

STATEMENT OF JUSTIFICATION

WESTSIDE 2025 PRELIMINARY SUBDIVISION PLAN

PRELIMINARY STATEMENT

The applicant for this Preliminary Subdivision Plan proposal is Westside Land Holdings LLC ("Westside Land"). The owner of the property forming the subject matter of these applications is also Westside Land. The subject of this Subdivision Plan involves a single lot which is part of the Westside commercial development. Westside comprises a total of 59.76± acres. All of the acreage is zoned M-X-T (Mixed Use Transportation Oriented). The M-X-T Zone is a floating zone with a multilayered approval process. Before development may commence in the M-X-T Zone, an applicant is required to file and obtain approval of a Conceptual Site Plan, a Preliminary Subdivision Plan, Detailed Site Plans and Final Plats of Subdivision. A Conceptual Site Plan was previously approved for the entirety of the Westside project. Thereafter, Preliminary Subdivision Plans were also approved. Most, but not all, Detailed Site Plans have been approved for the project. All of the project has been the subject of recorded Final Plats of Subdivision. The approval history will be discussed in greater detail hereinafter. Strittmatter Land LLC ("Strittmatter") was the original owner and master developer of the entire project.

This Preliminary Subdivision Plan application proposes to take a single platted commercial lot (Lot 1) and subdivide it to create two (2) record lots within the commercial component of Westside known as Westside Shoppes. The history of the Westside project is discussed herein in detail.

Surrounding Uses

Most of the western boundary of Westside abuts Interstate 95 which runs in a north/south direction and connects points along the entire eastern seaboard. Westside's frontage on Interstate 95 is significant, especially given the fact that it provides unparalleled visibility and access to the project. Along the southwest boundary of Westside are approximately 4 irregularly shaped and undeveloped parcels of land which are also zoned M-X-T. Immediately to the east of Westside are two developed subdivisions. One is known as Wilshire Estates and it is improved with single-family detached residential dwellings which access from Van Dusen Road. Wilshire Estates is zoned R-R. Immediately north of Wilshire Estates is the Mayfair subdivision which is improved with residential townhomes. Mayfair is zoned R-M. Mayfair accesses off of Contee Road. Immediately to the north are

tracts of unimproved land which are zoned R-18C and R-80. Farther to the east beyond Wilshire Estates and Mayfair is the Greater Laurel Hospital. Northeast of the Greater Laurel Hospital are two single-family detached residential subdivisions which are zoned R-R. Immediately south of Westside and across Van Dusen Road is an approximate 25± acre parcel of land which is also zoned M-X-T and is the site of a mixed use project known as Anderson's Corner. Anderson's Corner includes multifamily residential units which are constructed. The commercial component, a Royal Farms gas station and convenience store, is also complete and open for business.

As noted above, the western boundary of Westside abuts Interstate 95. Van Dusen Road runs in a northeast/southwest direction and abuts Westside along its southern boundary. To the east of the Wilshire and Mayfair subdivisions is Contee Road which runs in a north/south direction. Contee Road has been realigned and reconstructed by Prince George's County. The Westside mixed use project has frontage on and access to Van Dusen Road, which also has been reconstructed.

Background

Strittmatter was the owner of an approximate 39.87± acre parcel of land zoned M-X-T (Strittmatter Property). Originally,

it had been a larger tract of land consisting of two parcels. The first parcel comprised approximately 56.32 acres of land and was designated as Parcel 145. The second parcel comprised approximately 8.56 acres of land and was designated as Parcel 6. Both parcels were shown depicted on Tax Map 9, Grid D-1. In total, the land owned by Strittmatter originally comprised approximately 64.88 acres.

In January of 2012, the State Highway Administration ("SHA") acquired approximately 25± acres of the 64.88 acres owned by Strittmatter. The acquisition by the SHA occurred pursuant to exercise of its quick-take authority. The 25± acres being acquired were to be used in conjunction with the construction of a new interchange at Interstate 95 known as the Contee Road Interchange.

After the SHA taking, Strittmatter was left with approximately 39.87 acres of land which was known as Part of Parcel 145 and Part of Parcel 6.

Prior to the SHA's exercise of its eminent domain authority to acquire 25± acres of the property, the 64.88 acres in its entirety had been used as a surface mining site. When Strittmatter acquired the property, the mining operation had terminated and Strittmatter has been undertaking the reclamation process.

The 64.88 acre property was subject to the provisions of the Regional District Act as set forth in Article 28 of the Annotated Code of Maryland. The property was also included within the Prince George's County Planning Area known as Subregion I. A comprehensive planning and zoning process was ongoing. Prince George's County was in the process of reviewing and processing a new Master Plan and Sectional Map Amendment for Subregion I. At that time, the property owned by Strittmatter was zoned R-R. The property possessed a superior geographic location, given its frontage on Interstate 95 and also given the plans of the SHA to construct the Intercounty Connector which would run from the Gaithersburg area of Montgomery County in an east-west direction to terminate on Van Dusen Road at a point just east of the new Contee Road interchange and to construct the new Interstate 95/Contee Road interchange. In view of the property's characteristics, Strittmatter determined to take part in the Subregion I Master Plan and Sectional Map Amendment process and to request a rezoning of its property from the R-R Zone to the M-X-T Zone. Ultimately, this request was granted and the property was rezoned to the M-X-T Zone pursuant to the adoption of the Subregion I Master Plan and Sectional Map Amendment. This rezoning occurred pursuant to the enactment of CR-58-2010 by the Prince George's

County Council on June 23, 2010.

When the SHA acquired the 25 acre portion of the property, it also acquired all of the property's frontage on Van Dusen Road. In order to provide access to the Strittmatters (and in so doing avoid a requirement to acquire the entirety of their 64.88 acre property), the SHA arranged for a parcel of land comprising approximately 19.7± acres and previously owned by the Board of Education, to be conveyed from Prince George's County to the SHA. It was the intent of the SHA to use the Board of Education parcel (the "SHA Property") to provide access to the Strittmatter property holdings. While the SHA Property comprised 19.7± acres, only approximately ten to twelve of those acres are useable. As part of the SHA's proposal to compensate Strittmatter for the loss of its 25± acres of land, the SHA proposed that Strittmatter accept a conveyance of the SHA Property and that the approximate ten to twelve useable acres of the SHA Property be accepted as compensation, on an acre-for-acre exchange basis, for a portion of the SHA's 25± acre taking. Ultimately, the SHA Property was combined with the Strittmatter Property to become part of the overall mixed use development known as Westside.

The City of Laurel Master Plan was adopted by the Mayor and City Council of Laurel in November of 2007 and was amended on

September 28, 2009. The City's Master Plan contains a section which analyzes the fiscal impact of annexation. Both the Strittmatter Property and the SHA Property were included within an area designated as Area D and further identified as a proposed future annexation area for the City (Master Plan, p. 212). In 2012, Strittmatter filed a request with the City of Laurel seeking to have the Strittmatter Property annexed into the municipal limits of the City of Laurel. While this annexation was ongoing, the City, on its own initiative, processed an annexation of the SHA Property into the municipal limits of the City of Laurel. The SHA consented to this annexation. The annexation of both properties became effective in the fall of 2012 and are now subject to all City of Laurel ordinances and regulations. At the time of annexation into the City of Laurel, the City was required to assign a zoning classification to both the Strittmatter Property and the SHA Property. The City assigned the Strittmatter Property the M-X-T zoning classification as that was consistent with the classification it previously had pursuant to the Prince George's County Zoning Ordinance. The City assigned the P-I (Public Institutional) zoning classification to the SHA Property as that was consistent with the R-O-S zoning classification it previously had pursuant to the Prince George's County Zoning Ordinance.

Ultimately, Strittmatter filed a rezoning application and the SHA Property was rezoned to the M-X-T Zone pursuant to the enactment of Ordinance No. 1765 by the Mayor and City Council on January 28, 2013. A copy of Ordinance No. 1765 is filed with this application. Subsequently, the SHA deeded the SHA Property (with the exception of the access road right-of-way area) to Strittmatter. The combination of the two properties became the Westside Development.

The Original Conceptual Site Plan

The original Conceptual Site Plan for Westside was approved in two parts. The first application was assigned the number M-X-T Application No. 830. The Conceptual Site Plan drawing filed with that application showed the entire 59.76 acres of property. However, at the time of approval of that initial Conceptual Site Plan application, only the original 39.87 acres known as the Strittmatter Property was zoned M-X-T. At that time, while the SHA Property was shown on the Conceptual Site Plan for purposes of continuity, the SHA Property was still zoned P-1. The SHA Property comprised 19.89± acres. The rezoning application for the SHA Property was pending at the time of approval of the original Conceptual Site Plan. The Conceptual Site Plan was approved pursuant to the adoption by the Planning Commission of Resolution

No. 13-03-PC. A copy of that Resolution has been filed with this application. After approval by the Planning Commission, the Mayor and City Council reviewed the application and issued Ordinance No. 1764 dated January 28, 2013 approving and concurring with the City of Laurel Planning Commission. A copy of Ordinance No. 1764 has also been filed with this application. A copy of the original Conceptual Site Plan is marked Exhibit "A" and attached hereto.

Once the rezoning of the SHA Property had been completed, the Planning Commission considered Conceptual Site Plan Application No. 833. Pursuant to the approval of Resolution No. 13-06-PC by the Planning Commission on April 9, 2013, the SHA Property, which had by this time been rezoned M-X-T, was also officially included within the Conceptual Site Plan for Westside. A copy of Resolution No. 13-06-PC has been filed with this application. The Mayor and City Council reviewed the Planning Commission's approval of Application No. 833 and on April 22, 2013, issued Ordinance No. 1770 concurring with the Planning Commission's approval of the Conceptual Site Plan for the remaining 19.89 acres.

As approved, the Conceptual Site Plan authorized the construction of a maximum of 500 multifamily residential dwelling units, a maximum of 80 residential townhouse units, a hotel not to exceed 150 rooms and commercial retail space not to exceed 200,000

square feet.

Access to the project was to be accomplished via the construction of a public roadway to be known as Westside Boulevard and within a 120 foot right-of-way from Van Dusen Road into the Property. That road has now been constructed. The commercial retail space was to be located closest to the Property's Van Dusen Road frontage. The residential townhomes were to be constructed in the northeast corner of the Property. The northwest corner of the Property was to be the site of the multifamily dwelling units. Finally, the hotel site was shown as a triangular shaped parcel jutting out from the western boundary of the Property. All of these uses were shown on the approved Conceptual Site Plan.

Entitlement Approvals and Development

Subsequent to the approval of the Conceptual Site Plan, the Preliminary Subdivision Plan was approved. Thereafter, Final Subdivision Plans were approved and recorded for Parcel C (the multifamily units), Parcel B (the hotel site), Parcels A and D (the commercial retail site) and Parcel E (the townhouse site). An irregularly shaped area located to the east of Westside Boulevard was platted as Parcel H.

The first Detailed Site Plan was filed for the multifamily

component of Westside. The applicant and developer of the multifamily was MCRT Investments, LLC ("Mill Creek"). That Detailed Site Plan was designated Westside M-X-T Final Plan No. 835. It was approved by the Planning Commission pursuant to the adoption of Resolution No. 13-10-PC adopted on June 11, 2013. A copy of this Resolution has been filed with this application. As approved, this Detailed Site Plan authorized the construction of 484 residential multifamily units. Those units, along with a clubhouse and trail system have been fully constructed and are occupied.

Parcel F, the designated area for the originally approved residential townhomes, was the subject of a Preliminary Subdivision Plan to divide Parcel F into individual townhouse lots. That Preliminary Subdivision Plan was approved by the Planning Commission pursuant to the adoption of Resolution No. 15-11-PC on March 10, 2015. Thereafter, the Final Plat of Subdivision for the townhouses was approved by the Planning Commission pursuant to the adoption of Resolution No. 15-13-PC. A copy of this Resolution is filed with this application. The Subdivision Plan approved 56 individual townhouse lots. A Detailed Site Plan designated as Final Site Plan M-X-T Application No. 846 was approved by the Planning Commission pursuant to the adoption of Resolution No. 15-

10-PC on March 12, 2015. A copy of this Resolution has been filed with this application.

Revision to Conceptual Site Plan

After the approval of the original Conceptual Site Plan, Strittmatter individually and through a partnership with a commercial developer, endeavored to attract a retail anchor in order to develop the commercial retail component. It was originally thought that a grocery store would anchor the retail component of Westside. However, numerous efforts to secure a grocery store anchor for the retail component failed. It became apparent that the retail component would need to be downsized. Conversely, a substantial market demand existed for residential townhomes. Therefore, Strittmatter proposed that the retail commercial component be reduced to a development cap not to exceed 40,000 square feet. Since the entire land area for the proposed retail commercial component would no longer be needed, Strittmatter proposed to develop an additional 81 residential townhomes. A proposed revised Conceptual Site Plan was filed in February of 2019. The retail commercial remained oriented closest to the Property's Van Dusen Road frontage. The additional 81 proposed residential townhomes would be located directly behind

the retail component. Strittmatter proposed that there would be a substantial green area with a pavilion in the center of the townhomes between the townhomes and the retail commercial component. Additionally, a dog park was also proposed along that portion of the Property closest to I-95.

During the processing of the Conceptual Site Plan revision, Strittmatter met with citizens residing in the first 56 townhouse units located directly to the northwest across Westside Boulevard from the proposed new townhouse site (Westside Ridge). Those residents asked for a clubhouse to be included in a location of the proposed pavilion and green area. Strittmatter agreed to provide a clubhouse in this area provided that the existing Westside Ridge Homeowners Association for the 56 townhouse units took all legal steps to annex the proposed clubhouse area and other HOA areas for the proposed new residential townhomes into the existing homeowners association.

The revision to the Conceptual Site Plan filed by Strittmatter was approved by the Planning Commission and affirmed by the Mayor and City Council. The Planning Commission's approval was set forth in Resolution No. 19-03-PC. The concurrence of the Mayor and City Council was set forth in Ordinance No. 1940. Copies of both of these documents have been filed with this application. A copy of

the revised Conceptual Site Plan is marked Exhibit "B" and attached hereto.

The 2019 Preliminary Subdivision Plans

Since the 81 residential townhomes and the approximate 40,000 square feet of retail/service commercial uses were to be developed as separate projects, it was determined after discussions with staff at the City of Laurel to file two separate Preliminary Subdivision Plan applications. However, because the site development activity for both plans needed to occur simultaneously and interdependently, both plans were filed and reviewed concurrently.

Both Preliminary Subdivision Plans from 2019 involve the land area which was originally proposed to include the 200,000 square feet which had been approved for commercial development. The proposed 81 townhouse lots were to be located immediately northwest of the existing 56 Westside Ridge townhomes. That Preliminary Subdivision Plan was titled "Westside Phase 3" and was assigned Application No. 896. The Preliminary Subdivision Plan for the reduced commercial development area was assigned the name "Westside Shoppes" and was assigned Application No. 895. Both applications were heard concurrently and were approved by the

Planning Commission after public hearings and pursuant to Resolutions adopted on November 19, 2019. As noted earlier, the gross acreage of the prior commercial area was 16.85 acres. The area to be developed with the 81 additional townhomes consisted of 10 acres. That Preliminary Plan was approved pursuant to Resolution No. 19-13-PC. The revised commercial component consisting of 6.85 acres was approved pursuant to Resolution No. 19-12-PC. The 81 townhomes have now been fully constructed and are fully occupied. The new and revised commercial component consisting of 40,000 square feet of retail space was approved as four individual lots with primary access from Westside Boulevard. It should be noted that another point of access exists from within the residential component. Copies of both Resolutions have been filed with this Application. A copy of an aerial photograph depicting the 81 lot townhouse area as well as the new 40,000 square foot commercial area, is marked Exhibit "C" and attached hereto.

The Commercial Development/Westside Shoppes

Pursuant to the approval of the revised Preliminary Subdivision Plan creating the revised commercial layout, four lots were ultimately created pursuant to the Preliminary Subdivision Plan approval. These lots were also the subject of

a recorded Record Plat of Subdivision. The Record Plat was approved by the Planning Commission on July 14, 2020 and was recorded among the Land Records of Prince George's County, Maryland on August 17, 2020 in Plat Book ME 254, Plat No. 92. A copy of that Record Plat has been filed with this Application. In addition, yet another copy of that Plat is attached to this Statement of Justification and marked as Exhibit "D". As can be seen from a review of the Record Plat, primary access into the commercial component occurs via an access point directly off of Westside Boulevard. The access road is private and runs in an east/west direction and effectively serves as access to all four platted lots. This access point is located closest to the intersection of Westside Boulevard and Van Dusen Road. A secondary point of access will also occur from Westside Boulevard at a point farther north than the primary access. Once again, this is a private road known as Silver Trail Lane which also runs in an east/west direction. The southern half of this private road will be located on Lots 3 and 4 of the Westside Shoppes commercial area. The other portion of this private road is located within the 81 townhouse lot section of the project. A further internal road will run in a north/south direction at a point between commercial lots 3 and 4 to provide

access into the general commercial area. A copy of the final record plat for the 81 townhouse lots recorded in Plat Book ME 254 at Plat 91 is marked Exhibit "E" and attached.

Both a Detailed Site Plan and a Special Exception Application were approved for Lot 4. The improvement was to authorize the construction of a 4,800 square foot inline retail building. A Starbuck's restaurant was to be located within part of the building. The Starbuck's use required the grant of a special exception. Both the Detailed Site Plan and the Special Exception were approved in the early part of 2021. That building has been constructed and the Starbuck's is open and in operation.

The second entitlement approval within Westside Shoppes related to Lot 2. Lot 2 consists of 2.114 acres. Lot 2 was to be the site of a Wawa convenience store with gas service. The Site Plan was assigned Application No. 922. The use also required a Special Exception approval which was assigned Application No. 920. The Special Exception was approved by the City of Laurel Board of Appeals at its meeting of January 27, 2022 pursuant to the adoption of Resolution No. 22-02-BOA, a copy of which has been filed with this Application. The Wawa gas station with convenience store has been constructed and is

open for operation. The approvals included authorization to construct the convenience store consisting of 5,600 square feet.

The next development applications for the commercial component involved Lot 3 which consists of 1.459 acres. The proposal for Lot 3 was again for an inline retail building consisting of 10,231 square feet. The original approval occurred in May of 2020 pursuant to M-X-T Site Plan Application No. 903 which approved a 10,000 square foot inline retail building. The subsequent M-X-T Site Plan (Application No. 955) increased the size of the building to 10,231 square feet. The increase accounted for the Chipotle restaurant with a drive-thru lane. The Chipotle use with drive-thru also required the approval of a Special Exception which was assigned Application No. 955. The Special Exception Application was approved by the Board of Appeals pursuant to Resolution No. 22-03-BOA, a copy of which is filed with this Application. The original Site Plan was approved by the Planning Commission on May 12, 2020 pursuant to Resolution No. 20-04-PC, a copy of which is also filed with this Application.

The Preliminary Subdivision Plan

As noted earlier, this Preliminary Subdivision Plan proposes to divide Lot 1 which was platted as a single lot

comprising 2.032 acres into two separate lots which will be designated Lots 5 and 6. Lot 5 is proposed to include 47,210 square feet (1.0838± acres). Lot 6 is proposed to include 41,284 square feet (0.9477 ac.). The Preliminary Subdivision Plan has been filed with this Application to provide details on proposed Lots 5 and 6 at a larger scale. Since the entire Westside Shoppes commercial component was the subject of a recorded Final Plat of Subdivision, a copy of that Final Plat is also submitted with the Preliminary Plan set of drawings. Both of these drawings should be reviewed when determining conformance with Section 20-33.2 of the City of Laurel Unified Land Development Code. Since Westside Boulevard, the internal private access road and improvements on three of the four existing platted lots have been constructed, much of the information required by Section 20-33.2 is not necessary.

However, the criteria are in fact reviewed below as follows:

- (1) The subdivision name is shown on the Plan;
- (2) The name and address of the owner of record (Westside Land Holdings LLC), as well as the Applicant, is also shown on the Plan;
- (3) The location and name of Westside Boulevard and Van Dusen Road appear respectively on the Final Plat of Subdivision.

Again, Westside Boulevard is fully constructed and improvements to Van Dusen Road are complete;

(4) The name and location of the adjacent subdivision (Wilshire Estates) was shown on the original Preliminary Subdivision Plan. It is respectfully submitted that this information should not be required on the enlargement of the Preliminary Plan filed with this Application;

(5) The width and location of all streets, both public and private, are shown;

(6) The utilities are shown on the new Preliminary Plan submitted herewith as well as on the certified prior Preliminary Subdivision Plan;

(7) Lot lines for proposed Lots 5 and 6 are shown with dimensions and lot numbers;

(8) The widths and locations of all building lines and easements as appropriate are shown. Again, Lots 2, 3 and 4 have already been developed and improved;

(9) This provision is inapplicable as this Preliminary Plan does not involve any dedicated land, parks, playgrounds or other public uses;

(10) This requirement is inapplicable as this is a commercial subdivision for a single lot. None of the

requirements of this criterion apply;

(11) Note 6 on the Preliminary Plan shows that the Property is in Water and Sewer Category 3 and will be served by public water and sewer;

(12) The proposed project is designated for commercial retail uses;

(13) This provision is inapplicable as there are no residential lots;

(14) There is a section on the righthand side of the Plan titled "Site Notes" which depicts gross tract area for Lots 5 and 6 as well as minimum setbacks and density calculations;

(15) The Preliminary Plan shows all topography lines;

(16) A north arrow and scale appear on the Plan. A date for the Plan also appears in the lower righthand corner;

(17) A copy of the Final Plat which was approved and recorded and which shows existing Lot 1 has been filed with this Application. The bearings and distances as well as the area for proposed Lots 5 and 6 are also currently shown on the Plan;

(18) A title abstract has not been provided but will be if deemed necessary;

(19) A location vicinity map appears in the upper right corner of the Plan document;

The commercial component was proposed to consist of approximately 38,000 square feet, but will not exceed 40,000 square feet. It was originally proposed that there will be four individual lots which will be served by private access easements which all lot owners and their invitees will be able to utilize. The primary access was planned to come from the existing driveway connection on Westside Boulevard which is located approximately 300 feet from the intersection of Westside Boulevard and Van Dusen Road. Cars will enter from that access point and will be able to circulate through the access easements to obtain access to a shared parking compounds. Cross sections for the internal shared private access easements are shown on the Plan. Lot sizes range from 0.9477 acres to 2.11 acres. The total gross tract area of the commercial subdivision is 6.85 acres.

The proposed subdivision will also conform to the Adequate Public Facilities criteria set forth in Section 20-29.7 of the City of Laurel Unified Land Development Code. The most recent Preliminary Subdivision Plan approved up to 40,000 square feet of commercial retail space within Westside Shoppes. Technically, the traffic impact of the proposed resubdivision, which will include a 2,748 square foot proposed Panda Express on proposed Lot 6 and up to 4,270 square feet of future retail use on

proposed Lot 5, actually generates less traffic than the previously approved trip cap. The applicant has submitted a traffic memorandum prepared by Lenhart Traffic Consulting Inc. ("Lenhart") dated April 24, 2025. Lenhart also prepared the Traffic Impact Analysis for the 40,000 square foot commercial component as well as the 81 townhouse units when those Preliminary Plans were approved in 2019. Nonetheless, an analysis of Section 27-29.7(b) and (c) follows:

The applicant submits that this application complies with all of the required Adequate Public Facilities findings as follows.

- (b) Before preliminary approval may be granted for any subdivision plat or site development plan, or a Final Plan of Revitalization Overlay area proposed, regardless of the zoning classification of the property involved, the Planning Commission may find that sufficient public facilities and service exist or are programmed for the area. It is the intent of this section that public facilities are services should be adequate to preclude danger or injury to the health, safety and welfare and excessive expenditure of public funds unless mitigated by funding requirements for specific public facilities, or the provision of equipment, services, or other means to provide for the inadequate public facilities concluded by the fiscal analysis provided by the applicant or determined by the Planning Commission.**
- (1) The Planning Commission shall consider the potential of the proposed subdivision or site development or Final Plan for a Revitalization Overlay Area in relation to the surroundings, including the nature, extent and size of the proposed for subdivision, the degree of urbanization or development with a**

reasonable distance of the subject property, given the size and density of the proposed subdivision or development, and the following factors:

a. The availability of existing or programmed sewage or water mains.

Public water and sewer mains are available immediately adjacent to the subject property in adjacent Westside Boulevard.

b. The potential effect of the proposed subdivision on the efficient and economic operation of existing or programmed public facilities.

Public water and sewer is available for the development of this subdivision. The approval for the installation of these water and sewer facilities will ensure that they are sufficiently sized to provide efficient operation. Public water and sewer has already been extended to the three lots which have already been developed.

In addition, the applicant has filed a Transportation Impact Memorandum dated April 24, 2025 prepared by its transportation engineer, Lenhart Traffic Consulting, Inc. It must be borne in mind that the property was originally subdivided in order to accommodate up to 200,000 square feet of commercial retail space on the property. That was corrected to a maximum of 40,000 square feet of retail space and 81 townhomes pursuant to the 2019 Preliminary Subdivision Plans. As a result of the prior Preliminary Subdivision Plans being approved, trips for the 40,000 square feet of retail use is part of transportation background. In other words, those trips are assumed to be on the road whenever any new subdivision plan is tested. Therefore, the appropriate analysis in this case for adequacy of transportation facilities involves a comparison of the trips which would be generated by the original approved development and the trips to be generated by the proposed new development. The Lenhart Traffic Consulting memorandum of April 24, 2025 filed with this application undertook this analysis and comparison. The result of that analysis confirmed that the new development proposal will

actually generate fewer trips than those proposed and approved for the original development as revised in 2019. Accordingly, this new subdivision will have no adverse impact on transportation facilities and therefore, this subdivision will have no adverse impact from a transportation standpoint on efficient and economic operation of existing roads.

- c. **The distance of any necessary extension of sewage and water facilities through unsubdivided lands which are indicated for eventual development on an approved plan.**

Public water and sewer mains are available immediately adjacent to the subject property in adjacent Westside Boulevard.

- d. **The location of the proposed subdivision in respect to the approved "Prince George's County Ten-Year Water and Sewage Plan," or in any plan which designates the timing of construction of facilities.**

The property is in Water and Sewer Category 3 under the Prince George's County Ten Year Water and Sewerage Plan.

- e. **The availability of access roads adequate to serve traffic which would be generated by the subdivision, or the presence of a proposal for such road(s) on an adopted Master Plan and fully funded in the current Capital Improvements Program of the State Highway Administration (SHA) program.**

As noted above, based upon the analysis prepared by Lenhart Traffic Consulting, Inc., roads will be adequate to serve traffic generated by this proposal.

- f. **The availability within a reasonable distance, and the adequacy of school, fire, police, utility, park and recreation services or other public services deemed necessary by the Planning Commission.**

Positive findings were made regarding this criterion in the 2019 Preliminary Plan. The following is repeated.

- The Laurel Volunteer Fire Department is located approximately 1.4 miles from the subject property.
- The Laurel Police Department is located approximately 3 miles from the subject property.
- The subject property is located within 3± miles of 13 of the City of Laurel Parks and within 3.5± miles of 13 of the 14 City of Laurel Parks and within 3.5± of both the City Pools.
- The proposed community currently are located within the Bond Mill Elementary (K-5), Martin Luther King, Jr. Middle (6-8), and Laurel High (9-12) Attendance Areas.

g. The location of the development in relationship to public transit; including rail or bus systems, and potential impact on those facilities

There is no rail system in close proximity to the property. However, it is the applicant's belief that bus service is available along Van Dusen Road.

(2) Facilities shall be deemed programmed if they are included in an adopted Capital Improvement Program, and that there is a reasonable expectation that the project will be funded for construction. The term "Capital Improvement Program" may be construed to include those Capital Improvement Programs of the City, Prince George's County, or other surrounding counties, or regional and state agencies with jurisdiction.

(3) Subdivision or developments which meet the following

criteria shall be deemed adequate in regard to water and sewage facilities subject to preliminary approval or status within the Washington Suburban Sanitary Commission (WSSC) service area by the adopted "Prince George's County Water and Sewer Plans", or subsequent amendments to such plans.

- a. The proposed density is in accord with an adopted plan, or as approved within a Revitalization Overlay Area consistent with the regulations and intent of such areas, and

A portion of the property was already in the M-X-T Zone at the time of the annexation into the City. The balance of the property which was not zoned M-X-T at the time of annexation was zoned M-X-T pursuant to an application filed with the City. At the time of rezoning the property to the M-X-T Zone, findings were made that the M-X-T Zone was in conformance with the recommendations of the City's Master Plan.

- b. Individual water and sewer systems, if pre-existing must be capable of meeting all local, county, and state requirements regarding water pressure, requirements for sprinkler system, and any other public safety standards and requirements.

Existing water and sewer infrastructure is capable of meeting all local, County and State requirements. WSSC previously approved the HPA submission for this proposed community. The proposed water and sewer mains within the adjacent Westside Boulevard were installed with the understanding that the subject property would be developed in the future. As noted, three of the four current lots have already been developed.

- (c) In addition to the requirements of Subsection 20-29.7(b) above, all applications for approval of any subdivision on site development of residential and containing five (5) acres or more, or which provide for ten (10) or more dwelling units, or commercial, office, or industrial developments which are proposed on land area which exceeds

twenty-five thousand (25,000) square feet, shall be accompanied by an adequate public facilities study which shall be prepared by the applicant and accepted by local governments. The requirement of an "Adequate Public Facilities Analysis" is required in all Revitalization Overlay Area proposals. An adequate public facilities study shall be prepared by qualified professionals and technicians and shall address the following:

- (1) The traffic and transit impacts of the proposed subdivision or development the scoping of the analysis of such impacts shall be governed by the American Public Works Association standards as utilized by the City Department of Public Works.

Based upon the analysis prepared by Lenhart Traffic Consulting, there will be no adverse impact as a result of traffic generated by the proposed development of Lot 6.

- (2) The impact of public facilities, fire and rescue facilities, and other public safety facilities with emphasis on accepted standards of service delivery, including the availability of equipment and personnel to adequately service the proposed development.

At the time of the original approval of the Preliminary Subdivision Plan for Westside, the property subject to this application was proposed to be developed with 200,000 square feet of commercial retail uses. At that time, a finding was made that police facilities, fire and rescue facilities and other public safety facilities would be adequate. The same finding was made at the time of the approval of the 2019 Subdivision. Nothing has occurred which would change that finding.

- (3) The impact on all schools, libraries and other public facilities impacted by the proposed development within a reasonable distance of the proposed subdivision or development, the identification of all related facilities the identification of all related facilities shall be contained within the technical staff report.

As noted above, at the time of the original Preliminary Subdivision Plan approval, an analysis was made and conclusions were drawn relative to the fact that schools, libraries and other public facilities would not be adversely impacted. School impacts are not relevant to this application as it entirely deals with commercial uses.

(4) Adequacy of open space and recreational facilities in relation to the proposed subdivision or development; and

This proposal is for commercial uses only and therefore this provisions is not applicable.

(5) A fiscal impact analysis which shall include anticipated revenues and costs for government services, capital improvements to be provided by the developer and government agencies; staging of development; and staging of programmed facilities.

Since the property forming the subject matter of this Preliminary Subdivision Plan was originally approved in an earlier subdivision which included additional land area, fiscal impact was analyzed at that time. It should be noted that the subject property is part of the larger Westside development which includes multifamily units and residential townhomes. As a part of the overall development, capital improvements were required including the installation of water and sewer lines and road improvements. In particular, frontage improvements along Van Dusen Road were required as well as the construction of Westside Boulevard. Over 20,000 square feet of commercial retail space has been constructed. The 81 townhouse units have been constructed and are occupied. Therefore, public facility impacts for the property forming the subject matter of this Preliminary Subdivision Plan will be accounted for as part of the ongoing development.

Westside has been a very successful project. The development of the commercial retail space will result in an enhanced assessable base which will lead to

additional tax revenues. In addition to tax revenues, it is anticipated that the commercial retail space will generate new jobs for residents of the City. Overall, the development of the retail commercial component will result in the creation of new jobs and higher tax revenues for both the City and the County.

(6) Estimations for fiscal impact and capital contributions for public facility impacts shall be submitted to include, if applicable, the pro rata share or estimated proportionate share of the applicant's impact, using applicable standards, or any particular service or facility.

The applicant believes this criterion is inapplicable other than as described immediately above in Subsection 5.



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WESTSIDE
REVISION TO CONCEPTUAL SITE PLAN

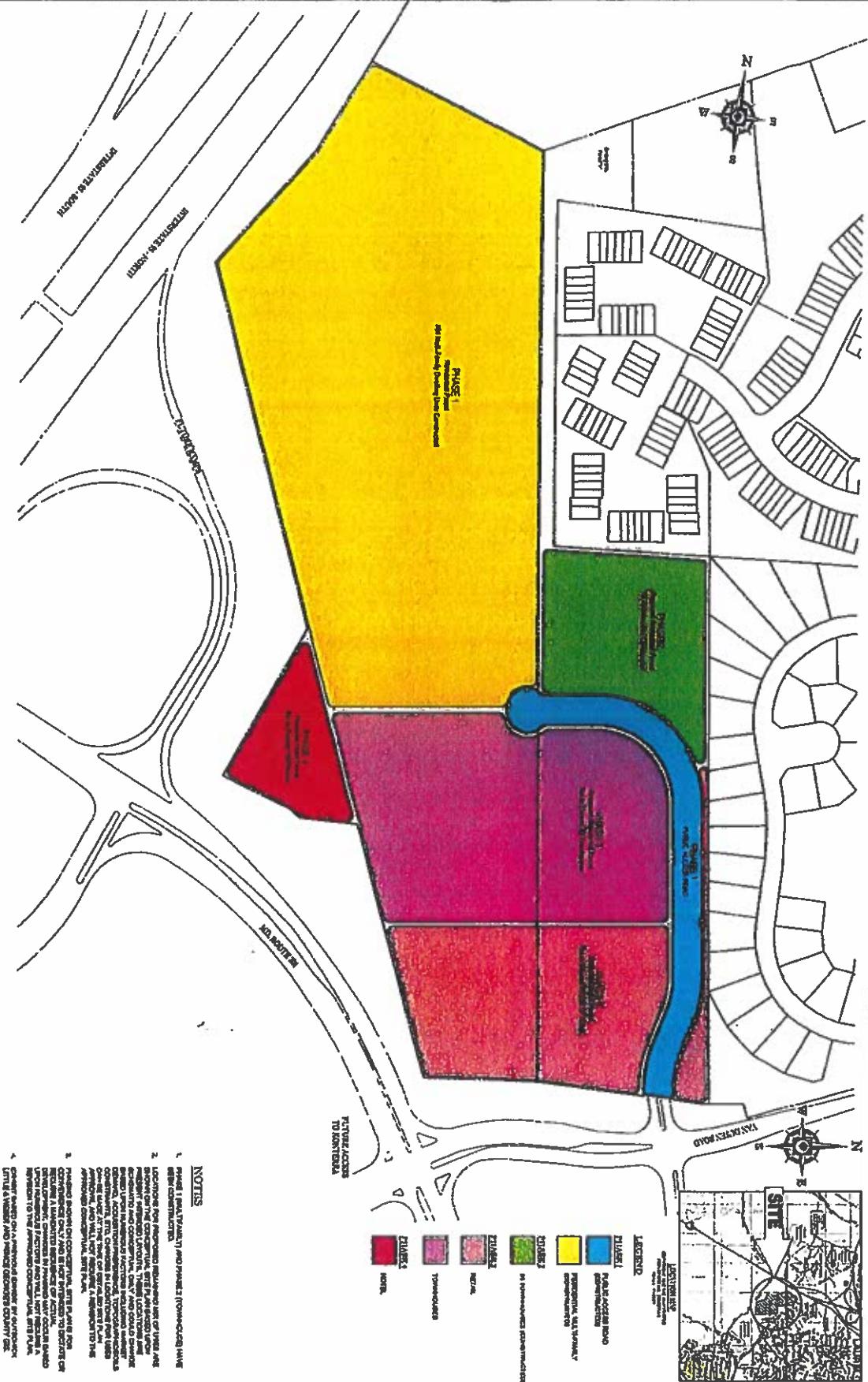


Exhibit "B"

► N



8.5X11_Landscape

FOR PUBLIC WATER AND SEWER SYSTEMS DEPARTMENT OF WATER, SEWERAGE AND IMPROVEMENT PRINCIPAL OFFICER: CLARK W. MCNAUL APPROVED: <u>Clark W. McNaul</u> Date: <u>December 10, 1968</u> Comments: <u>None</u>		RECORDED: <u>5-17-68</u> RECORDED BY: <u>PLAT BOOK CLERK</u> PLAT NO.: <u>91</u>
		

CITY OF LUBBOCK PLANNING COMMISSION

CHURCHES SENDING TO 10:37 AT THE TIME OF THIS PLACE.

Exhibit "E"