

LAW OFFICES
SHIPLEY & HORNE, P.A.

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

1101 Mercantile Lane, Suite 240
Largo, Maryland 20774
Telephone: (301) 925-1800
Facsimile: (301) 925-1803
www.shpa.com

**Bradley S. Farrar
L. Paul Jackson, II***

* Also admitted in the District of Columbia

June 27, 2024

VIA EMAIL DELIVERY

Mr. Monta Burrough
City of Laurel
Acting Director
Department of Economic and Community Development
Joseph R. Robinson-Laurel Municipal Center
8103 Sandy Spring Road, Laurel, MD 20707

**RE: Oaks at Laurel – Preliminary Plan of Subdivision
STATEMENT OF JUSTIFICATION**

Dear Mr. Burrough:

On behalf of our client, Stanley Martin Homes, LLC (the “Applicant”), Shipley and Horne, P.A., hereby submit this Statement of Justification in support of a proposed Preliminary Plan of Subdivision (the “PPS”) application. This PPS application is submitted in support of the subdivision of two existing lots to construct eighty-two (82) single-family attached (townhouse) dwelling units, which were previously approved by Special Exception 950 (Resolution No. 23-09-BOA). The two existing lots (the “Property”) are identified as 14251 and 14275 Park Center Drive, Laurel, MD 20707, and contain approximately 8.26 acres of land within the Commercial Village Activity Center (C-VAC) Zone. This PPS application is submitted according to the requirements of Chapter 20, Article II – Subdivisions, of the City of Laurel Unified Land Development Code (the “ULDC”). As such, the Applicant is requesting the Planning Commission’s approval of a PPS to construct eight-two (82) single-family attached (townhouse) dwelling units in accordance with the development regulations established by the approval of Special Exception 950 (Resolution No. 23-09-BOA).

I. Property Description:

The Property, as more specifically identified in **Exhibit 1** below, is currently vacant. There are no streams, wetlands or significant forested areas on the Property. The Property consists of two existing lots, 18 and 19, that total approximately 8.26 acres with frontage on Park Center Drive.

June 27, 2024

Oaks at Laurel, Preliminary Plan of Subdivision

Page 2 | of 13



Exhibit 1 – Location of the subject Property (not to scale)

II. Location and Surrounding Land Uses:

The subject Property, whose zoning C-VAC is shown below in **Exhibit 2**, consists of two existing lots, known as 18 and 19, that equate to approximately 8.26 acres. The Property is known as 14251 and 14275 Park Center Drive, Laurel, MD 20707. Below Exhibit 2, is an analysis of the surrounding uses and zoning of the adjacent properties to the subject site.

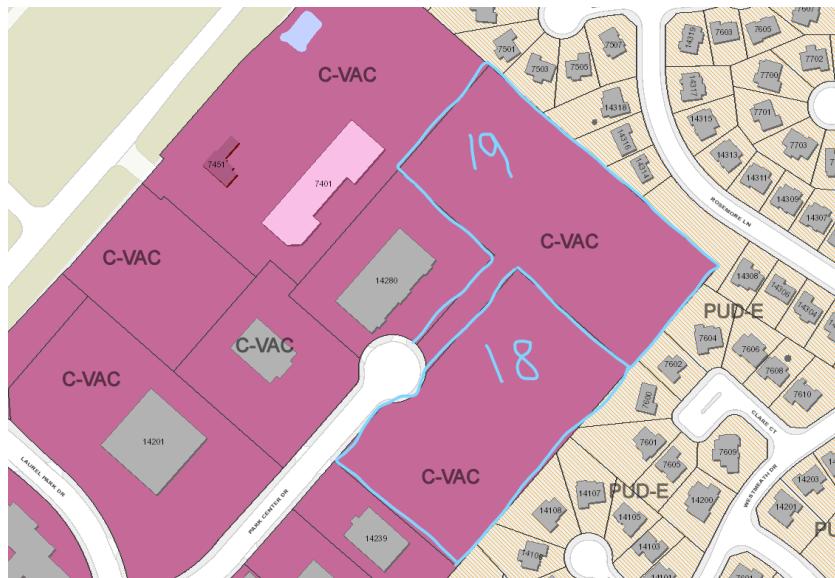


Exhibit 2 – Current Zoning of the subject Property (not to scale)

North: North of the Property are existing single-family homes in the Planned Unit Development - Existing (PUD-E) Zone within The Villages at Wellington community.

South South of the Property are existing single-family homes in the PUD-E Zone within The Villages at Wellington community and existing office uses in the C-VAC Zone.

East: East of the Property are existing single-family homes in the PUD-E Zone within The Villages at Wellington community.

West: West of the Property are existing office uses in the C-VAC Zone and Park Center Drive, a public roadway.

III. Proposed Development & Approval History

The purpose of this PPS is to demonstrate that the subject Property can adequately serve the proposed development, which includes single-family attached (townhouse) dwelling units, on-site recreation amenities, open space, stormwater management facilities, and private streets and alleys. This PPS will then subdivide the existing two (2) lots into eighty-two (82) lots and ten (10) parcels to construct eighty-two (82) single-family attached (townhouse) dwelling units and associated infrastructure. These eighty-two (82) single-family attached (townhouse) dwelling units will be constructed in accordance with the development regulations established with the approval of Special Exception 950 (Resolution No. 23-09-BOA), which also includes a minimum of seven (7) percent of all units being classified as affordable.

Access to the Property is provided from Park Center Drive, via one proposed access point and all internal private roadways and alleys will be at least twenty-two (22) feet-wide to allow for adequate vehicle movement. Details for the proposed recreational facilities will be provided at the time of final site and landscape approval by the City of Laurel's Planning Commission but the locations of the proposed facilities are shown on the preliminary plan, which is consistent with the previously approved Special Exception. The proposed recreational facilities will also be consistent and compatible with those in surrounding communities within the City of Laurel and Prince George's County, including but not limited to, open play space, a small child or multi-age playground, and a paved family seating area with benches or tables.

The Applicant would also note that the City of Laurel's Planning Commission previously found with the approval of Special Exception 950 that the regulations of the adjacent PUD-E Zone do not apply to the subject Property since the proposed townhouses were not a part of the original development plans of the PUD-E Zone and said zone consists solely of single-family units. The City of Laurel's Planning Commission also previously found that the proposed development conforms to the recommendations of the City of Laurel Master Plan (the "Master Plan"), which was adopted in 2016. The Master Plan recommends either commercial or residential uses for the site with its location in the C-VAC Zone and Neighborhood 13 (identified on Map 10 on page 83). The Property in this case, proposes a residential townhouse use that offers a transition and different housing type from the

adjacent single-family detached dwellings. Additionally, said development provides onsite recreational facilities and walkability through sidewalks that connect to these amenities and the adjacent public street, Park Center Drive. This proposed PPS application was thereby then found to be previously consistent with the Master Plan, in particularly the relevant goals and policies of said plan and remains consistent with this PPS application.

A summary of the proposed development is provided below, along with an analysis of the previous conditions of approval associated with Special Exception 950 from Resolution No. 23-09-BOA.

A. Development Data Summary:

	Existing	Proposed
Current Zone	C-VAC	C-VAC
Use(s)	Vacant	Single-family detached (townhouse) units
Acreage (acres):	8.26	8.26
Floodplain (acres):	0.00	0.00
Road Dedication (acres):	0.00	0.00
Lot(s)	2	82
Parcel(s)	0	10

B. Special Exception 950 – Conditions of Approval:

(1) *The Applicant shall obtain Forest Conservation approval from the Planning Commission.*

RESPONSE: The Applicant acknowledges this condition and has obtained a Forest Conservation Plan Waiver, which was approved by the City of Laurel Planning Commission on June 11, 2024.

(2) *The Applicant shall obtain Preliminary Subdivision approval from the Planning Commission.*

RESPONSE: The Applicant acknowledges this condition and has submitted this PPS application in fulfillment of it.

(3) *The Applicant shall obtain Final Site and Landscape approval from the Planning Commission.*

RESPONSE: The Applicant acknowledges this condition and will comply with the listed requirement upon the approval of the requested PPS application.

(4) *The Applicant shall obtain Final Record Plat approval from the Planning Commission.*

RESPONSE: The Applicant acknowledges this condition and will comply with the listed requirement upon the approval of the requested PPS application.

(5) *The Applicant shall comply with all conditions of the approved Preliminary Site Plan.*

RESPONSE: The Applicant acknowledges this condition.

(6) *The Applicant shall comply with all federal, state, and local laws and regulations for the protection of the use of the property.*

RESPONSE: The Applicant acknowledges this condition.

IV. Relationship to Requirements of the ULDC:

Section 20-33.2. – Plats and data for conditional approval.

(b) *Preliminary plan (preliminary subdivision plan, general subdivision plan) shall be at a scale of two hundred (200) feet to one (1) inch or larger (preferred scale of one hundred (100) feet to one (1) inch). It shall show all existing conditions required above in Subsection (a) of this section, and shall show all proposals including the following:*

- (1) *Subdivision name.*
- (2) *Names and addresses of record owner, subdivider, and surveyor.*
- (3) *Locations, names and present widths of adjacent streets and alleys.*
- (4) *Locations and names of adjacent subdivisions and names of owners of adjacent acreage.*
- (5) *Widths and locations of all streets and other public ways.*
- (6) *Location of utilities, if not shown on other exhibits.*
- (7) *Lot lines with approximate dimensions, lot numbers and block numbers.*

- (8) *Widths and locations of all building lines and easements.*
- (9) *Sites, if any, to be reserved or dedicated for parks, playgrounds, or other public uses*
- (10) *Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings.*
- (11) *Method of sewage disposal proposed.*
- (12) *Proposed uses of property.*
- (13) *Site data, including number of residential lots, typical lot size, and acres in parks, etc.*
- (14) *Topographic map at suitable scale and W.S.S.D. datum when required by the Commission.*
- (15) *Date, north point, and scale.*
- (16) *Deed description or survey of plat boundary.*
- (17) *Abstract of title of the land within the proposed subdivision setting forth all legal or equitable interests therein.*
- (18) *Key map showing location of property when same is in an outlying area and not adjoining a recorded subdivision.*

RESPONSE: The Applicant acknowledges these requirements and has provided a PPS application that is consistent with them.

Section 20-29.7. – Review procedure; adequate public facilities

Before PPS approval may be granted for any project, the Planning Commission must determine that adequate roads and other public utilities either exist or will be provided pursuant to Section 20-29.7 of the City of Laurel ULDC. In particular, an analysis of Section 20-29.7(b) and (c) are required, which is examined below:

- (b) *The Planning Board shall require that proposed subdivisions conform to the following:*
 - (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 subdivision or development, the estimated increase in population, the anticipated timing of the development of the land proposed for subdivision, the degree of urbanization or development within 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.

RESPONSE: The Applicant notes that public water and sewer mains are available within the right-of-way of Park Center Drive, immediately adjacent to the Property. These include two eight-inch sewer and water lines that are served by WSSC.

(b) The availability of existing or programmed sewage or water mains.

RESPONSE: The Applicant notes that the proposed Oaks at Laurel preliminary plan will provide infrastructure improvements to the existing Park Center Drive, wherein sidewalks and street trees will be installed along the subject property's frontage.

(c) The availability of existing or programmed sewage or water mains.

RESPONSE: The Applicant notes that the proposed extension of sewer and water facilities into the site will be through existing utilities located within the Park Center Drive right of way. Offsite, unsubdivided lands will be used to extend the water and sewer via easement. Water and sewer upgrades to increase capacity will be directed by the operating agency (WSSC) and will only be done to service the proposed subdivision. Any disturbance to the existing right of way will be repaired as a part of the water and sewer installation.

(d) The availability of existing or programmed sewage or water mains.

RESPONSE: The Applicant notes that the Prince George's County Ten-Year Water and Sewage plan currently classifies the Property as being located within the W-3 and S-3 categories, which means that community systems are publicly available for connection and/or extension.

(e) The availability of existing or programmed sewage or water mains.

RESPONSE: The Applicant notes that access to the proposed Oaks at Laurel development will be from Park Center Drive via a curb cut and new private roadway. All the internal streets and alleys will be private. According to the Traffic Impact Analysis submitted in conjunction with the PPS application, this vehicular system will be adequate to accommodate traffic in and out of the proposed Oaks and Laurel subdivision. Of the five (5) intersections requested to be studied, none failed the rigorous traffic analysis mandated by the County government.

(f) The availability of existing or programmed sewage or water mains.

RESPONSE: The Applicant notes that the subject property is an infill development site that has been designed with single-family attached (townhouse) dwelling units. These townhouse dwelling units provide a transition between the existing single-family detached community of The Villages of Wellington, located to the north and east, and the existing commercial, particularly office uses, to the west and south. This proximity to existing residential dwelling units is important as the Planning Commission has previously found that adjacent communities, located inside the City of Laurel, are within a reasonable distance from public services such as fire, police, schools, parks, etc. Below is a list of the distance from the Property to these nearby public services:

Fire: The nearest fire station is the Laurel Volunteer Fire Station (PG Station 10) located at 7411 Cherry Lane, approximately 1.1 miles from the site.

Medical: The Laurel University of Maryland Laurel Medical Center is located at 7300 Van Dusen Road, approximately .7 miles from the site.

Parks: Existing parks such as Leo Wilson Community Park and the Granville Gude Park are located within two (2) miles of the site. The development will also provide for onsite recreational needs via on-site recreational amenities.

Police: The police station in Laurel is located at 811 5th Street, approximately 2.5 miles from the site.

Schools: School adequacy is satisfied by payment per unit of a school surcharge fee. The impacted schools include Vansville Elementary School, Martin Luther King, Jr Middle School, Laurel High School.

Transit: There is currently a public bus service along the nearby Van Dusen Road. Both bus route lines are approximately one-half mile from the proposed property.

Utility: The site will have access to electric and cable services via Park Center Drive.

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

RESPONSE: The Applicant notes that while there is no rail service near the subject Property, there is currently a public bus service along the nearby Van Dusen Road. Both bus route lines are approximately one-half mile from the proposed Property.

(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.*

RESPONSE: The Applicant will construct all private roads within the Oaks at Laurel subdivision. In addition, the Applicant will make improvements to Park Center Drive, which is the road that will be used to provide access to the subject Property.

- (3) *Subdivisions or developments which meet the following criteria shall be deemed adequate regarding water and sewage facilities subject to preliminary approval or status within the Washington Suburban Sanitary Commission (W.S.S.C.) 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 the adopted plan, or as approved within a Revitalization Overlay Area consistent with the regulations and intent of such areas, and*

RESPONSE: The Applicant notes that the proposed density of ten (10) dwelling units per acre is in accordance with Special Exception 950, which was approved by Resolution No. 23-09-BOA and does not exceed the maximum density permitted in the C-VAC Zone.

- (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 systems, and any other public safety standards and requirements.*

RESPONSE: The Applicant notes that given that the Property is within the County's W-3 and S-3 categories, it is anticipated that public water and sewer services can meet all local, County, and State requirements.

- (c) *In addition to the requirements of Subsection 20-29.7(b) above, all applications for approval of any subdivision or site development of residential land 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 reviewed by the Planning Commission staff in accordance with standards and guidelines generally accepted by local governments. The requirement of an "Adequate Public Facility 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:*

RESPONSE: The Applicant notes that per the requirements of Section 20-29.7(c) of the ULDC, an adequate public facilities study is required for this PPS application as more than ten (10) dwelling units are proposed. The required adequate public facilities study has been included in the submittal package for review.

(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.*

RESPONSE: The Applicant notes that based upon the provided traffic impact analysis, there will be no adverse impacts as a result of traffic generated by the proposed development.

(2) *The impact on police 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.*

RESPONSE: The Applicant notes that the Property is in close proximity to public facility services as described in Section 20-29.7(b)(1)(f) above and reiterated below:

Fire: The nearest fire station is the Laurel Volunteer Fire Station (PG Station 10) located at 7411 Cherry Lane, approximately 1.1 miles from the site.

Medical: The Laurel University of Maryland Laurel Medical Center is located at 7300 Van Dusen Road, approximately .7 miles from the site.

Police: The police station in Laurel is located at 811 5th Street, approximately 2.5 miles from the site.

(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.*

RESPONSE: The Applicant notes that the Property is in close proximity to public facility services as described in Section 20-29.7(b)(1)(f) above and reiterated below:

Library: The Laurel Branch Library, located at 507 7th Street adjacent to Talbott Avenue, is approximately 2.5 miles from the Oaks at Laurel Site.

Schools: School adequacy is satisfied by payment per unit of a school surcharge fee. The impacted schools include Vansville Elementary School, Martin Luther King, Jr Middle School, Laurel High School.

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

RESPONSE: The Applicant notes that the Property is in close proximity to public facility

services as described in Section 20-29.7(b)(1)(f) above and reiterated below:

Parks: Existing parks such as Leo Wilson Community Park and the Granville Gude Park are located within two (2) miles of the site. The development will also provide for onsite recreational needs via on-site recreational amenities.

Furthermore, the Oaks at Laurel site proposes onsite recreational facilities and ample open space for residential use. The proposed open space will total approximately 46,500 square feet, which will meet the required thirteen (13) percent dedication requirement established in Section 20-29.10 of the City of Laurel's ULDC. Details for the proposed recreational facilities will be provided at the time of final site and landscape approval by the City of Laurel's Planning Commission but the locations of the proposed facilities are shown on the preliminary plan, which is consistent with the previously approved Special Exception. The proposed recreational facilities will also be consistent and compatible with those in surrounding communities within the City of Laurel and Prince George's County, including but not limited to, open play space, a small child or multi-age playground, and a paved family seating area with benches or tables. Therefore, as on-site recreational facilities are proposed and the open space dedication requirement is met, the Applicant asserts that a fee-in-lieu should not be required for this PPS application.

(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.*

RESPONSE: The Applicant notes that a fiscal impact analysis shall be provided prior to the proposed hearing date by the City of Laurel Planning Commission if deemed necessary for the review of this PPS application.

(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, on any particular service or facility.*

RESPONSE: The Applicant notes that Impacts to public facilities are generally determined by the operating agencies and paid at their rates once necessary reviews have occurred. This would tend to include water and sewer systems, stormwater management, parks, roads, schools, and life safety functions. The following are estimated or anticipated requirements:

Life Safety: Currently the surcharge for Life Safety is \$8,925 per unit.

Parks: This PPS application does not propose a fee-in-lieu payment as the required thirteen (13) percent of gross land area will be dedicated as open space as established in Section 20-29.10 of the City of Laurel's Unified Land Development Code and onsite recreational facilities are proposed.

Public Roads: No impact fee is proposed; however, the operating agency requires that roads be upgraded to support the development along the frontage or at critical intersections that fail. In this case, access and all intersections operate within acceptable levels. Per the Traffic Impact Analysis, no frontage improvements or off-site intersections need to be upgraded. Yet, Park Center Drive will be improved via the addition of sidewalks and street trees to support this development.

Schools: There is currently a School Facilities Surcharge payment of \$18,926 per unit for units located outside the beltway.

Stormwater: The site is located within the Patuxent River Upper watershed and no 100-year control is required. Necessary stormwater management will be provided by the Applicant as demonstrated in a Stormwater Management Concept Plan. It is anticipated that all requirements are anticipated to be met on-site and no fee-in-lieu will be required.

Water/Sewer: WSSC, the operating agency for the jurisdiction's water and sewer services, will require a fee of \$5,090 per unit System Development Charge.

(d) *In-lieu of requiring an applicant to construct or pay the cost of construction of public facilities in connection with the proposed subdivision in situations in which it would not be equitable to impose the entire cost on the applicant because of the limited impact of the proposed subdivision or development on those public facilities, the Planning Commission may require the applicant to pay a fee, or other contribution to the City based on an equitable allocation or apportionment that the proposed subdivision or development proposed would have on those public facilities. The amount of any such fee shall bear a reasonable relationship to the anticipated impact of the proposed subdivision or development on public facilities. Such fees shall be paid to a fund specifically designated for public facilities, and such fund may only be used by the City for such purposes. Such fees may be in addition to the payment of impact fees as provided for by the Mayor and City Council.*

RESPONSE: The Applicant for the proposed Oaks at Laurel PPS application will design, permit, and construct the Park Center Drive improvements as well as all interior site improvements.

(e) *Whenever the provisions of the Forest Conservation Regulations, as set forth in Article V of this chapter, are applicable, all such applicable provisions of Article V shall be complied with in conjunction with the subdivision proceedings of this article relating to subdivisions.*

RESPONSE: The Applicant for the proposed Oaks at Laurel PPS application has obtained an approved Forest Conservation Plan Waiver, which was approved by the City of Laurel Planning Commission on June 11, 2024.

June 27, 2024

Oaks at Laurel, Preliminary Plan of Subdivision

Page 13 | of 13

(f) Development proposals not requiring subdivision approval must still meet the adequate public facilities requirements, as contained within Section 20-2.2, Plans, plats, and information to accompany applications for permits, of Article 1, Zoning.

RESPONSE: The Applicant notes that this requirement is not applicable as this Property is subject to the approval of a PPS application.

V. Conclusion

This PPS application meets all requirements for approval set forth in the Subdivision Ordinance as discussed herein. As such, the Applicant respectfully requests that the Planning Commission approve the aforementioned PPS application.

Thank you in advance for your consideration of this application. If you have any questions or comments, please do not hesitate to contact the undersigned.

Respectfully Submitted,



Arthur, J. Horne, Jr.

Enclosures:

Cc: Ms. Morgan Michael
Mr. Dan Jackson
Brian Shadrick
Phillip Hughes
Amy Sommer

AJH/ats