

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, ICMA-CM, CPM
City Manager

SUBJECT: ***Status Report***

DATE: July 3, 2019

Status Report

1. South Lake (Site Infrastructure Plan Update)

The attached memorandum and attachments provide an update to Council regarding a proposed revision to the approved Detailed Site Plan for Infrastructure at South Lake. No Council action is required.

2. Traffic Calming, Beaverdale Lane; Impacts on Beachtree

Three speed humps were installed on Beaverdale Lane in May 2019, after requirements in the City's Neighborhood Traffic Management Program were met. Because of concerns expressed about the possibility that the humps may diverting traffic to Beachtree Lane, staff conducted traffic counts on Beachtree before and after the installation of the humps on Beaverdale. Results, attached, currently show no change in traffic volume on Beachtree Lane.

3. City Elections

Resident Antonio Lindsey filed his candidacy paperwork on July 2 for the District 4 Council seat.

ADL:lfr

Attachments 2



City of Bowie

15901 Excalibur Road
Bowie, Maryland 20716

MEMORANDUM

TO: City Council

FROM: Alfred D. Lott, ICMA-CM, CPM
City Manager

SUBJECT: Detailed Site Plan #DSP-05042-02
South Lake Detailed Site Plan for Infrastructure

DATE: July 3, 2019

This memo is provided for informational purposes, only. The City has received a referral of the above-referenced Detailed Site Plan (DSP) for reconfiguration of the South Lake site's grading and public road layout. As the subject DSP is a revision to an already approved DSP for infrastructure, it is not necessary for the City to comment on this plan. The proposed revision has no impact on the City. The DSP is being reviewed at the Planning Director level at The Maryland-National Capital Park and Planning Commission (M-NCPPC).

The attached Statement of Justification describes the changes to the approved DSP, which include a new public street layout. The revisions will reconcile the previously reviewed DSP for Infrastructure with the current development plan which was used in the Tax Increment Financing (TIF) application. A description of the proposed revisions appears on page 2 of the Statement of Justification. The prior road layout was shown in Preliminary Plan #4-17027, reviewed by City Council last September. That plan was designed with a major loop road which provided access to all of the neighborhoods in the development. In the new layout, the loop road has been eliminated in favor of a system of gently curving, public streets running in a north-south direction, between Old Central Avenue and Prince George's Boulevard in the Collington Center. Road access will also be provided to the proposed Collington Athletic Complex, just to the south of South Lake. Additional public streets that will be created to serve the single-family detached and townhouse sections are not shown on this plan.

Detailed Site Plans for residential and commercial development have been prepared and are in the process of being accepted by M-NCPPC. City Stakeholder Meetings and public hearings will be held this fall. Please contact the City's Planning Department if you should have any questions about these plans for South Lake.

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June 3, 2019

VIA HAND DELIVERY

Ms. Jill S. Kosack
Development Review Division
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

**RE: Statement of Justification for South Lake (formerly Karington)
Detailed Site Plan for Infrastructure Only (DSP-05042-02)**

Dear Ms. Kosack:

This application is a request by South Lake Partners, LLC is for the Limited Amendment for approval by the Planning Board to existing Detailed Site Plan, following the standards of Section 27-289(b) of the Zoning Ordinance for Prince George's County, in Subtitle 27 of the Prince George's County Code. The Planning Board approved the prior DSP-05042 application for rough grading and construction of the lake in resolution PGCPB No. 05-258, adopted on December 8, 2005. A revision to DSP- 05042 was accepted by M-NCPPC in August of 2007 but was subsequently withdrawn. A second revision, DSP-05042-02, was filed for an Administrative – Planning Director level review and approval on December 23, 2016. The application process was never finalized and was declared dormant on March 26, 2019; and is now being revived in this instant application.

The subject detailed site plan (DSP) application is for infrastructure only for the overall site, which is planned for development with a mix of single-family dwelling units, multifamily, commercial, office and hotel space. Currently, DSP-19021 is being finalized for submission to M-NCPPC for infrastructure and architecture for approximately 765,000 square feet of space configured for commercial/retail use; and, DSP-19023 is also being completed for submission to include architecture, street and lotting patterns for approximately 1,035 residential units, and DSP-16054 for 325 multifamily apartment units. Applications that includes full details for the multifamily portion of the development proposed in the eastern part of the site, near the interchange of US 301 and Old Central Avenue is being processed under another DSP case matter.

I. Description of the Proposed Project

As stated above, the Applicant is proposing a revision to the approved DSP for infrastructure which includes: revising the internal public roads layout to include Streets A, B, C, D, and E, removal of one public access to US 301 (i.e., Street G from the Preliminary Plan of Subdivisions 4-04035 and 4-17027). The site plan also creates Outparcels C thru H and adds a public road connection to meet the existing Prince George's Boulevard located within the Collington Center to the south. Said roadway is designed as a public right of way versus a private street on Parcel 109 (as approved on Preliminary Plan of Subdivisions 4-04035 and 4-17027). The application revises the proposed grades slightly to facilitate the current planning practices better, as reflected in the proposed development of the site. The design for the lake is revised from a single facility to a two-tier facility. The DSP site plan implements slight adjustments to the limits of disturbance and tree conservation plan Type 2 to facilitate the new infrastructure and layout, removing the impacts resulting from the removal of the northwest road connection to MD 214 (as approved within Preliminary Plan of Subdivisions 4-04035 and 4-17027). The plan also includes the new road sections, updated street construction phasing, and the master-planned trail alignment.

A. Site Location and Characteristics

The subject site is located at the southwest quadrant of the intersection of MD 214 and US 301 (Robert Crain Highway). The property is located in Planning Area 74A within the area included in the *2006 Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B*.

B. Surrounding Land Uses

South Lake consists of approximately 381.52 acres of land in the E-I-A Zone and is located southwest of the intersection of US 301 and MD 214.

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

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

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

C. Zoning and Permitted Uses

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

use. The development shall meet all M-X-T Zone requirements in Part 10. The development shall meet all M-X-T Zone requirements in Part 10.” The E-1-A Zone may include a mix of residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses, meeting all requirements in the definition of the use.

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

II. Prior Approvals

The 2006 *Approved Master Plan for Bowie and Vicinity and SMA for Planning Areas 71A, 71B, & 74B* (The Master Plan) retained this property in the E-I-A (Employment and Institutional Area) Zone. CB-13-2002 was approved to permit the mixed-use planned community use within the E-I-A Zone for properties meeting specific criteria. CB-73-2016 was enacted to allow alternate development regulations for mixed-use planned communities under specific circumstances, which apply to the subject property.

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

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

On January 10, 2019, the Planning Board approved Resolution No. 19-06 for the South Lake Type 1 Tree Conservation Plan TCP1-048-02-04, and further approved the Preliminary Plan of Subdivision 4-17027 for 66 lots and 3 parcels. The site has an approved stormwater management concept plan 20947-2002-03, valid until May 8, 2020.

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

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

III. Conformance with the Zoning Ordinance

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

Section 27-500. - Uses.

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

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

Sec. 27-501 – Regulations.

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

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

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

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

Response: The Applicant shall comply with this standard.

Sec. 27-544 – Regulations.

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

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

Response: The proposed Mixed-Use Planned Community conforms to the purposes, regulations and required findings and review process set forth for the M-X-T Zone. See below for a detailed discussion of the plan's conformance to these requirements. It is noted that the following regulations are advisory only.

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

TOTAL GROSS FLOOR AREA	MIN.	MAX.
Residential (at least two different types)	50%	90%
Retail	10%	20%
Office/Employment	0%	40%

Response: As noted above, this DSP application is for infrastructure improvements only. The Applicant will address the above advisory standard in future DSP development applications.

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

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

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

Response: The proposed development includes an integrated network of streets, sidewalks, and open space and prioritizes public space. The development is designed around a two-tier central lake area and surrounding public spaces for active and passive recreation. The portion of the development, including the central public space, is being reviewed for infrastructure only under the subject DSP. Full details of proposed amenities will be submitted and for review in conformance to the above requirement with the full-scale DSP for this area.

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

Response: The Applicant agrees to comply with this standard.

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

Response: A central public space is proposed with the two tier lake as the focal point and will be designed to be surrounded by a combination of commercial and recreational facilities. The portion of the development, including the central public space, is being reviewed for infrastructure only under the subject DSP. Full details of proposed amenities will be reviewed for conformance to the above requirement with the full-scale DSP for this area.

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

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

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

Response: The portion of the development, including the central public space, is being reviewed for infrastructure only under the subject DSP. Full details of proposed amenities will be reviewed for conformance to the above requirement with the full-scale DSP for this area.

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

Response: The subject DSP is under review for infrastructure only for the overall development and specific details of squares, greens, and parks will be reviewed with full-scale detailed site plans for each section. The overall development will include central lake features, an extensive network of trails, conveniently-located amenities and recreational facilities within each residential section.

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

Response: As noted above, specific details of open spaces throughout the development will be reviewed with each full-scale DSP. Open spaces associated with the multifamily area that is currently under full review have been designed to provide for a variety of visual and physical experiences and include passive and active recreational options for future residents.

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

Response: As noted above, specific details of open spaces throughout the development will be reviewed with each full-scale DSP development application submission.

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

Response: The subject DSP is under review for infrastructure only for the overall development and specific details of squares, greens, and parks will be reviewed with full-scale detailed site plans for each section. The overall development will include a central open space, an extensive network of trails, conveniently- located amenities and recreational facilities within each residential section. The multifamily section of the development, which will be under full review with a future DSP application, will also include an extensive amenity package.

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

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

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

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

(E) *Creating a retail area where, if the front of a retail store fronts a street: pedestrians may travel with ease, with attractive walkways and continuous street*

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

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

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

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

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

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

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

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

Response: The portion of the DSP, including retail uses, is currently submitted for infrastructure improvements only. Conformance to the above requirements will be submitted for evaluation in future DSP development applications for these areas.

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

(A) Single-family detached.

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

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

Response: The roads portion of the DSP, is currently submitted for infrastructure improvements only. Conformance to the above requirements will be submitted for evaluation in future DSP development applications for these areas.

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

Response: All proposed streets in the single-family detached areas include sidewalks.

(B) Multifamily.

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

(ii) Use of siding should be limited.

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

Response: The portion of the DSP, including multifamily uses, is currently submitted for infrastructure improvements only. Conformance to the above requirements will be submitted for evaluation in future DSP development applications for these areas.

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

Section 27-548. Regulations

Section 27-548, M-X-T Zone regulations, establishes additional standards for development. The DSP's conformance with the applicable provisions is discussed as follows:

Response: As noted in multiple instances herein, this instant DSP application is submitted for **infrastructure improvements only**. Conformance to this Section and Section 27-548 and the

referenced M-X-T standards and requirements will be submitted for evaluation in future DSP development applications associated with the various single-family, townhouse, multifamily, and commercial phases of South Lake development.

The specifics pertaining to the requirements of the above-referenced standards will be addressed in an application identified as DSP-19021 is being finalized for submission to M-NCPPC for infrastructure and architecture for approximately 765,000 square feet of space configured for commercial/retail use; and, DSP-19023 is also being finalized for submission to include architecture, street and lotting patterns for approximately 1,035 residential units. Applications that includes full details for the 325 unit multifamily apartment portion of the development proposed in the eastern portion of the site, at the intersection of US 301 and Old Central Avenue is being processed under another DSP-16054 case matter.

C. Compliance With Evaluation Criteria For A Detailed Site Plan

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

(b) Required findings for Detailed Site Plans

(1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

Response: Based on the points and reasons provided herein, in addition to the plans and other evidence filed in conjunction with this application, the applicant contends that the DSP represents the most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for the intended uses.

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required).

Response: See section IV below for a detailed discussion of the DSP's conformance with the approved Conceptual Site Plan CSP-02004.

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

Response: This instant DSP application is submitted for infrastructure improvements only. A

detailed discussion of the application's conformance with the site design guidelines of Section 27-274 is provided below. The subject application is in compliance with an approved stormwater management concept plan; the tree conservation plan is designed to prevent offsite property damage and prevent environmental degradation. The plan also provides for woodland conservation and prevents excessive drainage, erosion, and pollution discharge.

- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).***

Response: The site has an approved Type I tree conservation plan (TCPI/48/02-02) and Type II tree conservation plan (TCPII/126/05). An approved stormwater management plan and concept approval letter submitted with the application. An application for the revision to the Tree Conservation Plan – Type II for Infrastructure is submitted in conjunction with this application. The site has an approved Natural Resources Inventory and Approved Rough Grading and Sediment Control Plan No. SC 247-07. Therefore, regulated environmental features will be preserved and restored in a natural state to the fullest extent practicable.

Section 27-246 – Site Plan:

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

- (1) The proposed drainage system;***

Response: Details addressing the proposed drainage system are included with the plans and other information submitted with this instant application submission. The site has an approved Stormwater Concept Plan #26947-2002; expires May 8, 2020.

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

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

- (4) Supporting evidence which shows that the proposed development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in a specific public facilities financing and implementation program, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plan approval, whichever occurred last.***

Response: This instant DSP application is submitted for infrastructure improvements only. Conformance to the above-referenced standards and requirements will be provided by the Applicant and their design team for evaluation in conjunction with future DSP applications associated with the South Lake development.

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

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

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

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

Response: The subject property is zoned E-I-A; therefore, this standard does not apply to this application.

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

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

Response: Adjacent development to the west includes an existing single-family detached neighborhood and to the south includes an existing flex/warehouse/office employment park. Proposed uses have been located to promote compatibility by proposing single-family detached housing and open space within the western portion of the development and commercial/retail/hotel uses in the southern portion.

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

Response: This instant DSP application provides the design for infrastructure improvements only. Conformance to the above-referenced standard and requirements will be provided by the Applicant and their design team for evaluation in conjunction with future DSP applications associated with the South Lake development.

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

Response: Conformance to this requirement was reviewed through CSP-02004. Each section of South Lake is designed stand as a self-sufficient while allowing for effective integration of subsequent phases.

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

Response: The submittal demonstrates an interconnected pedestrian system that is convenient and designed to encourage pedestrian activity and connect to amenities in neighboring phases of the development. Details relating to the interconnectivity of the sidewalks, trail, open space, and recreation features will be submitted with future DSP development applications currently being prepared for submission in conjunction with the future DSP-19021 and DSP-19023 applications.

- (9) *On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map Amendment, transportation facilities that are existing; that are under construction; or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program, or the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in an approved public facilities financing and implementation program, will be adequate to carry anticipated traffic for the proposed development. The finding by the Council of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent the Planning Board from later amending this finding during its review of subdivision plats.*

Response: Findings of adequacy were found by the Planning Board in their approval of the CSP-02004, PPS 4-04035, and 4-17027. Refer to section IV below for a detailed discussion of the DSP's conformance with the approved Conceptual Site Plan CSP-02004.

- (10) *On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or to be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club).*

Response: Not applicable. A finding of adequacy was made at the time of reconsideration of the PPS in February 2017.

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

Response: The proposal is for a DSP application for infrastructure only that is being submitted in support of a Mixed-Use Planned Community, including a combination of the above-referenced uses. Conformance to this Section and Section 27-548 and the referenced M-X-T standards and requirements will be submitted for evaluation in future DSP development applications associated with the various single-family, townhouse, multifamily, and commercial phases of South Lake development.

IV. Previous Approvals

Conceptual Site Plan CSP-02004: On July 3, 2003, the Planning Board reviewed and adopted the Conceptual Site Plan CSP-02004 (Corrected Resolution PGCPB No. 03-135(C)) for the subject property. The Planning Board approved the Conceptual Site Plan application with the following 42 conditions, *highlighted in italic bold*:

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

Response: The above condition(s) relating to the certified CSP do not apply to this instant DSP application for infrastructure improvements only.

2. *At the time of the first Detailed Site Plan (other than infrastructure) ...*

Response: The above CSP condition does not apply to this instant DSP application for infrastructure improvements only.

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

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

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

Response: Compliance with the above CSP condition is set to trigger at the time of issuance of any building permit within the subject property, this condition does not apply to this instant DSP application for infrastructure improvements only.

5. *MD 214 at Hall Road/site access: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T for a possible signal at the intersection of MD 214 and Hall Road/site access...*
6. *US 301 at Old Central Avenue: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only...*
7. *US 301 at site entrance/median crossover: Prior to the approval of the first Detailed Site Plan for the subject property other than a Detailed Site Plan for infrastructure only...*

Response: Because the above CSP conditions 5 and 6 exempts Detailed Site Plans for infrastructure from compliance, this condition does not apply to DSP-05042-02.

8. *Merge of ramp from eastbound MD 214 onto US 301: Prior to the issuance of any building permits within Phase II, as defined in Condition 10, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency for the extension of the northbound merge lane to a length of no less than 400 feet subject to available right-of-way or in the alternative the elimination of said ramp by utilization of other acceptable improvement.*

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

9. *The applicant shall pay to Prince George's County a sum calculated as \$725,094.25 x (FHWA Construction Cost Index at time of payment)/(FHWA Construction Cost Index for 2nd quarter, 1989). This fee may be assessed on a pro rata basis, with a pro rata schedule to be determined at the time of preliminary plan. In lieu of said payment, applicant may elect to install the improvements referenced in Conditions 6 and 8, along with other improvements deemed necessary for adequacy along US 301, with the applicant receiving the credit against said fee for the cost of said improvements. The scope of the improvements shall be determined at the time of preliminary plan.*
10. *All off-site traffic improvements may be altered or modified at preliminary plan dependent upon phasing schedules.*

Response: Because the above CSP conditions 9 and 10 are predicated on its compliance at the time of the Preliminary Plan approval, this condition does not apply to the DSP-05042-02 application for infrastructure improvements only.

11. *Total development within the subject property shall be limited to uses which generate approximately than 1,313 AM and 1,925 PM peak hour vehicle trips, in consideration of the rates of trip generation, internal satisfaction, and pass-by that are consistent with assumptions in the traffic study. Phase I would be identified as any development which generates up to 774 AM and 1,242 PM peak hour trips, subject to reasonable assumptions made on the basis of site development proposals. Phase II would be identified as any development which generates more than 774 AM and 1,242 PM peak hour trips. Rates of internal trip satisfaction may be modified by staff in consultation with the applicant in the event that a greater or lesser degree of mixed-use development actually occurs, but any modifications shall fully consider the assumptions made in the traffic study.*

Response: As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with CSP condition 11 and it's stated compliance with the Trip Cap stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

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

Response: Plan sheet 1 of 16 of the subject DSP site plan for infrastructure provides an assortment of typical street sections cross-section designs for the various roadway designed for South Lake. However, because the above CSP condition is predicated on its compliance at the time of the

Preliminary Plan approval, this condition does not technically apply to the DSP-05042-02 application for infrastructure improvements only.

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

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

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

- 14. *Prior to preliminary plan signature approval, the applicant, his successors and/or assigns shall provide additional documentary evidence that the subject property is (or will be) served by public transportation through local (county Department of Public Works and Transportation) or regional (Washington Metropolitan Area Transit Authority) bus system routes and stops that are located within and in proximity to the development. This provision shall be in keeping with the requirement of the fifth criterion, establishing geographic applicability of mitigation, in the Guidelines for Mitigation Action (as established by CR-29-1994). This requirement may also be satisfied through the provision of privately funded shuttle bus service to supplement available public transportation service, in order to achieve the headway and walking distance requirement stipulated as a requirement for the use of mitigation. At the time of Detailed Site Plan, transportation planning and DPW&T staff shall review bus routing plans.***

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

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

Response: The subject DSP-05042-02 site plan complies with CSP condition 15.

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

Response: The above condition(s) relating to certified CSP certification and related revisions to the TCP I plan do not apply to this instant DSP application for infrastructure improvements only.

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

Response: The site layout for this instant DSP application for infrastructure improvements and the TCP II plan submitted in conjunction with application reflect adjustments to the woodland conservation areas outlined in condition.

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

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

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

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

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

Response: The Applicant acknowledges this condition.

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

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

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

Response: The Applicant acknowledges this condition. All impacts are in accordance with the approved and current TCP I and TCP II plans.

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

Response: The Applicant acknowledges this condition.

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

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

Response: The above condition relating to certified CSP certification and related revisions to the TCP I plan do not apply to this instant DSP application for infrastructure improvements only.

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

Response: As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with CSP condition 25 and it's stated compliance with the potential highway noise impacts stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP application for the multifamily phase of the South Lake development.

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

Response: The Applicant acknowledges this condition.

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

Response: This condition was changed with the last approval of PPS 4-04035.

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

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

Response: The Applicant has been working with M-NCPPC in reference to condition 27 and 28.

Per revised PPS 4-04035 the trail will be along South Lake Roads 'A', 'C', and 'D'.

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

Response: As noted in multiple instances herein, this instant DSP application is for infrastructure improvements only. Conformance with CSP condition 30 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development. The Applicant has been working with M-NCPPC Department of Recreation and Parks in reference to the implementation of condition 28.

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

Response: This condition was revised per subsequent approved PPS 4-04035.

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

Response: This condition was revised per subsequent approved PPS 4-04035.

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

Response: This condition was revised per subsequent approved PPS 4-04035.

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

Response: This condition was revised per subsequent approved PPS 4-04035.

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

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

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

Response: The Applicant acknowledges this condition that is set to trigger at the time of preliminary plan review and approval.

37. *The applicant, his successors, and/or assignees shall provide adequate, private recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines. The complete recreational package shall, at a minimum, include facilities provided for on the Conceptual Site Plan.*

Response: As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with CSP condition 30 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development. The Applicant has been working with M-NCPPC Department of Recreation and Parks in reference to the implementation of condition 37.

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

Response: As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with CSP condition 30 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

39. *The developer, his successors, and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.*

Response: The Applicant acknowledges this condition.

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

Response: As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with CSP condition 30 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP application for the multifamily phase of the South Lake development.

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

Response: The Applicant acknowledges this condition. As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with CSP condition 30 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP application for the multifamily phase of the South Lake development.

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

Response: The Applicant acknowledges this condition.

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

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

Response: The site layout for this instant DSP application for infrastructure improvements and the TCP II plan submitted in conjunction with application reflect adjustments to the site plan resulting impacts caused by soil and slope conditions outlined in PPS 4-04035 (PGCPB No. 04-247(C)). Further conformance with DSP condition 1 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

2. *Prior to certificate approval of the DSP for infrastructure, the October 12, 2005, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to include three additional slope stability cross sections at the south side of street A, south side of Street T, and the north side of Street K. The comprehensive slope stability analysis shall be revised for the entire site to reflect the new information in*

accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division. Certification of the study shall be received from the chief building inspector prior to certificate approval of the DSP that shows these areas to be disturbed.

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

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

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

4. *Prior to certificate approval of the DSP for infrastructure, the TCP II shall be revised as follows:*

- a. *Show all specimen trees and provide the required specimen tree table.*

Response: The approved TCP II / 126 / 05 approved October 15, 2007, provides the required specimen tree table on sheet 2 of 15 submitted within this application packet. The revised TCP II plan set submitted in conjunction with this instant DSP-05042-02 application was signed and dated by the qualified professional that prepared the plan Mike Petrakis: COMAR 08.19.06.01 on May 9, 2019 and specimen tree table.

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

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

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

Response: The approved TCP II / 126 / 05 submitted within this application packet provides the revision defined in condition 4.c. referenced above.

- d. *Show all proposed utility connections and off-site road improvements clearly and provide for the off-site clearing in the worksheet at a ratio of 1:1*

or provide a note clearly stating what infrastructure features are proposed to be installed.

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

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

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

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

Response: The Applicant provided the Phase I archeological investigation study report during the period the Preliminary Plan of Subdivision 4-04035 was under review and approved.

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

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

Response: The above PPS condition/sub conditions articulated in condition 1 relating to the approval of the Preliminary Plan of Subdivision do not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

3. *Development of this subdivision shall be in compliance with an approved Type I tree conservation plan †[(TCPI/48/02-01)] (TCPI/48/02-02). The following notes shall be placed on the final plat of subdivision:*

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/48/02-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

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

Response: Per PPS 4-17027 tree ‘K’ has been removed from the project development site plan.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. The prepared geotechnical report addresses the soil condition K-factor. The DSP-19023 that is in the process of being finalized for submission to include architecture, street, and lotting patterns for approximately 1,035 residential units will address the requirement of condition 5 above.

6. *Prior to approval of the first detailed site plan for the Karington Subdivision, the September 20, 2004, geotechnical report referenced by IC&E file number 40-04065-8 shall be revised to eliminate assumptions and be based on factual data and the comprehensive slope stability analysis shall be revised for the entire site to*

reflect the new information in accordance with the guidelines established by the Department of Environmental Resources, Permits and Review Division.

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

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

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

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

Response: This condition does not apply to the DSP-05042-02 application.

9. *The Type II tree conservation plan shall provide a detailed list of all required off-site road improvements and an analysis to determine if each improvement will be subject to the requirements of the Prince George’s County Woodland Conservation Ordinance. The list shall indicate an approximate time frame for initiation of the proposed road improvements including responsibility for Type II tree conservation plan approvals. Any road improvement projects that are the responsibility of the applicant for this case shall mitigate the woodland clearing associated with those projects on an acre for acre basis.*

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

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

Response: This condition does not apply to the DSP-05042-02 application, but will be included on the plat in the future.

11. *Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., copies of all federal and state wetland permits,*

evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.

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

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

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

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

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

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

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

Response: Conditions 14 and 15 do not apply to this instant DSP application for infrastructure improvements only. The DSP-19023 that is in the process of being finalized for submission to include architecture, streets, and lotting patterns for approximately 1,035 residential units will address the requirement of conditions 14 and 15 above.

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

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

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

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

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

Response: The Applicant understands and agrees to comply with this condition and have included within the designated infrastructure roads.

19. *The following note shall be placed on the final plat:*

"An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate."

Response: Condition 19 is not applicable to this instant DSP application for infrastructure.

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

Response: This condition does not apply to the DSP-05042-02 application.

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

Response: Condition 21 does not apply to this instant DSP application for infrastructure improvements only.

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

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

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

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

Response: Conditions 23 does not apply to this instant DSP application for infrastructure improvements only.

24. *US 301 at Old Central Avenue: Prior to the approval of the detailed site plan for the subject property (other than infrastructure)...*

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

25. *US 301 at site entrance/median crossover: Prior to the approval of the detailed site plan for the subject property (other than infrastructure)...*

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

26. US 301 widening:

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

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

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

Response: Conditions 27 does not apply to this instant DSP application for infrastructure improvements only.

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

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

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

Response: Plan sheet 1 of 16 of the subject DSP site plan for infrastructure provides typical street cross-section designs for the various roadway designed for South Lake and submitted for review and approval in compliance with condition 29. As the subject property was recently annexed within the municipal boundary of the City of Bowie and all sections will be reviewed through the City of Bowie permit review process.

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

Response: Condition 30 that is set for implementation at the time of approval of the final plat of subdivision does not apply to DSP-05042-02.

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

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

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

Response: As noted in multiple instances herein, this instant DSP application is for rough grading infrastructure improvements only. Condition 32 that is set for implementation at the time of approval of the final plat of subdivision does not apply to DSP-05042-02.

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

Response: This condition is set to implement at the completion stage of recreation features, does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition is set to implement at the completion stage of certain recreation features, does not apply to this instant DSP application for infrastructure improvements only.

35. *Proposed PMA impacts #5 and #6 shall be further evaluated during the review of the first Detailed Site Plan proposing these specific PMA impacts in order to further minimize and/or avoid the impacts once more detailed topographic, Geotechnical and grading information becomes available. If proposed PMA impact*

#5 cannot be sufficiently minimized the proposed pool and clubhouse shall be relocated and Parcel 79 shall be eliminated.

Response: As noted in multiple instances herein, this instant DSP application is for infrastructure improvements only. Condition 35 is set for implementation at the time of the pending DSP-19021, DSP-19023 and subsequent DSP application for the multifamily phase of the South Lake development does not apply to DSP-05042-02.

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

Response: This condition which is set to implement after final plat, does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition which is set to implement at the fine grading permit issuance, does not apply to this instant DSP application for infrastructure improvements only.

38. The approval of the first detailed site plan for residential development (other than infrastructure)...

Response: Conditions 38 does not apply to this instant DSP application for infrastructure improvements only.

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

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

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

Response: Condition 40 does not apply to this instant DSP application for infrastructure improvements only.

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

Response: Condition 41 that is set to implement at time of final plat, does not apply to this instant DSP application for infrastructure improvements only.

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

Response: Condition 41 that is set to implement at the time of preliminary plan approval, does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition that is set for implementation at the time of detailed site plan approval development, does not apply to this instant DSP application for infrastructure improvements only.

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

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

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

Response: Condition 45 that is set to occur at the time of permit approval, does not apply to this instant DSP application for infrastructure improvements only.

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

Response: The Applicant acknowledges this condition.

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

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

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

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

Response: Conditions 1. a., b., c., d., and e. do not apply to the instant DSP-05042-02 application.

2. *Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan shall be revised as follows:*

- a. *Show the limits of the current PPS on the plan.*
- b. *Revise the QR code approval block to reference the subject PPS number.*

Response: Conditions 2. a. and b. do not apply to the DSP-05042-02 application for infrastructure.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

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

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

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. The Applicant agrees to comply with these conditions 8. a. and b. as the South Lake development progresses through its construction phases.

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

Response: As noted in multiple instances herein, this instant DSP application is for **infrastructure improvements only**. Conformance with condition 9 and it's stated compliance with the Trip Cap

stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

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

Response: DSP-05026-02 plan sheet 1 of 16 of the subject DSP site plan for infrastructure provides an assortment of typical street sections cross-section designs for the various roadway designed for South Lake.

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

Response: As noted in multiple instances herein, this instant DSP application is for infrastructure improvements only. Conformance with CSP condition 30 stated herein will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development. The Applicant has been working with M-NCPPC Department of Recreation and Parks concerning the implementation of condition 11.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

- 13. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall convey to the homeowners association (HOA) land as identified on the approved preliminary plan of subdivision. Land to be conveyed shall be subject to the following, which shall be included in the declaration of covenants:*

- a. A copy of the deed for the property to be conveyed shall be submitted to the Subdivision and Zoning Section of the Development Review Division, Upper Marlboro, Maryland.*

- b. All waste matter of any kind shall be removed from the property, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section, or the entire project.*
- c. The conveyed land shall not suffer the disposition of construction materials, soil filling, other than the placement of fill material associated with permitted grading operation that are consistent with the permit and minimum soil class requirements, discarded plant materials, refuse, or similar waste matter.*
- d. Any disturbance of land to be conveyed to a HOA shall be in accordance with an approved site plan. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls.*
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a HOA. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by the Development Review Division, in accordance with the approved detailed site plan.*

Response: Conditions 13. a., b., c., d., and e. do not apply to this instant DSP application for infrastructure improvements only.

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

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

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

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

Response: The Applicant acknowledges this condition.

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

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

Response: This conditions 16. a., and b. (1) and (2) do not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

19. In accordance with Conditions 1c, 20, and 22, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of the private recreational facilities on-site prior to the submission of

final plats. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber/folio reflected on the final plat prior to recordation.

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. Conformance with condition 20 and it's stated compliance will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

21. *In accordance with Conditions 1c, 20, and 22, prior to issuance of any residential building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on-site.*

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. Conformance with condition 21 and it's stated compliance will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

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

- a. *An original, special warranty deed for the property to be conveyed, (signed by the Washington Suburban Sanitary Commission assessment supervisor) shall be submitted to the Subdivision Section of the Development Review Division, M-NCPPC, along with the final plat for the parkland.*

- b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed including, but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.*

Response: As noted in multiple instances herein, this instant DSP application is for rough grading infrastructure improvements only. Condition 22 that set for implementation at the time of approval of the final plat of subdivision does not apply to DSP-05042-02.

- c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.*
- d. The land to be conveyed shall not be disturbed or filled in any way without prior written consent of the Prince George's County Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.*
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the Prince George's County Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.*
- f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled, and underground structures shall be removed. The Prince George's County Department of Parks and Recreation shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.*
- g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the Prince George's County Department of Parks and Recreation (DPR).*
- h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.*
- i. No stormwater management facilities or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without prior written*

consent of the Prince George's County Department of Parks and Recreation (DPR). DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

Response: Conditions 22. a. thru i. do not apply to this instant DSP application for infrastructure improvements only.

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

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. Conformance with condition 20 and it's stated compliance will occur at the

V. Compliance With Woodland Conservation and Tree Preservation Requirements

Response: A Forest Stand Delineation (FSD) was previously reviewed in conjunction with the approval of the Conceptual Site Plan, CSP-02004 and previously approved Preliminary Plan of Subdivisions 4-04035, 4-17027 and Detailed Site Plan DSP-05042. At that time the Forest Stand Delineation was found to address the requirements of a Detailed Forest Stand Delineation by the Prince George's County Woodland Conservation Ordinance. Because the prior approval occurred within the last two years and no significant changes have occurred, a revised FSD is not required. No further information is required concerning the Forest Stand Delineation.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is more than 40,000 square feet, there are more than 10,000 square feet of existing woodland on-site. A grading permit is required and greater than 5,000 square feet will be cleared.

This 381.52-acre property has a net tract area of 381.52 acres and a Woodland Conservation Threshold (WCT) of 15 percent, or 57.23 acres. The site has a woodland conservation requirement of 108.19 acres.

The plans as currently submitted propose to satisfy the 108.19-acre requirement with 48.37 acres of on-site preservation of 109.05 acres.

VI. Patuxent River Primary Management Area

Response: Streams, wetlands, 100-year floodplain, severe slopes over 25 percent, and steep slopes between 15 and 25 percent with high erodible soils are found on this property. These features along with their respective buffers compose the Patuxent River Primary Management Area

or PMA. Each of these features and the associated buffers are clearly shown on the plans, along with the ultimate limit of the PMA. At the time of the Preliminary Plan of Subdivision review and approval, the Environmental Planning Section concurs with the the PMA limites as shown on approved TCP 1-048-02 I of the wetland study concerning the presence and extent of the wetlands on this site.

The Subdivision Ordinance, Section 24-130(b)(5) requires that the PMA be preserved in a natural state to the fullest extent possible. A Letter of Justification, date stamped as received by the Environmental Planning Section on July 19, 2004, was reviewed and found to address each of the proposed PMA impacts. The TCPI and Letter of Justification propose a total of nine PMA impacts including two impacts for stormwater management outfalls, three impacts for sewer outfalls, one for road construction, one for the proposed lake, one for a parking lot, and one that includes a road, swimming pool, and clubhouse. Each of the proposed impacts were addressed in detail with the Conceptual Site Plan and Preliminary Plan of Subdivision.

VII. Water and Sewer Categories

Response: The Water and Sewer Categories are W-3 and S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources. Public systems will serve the property.

VIII. Bowie-Collington-Mitchellville & Vicinity Master Plan

Response: —The property is in the Planning Area 74A/Employment Area. It is in the Developing Tier as described by the 2002 General Plan. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.

Preliminary Plan of Subdivision plan 4-04035 and 4-17027 for the development of a mixed-use planned community is generally consistent with the 2002 General Plan Development Pattern goals and policies for land use in the Developing Tier. The Bowie-Collington-Mitchellville & Vicinity Master Plan (1991) designates this property as part of Employment Area 6. It was formerly known as the Collington Corporate Center and had an approved Basic Plan and Comprehensive Design Plan. The Basic Plan approved a maximum potential of 4.5 million square feet of development. The master plan shows private open space areas surrounding the property in the northern, western, central, and southern portion of the property. Also, the plan recommends a trail connecting the internal road network to a trail along Collington Branch Stream Valley Park.

The Bowie-Collington-Mitchellville & Vicinity Sectional Map Amendment (1991) retained the E-I-A Zone. Subsequently, Council Bill CB-13-2002 defined and permitted a Mixed-Use Planned Community in the E-I-A Zone. The approved preliminary subdivision plan does not conform to the Bowie-Collington-Mitchellville & Vicinity Master Plan, which recommends employment land use for the subject property. However, Council Bill CB-13-2002 defined a mixed-use planned community as a permitted use for employment areas classified in the E-I-A Zone. Subsequently, Conceptual Site Plan CSP-02004 approved this type of development for the site.

IX. Section 27-289(b) Limited Minor Amendment:

The Applicant and their project team are confident that the referenced modification the being proposed in this case qualify as minor amendments to Detailed Site Plan (DSP-05042; PGCPB No. 05-258, adopted December 8, 2005), customarily approved during the Planning Director/Staff Level approval. Therefore, according to Section 27-289(b) of the Zoning Ordinance, the Planning Board is authorized to approve a limited minor amendment to a detailed site plan if the changes are limited in scope and nature as follows:

(A) *An increase of no more than ten percent (10%) in the gross floor area of a building;*

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

(B) *An increase of no more than ten percent (10%) in the land area covered by a structure other than a building;*

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

(C) *The redesign of parking or loading areas;*

Response: This condition does not apply to this instant DSP application for infrastructure improvements only.

(D) *The redesign of the landscape plan;*

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. Conformance with this standard will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

(E) *New or alternative architectural plans that are equal or superior to those originally approved, in terms of overall size and quality;*

Response: This condition does not apply to this instant DSP application for infrastructure improvements only. The submission and review of architectural plans will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

(F) *Changes required by engineering necessity to grading, utilities, stormwater management, or related plan elements; or*

Response: As discussed above, the instant DSP application is for installation of infrastructure improvements only; therefore the subject application complies with this condition.

(G) *Changes to any other plan element to have minimal effect on the overall design, layout, quality, or intent of the approved site plan.*

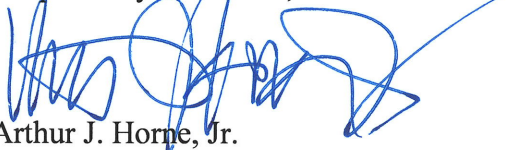
Response: As discussed in detail above, other than the installation of infrastructure improvements, no other structures are being proposed.

X. Conclusion

Based upon the analysis and discussion presented herein, the DSP-05042-02 application is designed in compliance with the approved Conceptual Site Plan CSP-02004, Preliminary Plan of Subdivisions 4-04035 and 4-17027, I respectfully request that the Planning Director approve the proposed minor application for infrastructure only for the overall site. The submission and review of architectural plans will occur at the time of the pending DSP-19021, DSP-19023 and subsequent DSP-16054 application for the multifamily phase of the South Lake development.

Your favorable consideration of this request is greatly appreciated.

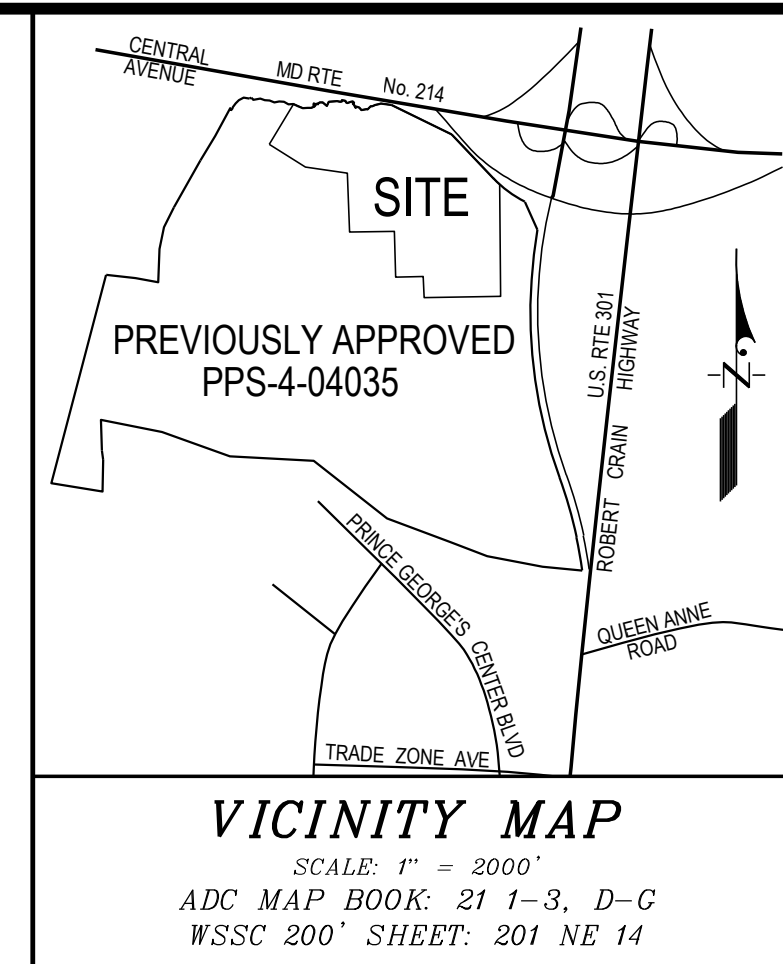
Respectfully submitted,



Arthur J. Horne, Jr.

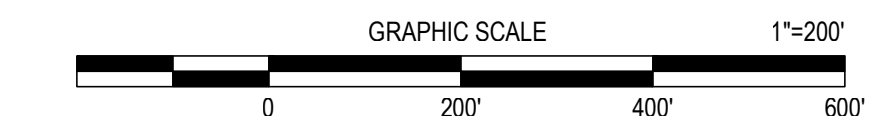
cc: Scott Rouk
Gary Michael
Kevin Kennedy
Paul Woodburn

AJH/fms



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION	
PRELIMINARY PLAN _____	
TCP _____	
PLANNING BOARD ACTION: _____	
PER PGCPB RESOLUTION #: _____	
ADOPTION DATE: _____	
SIGNATURE APPROVAL DATE: _____	
_____ AUTHORIZED SIGNATURE	

SOUTH LAKE
(FORMERLY KARINGTON)
QUEEN ANNE DISTRICT No. 7
PRINCE GEORGE'S COUNTY, MARYLAND

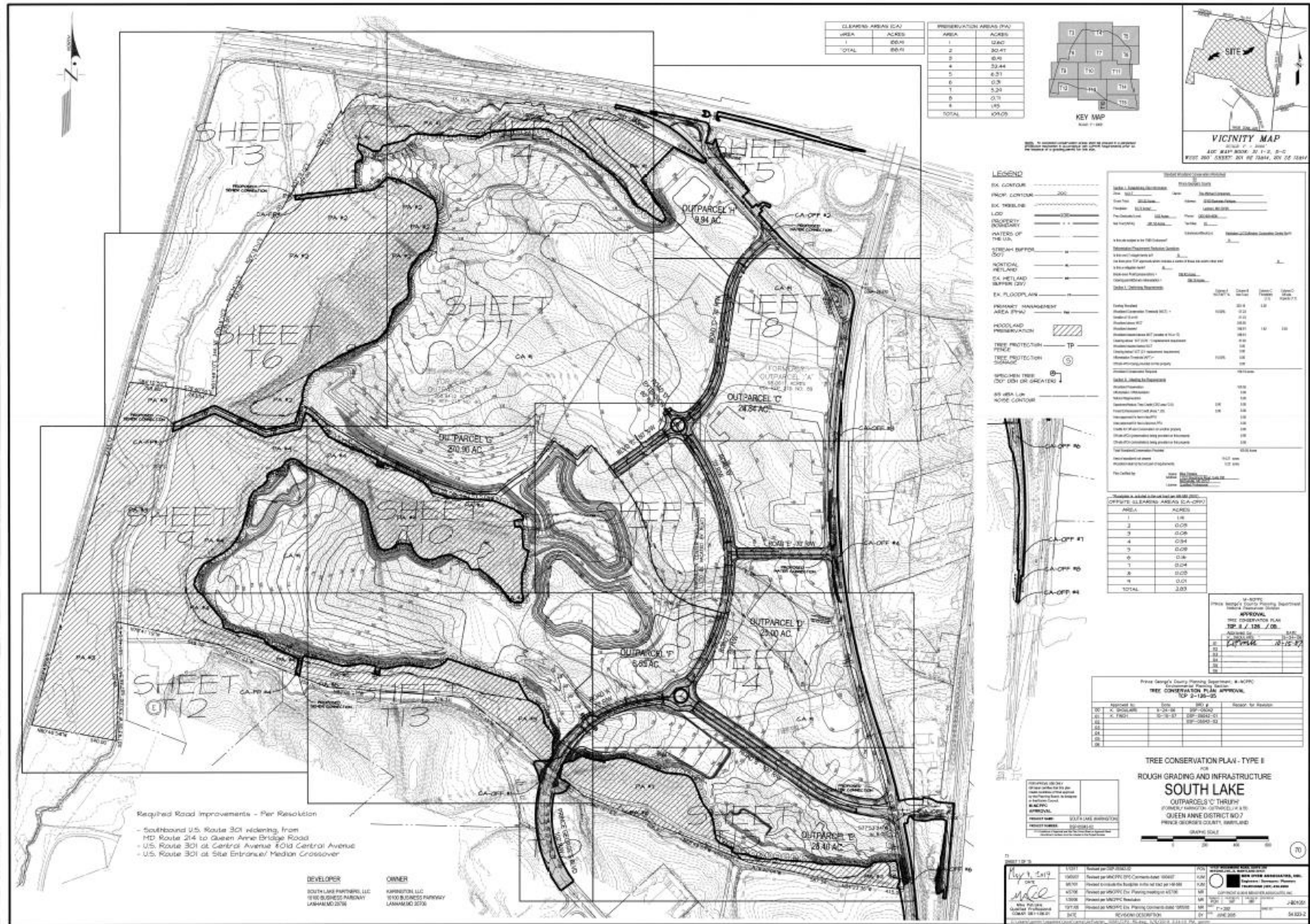


SHEET 1 OF 2

		11721 WOODMORE ROAD, SUITE 200 MITCHELLVILLE, MARYLAND 20701  BEN DYER ASSOCIATES, INC. Engineers / Surveyors / Planners TELEPHONE (301) 430-2000			
		COPYRIGHT © 2017 BEN DYER ASSOCIATES, INC.			
9/7/2018	REVISED BASED ON SDRC COMMENTS ON 7/27/18	DN	PCN	DESIGNED BY	NO. OR CD
DATE	DESCRIPTION	BY	DATE	SCALE	SDRC NO.
	REVISIONS		SEPTEMBER 2017	1"=200'	
					J-801051
					3.005-Z

L:\C3D-PROJ\B01051-C3D\DWG\PRE-OV-2017.dwg, 9/17/2018 3:46:06 PM, newdre

SOUTH LAKE REVISED GRADING AND ROAD LAYOUT



BEAVERDALE LANE SPEED HUMPS – AFTER ACTION TRAFFIC IMPACTS ON BEACHTREE LANE

TRAFFIC ANALYSIS REPORT

BEFORE SPEED HUMPS

For Project: Beechtree Lane 0419
 Project Notes/Address: Near 12907 Opposite Belcroft Bible Church
 Location/Name: Merged
 Report Generated: 7/2/2019 10:11:50 AM
 Speed Intervals = 1 MPH
 Time Intervals = 2 minutes

Traffic Report From 3/27/2019 8:00:00 AM through 4/3/2019 8:59:59 AM

85th Percentile Speed = 32.0 MPH
 85th Percentile Vehicles = 1,828 counts
Max Speed = 47.0 MPH on 3/28/2019 12:58:20 PM
 Total Vehicles = 2,151 counts
 AADT: 305.6

Volumes - weekly vehicle counts

	Time	5 Day	7 Day
Average Daily		289	287
AM peak	7:00 to 8:00	13	14
PM peak	5:00 to 6:00	33	29

Speed
 Speed limit: 25 MPH
 85th Percentile Speed: 32.0 MPH
 Average Speed: 26.5 MPH

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Count over limit	194	197	175	193	220	201	157
% over limit	66.0	56.8	62.1	57.1	67.7	63.4	63.1
Avg speeder	29.5	29.6	29.9	29.9	30.3	29.9	29.7

Class counts

	Number	%
VEH_SM	18	0.8
VEH_MED	2070	96.2
VEH_LG	64	3.0

[VEH_SM = motorcycle, VEH_MED = sedan, VEH_LG = truck]

TRAFFIC ANALYSIS REPORT

After Speed Humps

For Project: Beechtree Lane (Revised Version) 0619
 Project Notes/Address: Beechtree Lane Near 12907
 Location/Name: Merged
 Report Generated: 7/2/2019 4:54:47 PM
 Speed Intervals = 1 MPH
 Time Intervals = 2 minutes

Traffic Report From 6/17/2019 8:00:00 AM through 6/24/2019 8:59:59 AM

85th Percentile Speed = 31.0 MPH
 85th Percentile Vehicles = 1,844 counts
Max Speed = 47.0 MPH on 6/21/2019 2:13:37 AM
 Total Vehicles = 2,169 counts
 AADT: 308.2

Volumes - weekly vehicle counts

	Time	5 Day	7 Day
Average Daily		277	287
AM peak	9:00 to 10:00	13	15
PM peak	5:00 to 6:00	36	32

Speed
 Speed limit: 25 MPH
 85th Percentile Speed: 31.0 MPH
 Average Speed: 26.3 MPH

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Count over limit	194	172	195	175	202	185	149
% over limit	60.6	62.5	61.7	55.9	62.2	54.7	52.7
Avg speeder	29.5	29.7	29.8	29.5	29.8	29.3	29.7

Class counts

	Number	%
VEH_SM	5	0.2
VEH_MED	2115	97.5
VEH_LG	50	2.3

[VEH_SM = motorcycle, VEH_MED = sedan, VEH_LG = truck]