standards must be submitted in hard copy format for review, checking, and final issuance.
- Any proposed entrance onto any public roadway system must be designed with proper sight lines for the design speed of the road. Both intersection and stopping sight distance are required that demonstrate that adequate sight distance is provided at the proposed entrance.
- Any utility relocation, adjustment, or connection with SHA rights-of-way requires a permit from the SHA District 3 utility engineer.
- A traffic impact study has been reviewed for the subject project. See the Transportation Planning Section's referral comments above regarding SHA comments on the traffic impact study for the project.

Note that SHA's concerns shall be addressed through their separate permitting process.

- o. **Washington Metropolitan Area Transit Authority (WMATA)**—In an e-mail received on May 19, 2011, a representative of WMATA, noting that the project will be served by bus route C8 along Adelphi Road and R1, R2, and R5 along Riggs Road (MD 212), offered numerous technical comments regarding the frontage improvements that will be necessary at the two bus turnout locations that will be incorporated in the review of the specific design plan for the project. In closing, WMATA also requested that the developer consider improving bus stops on the opposite side of the street on Edwards Way and Riggs and Adelphi Road due to what they termed “a natural nexus to this project for transit passengers going in the opposite direction.” As these are off-site improvements outside the scope of the subject project, they may not be properly considered here but have been, however, passed on to the applicant for their consideration.
- p. **The City of College Park**—In an e-mail dated April 14, 2011, a representative of the City of College Park stated that they did not care to comment on the subject project.
- q. **Buck Lodge, White Oak Manor, and the Hamptons Civic Associations**—The Planning Board is in receipt of an undated letter provided to us by the applicant's representative and signed by Ken Morgan of the Buck Lodge Citizens Association, Larry Sledd of the White Oak Manor Citizens Association, and Lisa Arrington of the Hamptons Civic Association. The letter included the following statements:
 - They understand the project to include two buildings; one for a drugstore and the second to have a maximum of two tenants.
 - They feel that the project generally meets the zoning conditions except those that cannot be met due to site constraints.
 - They support the revised architecture as being distinctive and that it will create an image of quality and permanence both in terms of its exterior, which is specified as predominantly brick, extensive glazing around the building entries, and a bricked archway connecting the two buildings which gives the appearance of respecting a build-to line along the street frontage.
 - They feel that the revised plans create a pedestrian-friendly environment by the addition of street furniture, pedestrian lighting, trash receptacles, bike racks and bus stop areas.
 - They like the entry feature as a focal point at the Adelphi/Riggs Road intersection.
 - They feel that massive parking areas and visible loading and dumpster areas have been eliminated by building and parking placement and by moving the loading and dumpsters closer to Edwards Way, where landscaping is the heaviest.

- They think the changes show good improvement and warrant moving forward with the approval of the comprehensive design plan for the project.
 - r. **Adelphi Hills Civic Association**—The Planning Board did not receive comment from the Adelphi Hills Civic Association.
15. **Required Findings for Planning Board Approval of a Specific Design Plan:** Each relevant required finding for the approval of a specific design plan as expressed in Section 27-528 of the Zoning Ordinance is listed in **boldface text** below, followed by the Planning Board comment:

- **The plan conforms to the approved Comprehensive Design Plan.**

As detailed in Finding 8 above, the subject specific design plan conforms to the requirements of approved Comprehensive Design Plan CDP-1001.

- **The plan conforms to the applicable standards of the Landscape Manual.**

As detailed in Finding 12 above, the subject specific design plan conforms to the applicable standards of the 2010 *Prince George's County Landscape Manual*.

- **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development.**

The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate capital improvement program or provided as part of the private development. Additionally, the subject development will be served by adequate transportation facilities within a reasonable period of time pending confirmation by DPW&T that the traffic signal warrant study for the intersection of Adelphi Road and Edwards Way is acceptable and bus pull-off areas at exiting and/or proposed bus stop locations along Riggs Road and Adelphi Road have been provided.

- **Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties.**

In an email, a representative of DPW&T stated that SDP-1001, Edwards Property, is consistent with Stormwater Management Concept Plan 2925-2005-02, dated May 5, 2011, and approved by DPW&T on May 27, 2011, superseding the original stormwater management concept approved for the project (2925-2005-01).

- **The plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

The plan is in conformance with Type 2 Tree Conservation Plan TCP2-011-11 being approved herewith.

- **The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible.**

The proposed design, as shown on the Type 2 tree conservation plan, preserves the PMA in a natural state to the fullest extent possible by disturbance of the entire PMA and relocation and reestablishment of the natural channel.

*11. Each issue identified in the Remand Order is listed below, followed by Planning Board comment:

*A. In the record and at the oral argument, opposition parties raised considerable objection, much of it well founded, as to the applicant's desire to completely clear the tree canopy, including about 24 specimen trees, from the subject property. When the property was placed in the L-A-C Zone in 2004, the District Council anticipated that a community center facility open to the public would be a part of the commercial complex to be built there. But under present circumstances, it appears that no such facility is planned. If that is so, and if no public facilities will be built, then the applicant and staff, and ultimately the Planning Board, must consider whether the lack of public benefit and the complete destruction of the present natural tree canopy can be mitigated through amenities benefiting the surrounding community.

*See Finding 9(h) for the Planning Board's response to the environmentally-related issues raised in this point of the Order of Remand. That discussion includes the requirement to plant trees off-site, which will compensate on a county-wide scale for the loss of tree canopy on the site. In addition, as to the issue of the feasibility of a community center facility on the site, its 4.14-acre size was deemed to be too small for a community center. For purposes of comparison, in the L-A-C Zone, the minimum size for the "Community Center" category is 20 adjoining gross acres and for the "Village Center" category 10 adjoining acres. Further, the Planning Board believed that, at the time of the original approval of the companion SDP for the case, the enhanced streetscape treatments which included a mini-park, described as Streetscapes A, B, and C in Condition 1(h) of PGCPB Resolution No. 11-78 for the companion SDP case, would offer a substantial public benefit and an amenity that would further compensate for the loss of tree canopy. However, in response to this point of the Order of Remand, the Planning Board has made Condition 1(h) of the approval of companion case SDP-1001, that the mini-park be further enhanced by a sculpture expressive of civil pride added to the mini-park design, with final design of said mini-park to be approved by the Urban Design Section as designee of the Planning Board.

*B. As to the clearing of trees and afforestation, the applicant and staff should determine whether replacement trees can be located nearby and other voluntary restrictions, such as larger afforestation acreage or close location to residential areas, can serve to mitigate further the loss of the existing tree canopy and pervious surfaces. In doing so, the Planning Board shall:

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- *1. Reexamine the deforestation plan with a goal to preserving any specimen trees that have at least a 50 percent chance of survival given the disturbance associated with the primary management area. Save as many mature trees as possible, particularly in and around the 100-year floodplain.
- *2. Wherever possible, drought resistant native perennial and annual ornamental and flowering plants shall augment the offerings of the landscape plan, including parking lot islands. Revise landscape plans to indicate the use of native perennial and annual flowering plants.
- *3. Specify a nearby site for tree mitigation within the Anacostia River Watershed, particularly in and around property in the 100-year floodplain.

*See Finding 9(h) for the Planning Board's findings regarding these issues raised in the Order of Remand.

*C. The record reflects, and residents on Edwards Way pointed out, that although there will be no direct access to and from Edwards Way and the subject property, traffic patterns around the property will inevitably increase traffic on Edwards Way, particularly during the morning and evening peak hours, after development of the subject tract as shown in this application. In addition, the present difficulties Edwards Way residents have, to get on and off the roadway, will be exacerbated by traffic generated by the proposed development. The applicant and staff should determine whether access for Edwards Way residents can be improved to compensate for increases in traffic to and from the subject property. In doing so, the Planning Board shall:

- *1. Explain traffic impacts on close by residents of Districts 2 and 3, particularly ingress and egress for communities with entrances along Edwards Way and Riggs and Adelphi Roads.
- *2. Investigate additional measures to increase the safety of pedestrians and transit users, including improvement of bus shelters on the opposite sides of Edwards Way and Riggs and Adelphi Roads.
- *3. Investigate the implications of multiple drive-through facilities on the property.

*See Finding 9(d) for the Planning Board's response to these issues raised by the Order of Remand.

*D. Any area residents or other interested persons who have not registered as persons of record should be allowed to do so, on remand.

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*Any area residents or other interested persons who have not registered as persons of record have been allowed to do so, for the purposes of this remand, pursuant to this provision.

*E. The Planning Board on remand of SDP-1001 shall reconsider its decision in light of the above stated reasons within 90 days of the adoption of this order.

*The case was being heard by the Planning Board on February 9, 2012, within the required 90-day period, which runs until February 12, 2012, 90 days from November 14, 2011, the date the Remand Order was adopted by the District Council.

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 2 Tree Conservation Plan (TCP2-011-11), and further APPROVED Specific Design Plan SDP-1001 for the above-described land, subject to the following conditions:

1. Prior to signature approval of the plans, the applicant shall make the following revisions and provide the indicated additional documentation:
 - a. The sign detail shall be revised for the proposed tenants, exclusive of CVS, to include sign dimensions, materials, and up to four colors. The signage colors and logos of regional or national tenant shall be allowed as a substitute for the detail provided in the revisions.
 - b. The parking schedule shall be revised to clarify the number of spaces provided in the parking breakdown and the number of standard spaces.
 - c. The relevant comprehensive design plan and the preliminary plan of subdivision shall be certified in accordance with the requirements of the respective approvals.
 - d. A note shall be placed on the plans stating that: "Trash receptacles and the dumpster shall be emptied as needed and the site and its landscaping shall be regularly maintained. All dust free surfaces shall be washed and swept as needed."
 - e. †~~Drought resistant~~ [P]erennial and annual flowering plants shall be added to the landscape plan. Final design of such additional landscaping shall be approved by the Urban Design Section as designee of the Planning Board.
 - f. The applicant shall provide a written statement from the Department of Public Works and Transportation (DPW&T) stating that they found the traffic signal warrant evaluation for the intersection of Adelphi Road and Edwards Way submitted by the applicant's traffic engineer to be acceptable.

†Denotes Correction

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~striketrough~~ indicate deleted language

- g. The items required by Condition 1 of CDP-1001, prior to signature approval, shall be accurately reflected on the SDP. The access to Adelphi Road shall be clearly labeled as right-in/right-out access. Final conformance to these requirements on the SDP shall be approved by the Urban Design Section as designee of the Planning Board.
- h. The applicant shall include dimensioned color drawings to scale of all streetscape and focal point amenities, including but not limited to the "Welcome to Adelphi" sign, all types of walls to be utilized around the periphery of the site and in the focal point, benches, trash receptacles, bike racks, and decorative light fixtures. †The focal point feature shall be further enhanced by a sculpture expressive of civic pride added to said mini-park to be approved by the Urban Design Section as designee of the Planning Board. Streetscape treatments shall be as follows:
- "Streetscape A" shall include three benches within the area of the focal point "Welcome to Adelphi" feature, a decorative two-foot knee wall including masonry piers (three feet high, spaced about 17 feet apart , and a linear hedge with perennial plantings and other shrubs, ornamental grasses and ground cover. This design shall be provided on both sides of the community focal feature at the intersection of Riggs and Adelphi Roads, along Riggs Road (MD 212) to the vehicular entrance to the project, and along Adelphi Road for approximately the same distance.
 - "Streetscape B" shall include a decorative fence with masonry piers (four feet high), approximately 17 feet apart, linear hedge and perennial plantings. It shall be utilized along the portion of the Adelphi Road frontage starting where Streetscape A ends, then along Adelphi Road extending to the intersection at Edwards Way; and along Riggs Road from the western side of its vehicular entrance to its intersection with Edwards Way.
 - "Streetscape C" shall include a vegetated buffer including deciduous and evergreen trees to create a diversity of seasonal interest and annual and perennial flowers as required by Condition 3c of the CDP approval. Streetscape C shall be utilized along the project's Edwards Way frontage and on the adjacent Adelphi Road frontage, in a southern direction, to the vehicular entranceway from Adelphi Road.

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Streetscape design shall include, in addition to any required DPW&T street lights, twelve decorative pedestrian-scale light fixtures (four along Adelphi Road, four along the Edwards Way frontage, and four along the Riggs Road frontage), a total of five benches (three at the corner of Adelphi and Riggs Roads as part of the focal feature area, and one at each of the two bus stops (one on the Riggs Road frontage and one on the Adelphi Road frontage)).

Final design of all streetscape treatments shall be consistent with Applicant's Exhibit B and approved by the Urban Design Section as designee of the Planning Board.

- i. The applicant shall provide striped crosswalks across Edwards Way at both the intersection of Riggs and Adelphi Roads unless otherwise modified by DPW&T and SHA.
- j. A copy of the stormwater management concept shall be submitted for inclusion in the case file, and the approved Stormwater Management Concept Plan (2925-2002-02) shall be correctly reflected on the specific design plan and Type 2 tree conservation plan.
- k. The applicant shall revise the specific design plan to clearly indicate with notes and labels that the connection between the two buildings is a false façade that runs from the ground to the roof level on both the Edwards Way and Adelphi Road frontages.
- l. The Type 2 tree conservation plan shall be revised as follows:
 - (1) Show a threshold calculation of 20 percent on the worksheet, in conformance with the approved Type 1 tree conservation plan.
 - (2) Add the following note: "The first priority for any approved off-site woodland conservation shall be within the Anacostia Watershed."
- m. The tree canopy coverage worksheet demonstrating how the tree canopy coverage will be met shall be shown on the landscape plan.

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.

* * * * *

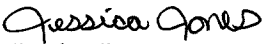
~~*[This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Cavitt, with Commissioners Squire, Cavitt, Bailey and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, July 28, 2011, in Upper Marlboro, Maryland.]~~

~~*[Adopted by the Prince George's County Planning Board this 15th day of September 2011.]~~

*This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Squire, Shoaff and Hewlett voting in favor of the motion at its regular meeting held on Thursday, February 9, 2012, in Upper Marlboro, Maryland.

*Adopted by the Prince George's County Planning Board this 8th day of March 2012 and administratively corrected on May 30, 2012.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:arj

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APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 5/31/12