

R E S O L U T I O N

WHEREAS, Winnifred C. Shields, Trustee, is the owner of a 124.89-acre parcel of land being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on November 13, 2003, Toll Brothers, Inc., filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 227 lots and 6 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03088 for Glenn Dale golf Course Property was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on January 29, 2004, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on January 29, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/60/03), and further APPROVED Preliminary Plan of Subdivision 4-03088, @ for Lots 1-230 and Parcels A-F with the following conditions:

1. Prior to the signature approval of the preliminary plan:
  - a. All plans shall be revised to eliminate Lots 9, 26, 33-50, and 74 of Block A; and Lots 33, 48,49, and 58 of Block B; and the remaining areas shall be redesigned to preserve more of the environmentally sensitive areas and provide additional woodland conservation on-site.
  - b. A copy of the Stormwater Management Concept Approval Letter shall be submitted.
  - c. The FSD shall be revised as follows:
    - (1) Revise the FSD text to include the Forest Stand Summary Worksheets.
    - (2) Revise the FSD text and map to identify the amount of existing woodland in each forest stand to the nearest 1/100th acre.
    - (3) Provide written confirmation from the Maryland Department of Natural Resources regarding the presence of rare, threatened or endangered species on the site, or

provide a statement on the FSD that none exist.

- (4) Have the qualified professional who prepared the revised plan sign and date it and note the revisions in the revision box.

d. The TCPI shall be revised as follows:

- (1) Provide a separate symbol in the legend for the limits of disturbance (LOD) so it is not combined with the proposed tree protection devices.
- (2) Remove all tree protection devices from the TCPI.
- (3) Label the storm drain easement shown in the woodland conservation area on sheet 3, and exclude credits for this area from the Woodland Conservation Worksheet.
- (4) Identify the proposed woodland conservation areas to the nearest 1/100th of an acre.
- (5) Revise the TCPI notes to be the standard TCPI notes and include optional note #6 with the Conceptual Stormwater Management Plan number from the Department of Environmental Resources.
- (6) Refer to TCPI/60/03 in the M-NCPPC approval block.
- (7) Revise the Woodland Conservation Worksheet to address all the comments contained in the final conditions.
- (8) Have the qualified professional who prepared the revised plan sign, date it, and note the revisions on the plan.

e. The Development Standards note shall be amended to reflect a side yard setback of 8 feet and 17 feet, and the note that a variance from Subtitle 27-244(c), Table IV, is required shall be deleted from the plan.

2. The Type II TCP submitted with the initial submission of the detailed site plan shall address the proposed tree preservation treatments for all specimen trees whose critical root zone is within or directly adjacent to the limits of disturbance.
3. The Type II TCP submitted with the initial submission of the detailed site plan shall address the treatment of the debris that exists in the woodland conservation areas. The TCPII shall contain detailed notes regarding the timing and disposal of the existing debris.
4. The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/60/03), 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.”

5. A Type II Tree Conservation Plan shall be approved at the time of detailed site plan.
6. During the preparation and review of the detailed site plan, the locations of proposed utilities and trails shall be further evaluated to ensure that PMA impacts are minimized. The reconfiguration and restoration of the existing wet ponds shall be designed so as to reduce impacts and to create the ponds as amenities to the overall project.
7. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area Preservation Area and shall be reviewed by the Environmental Planning Section prior to certificate approval. In addition, the following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted."
8. As part of the initial submission of the detailed site plan, a technical stormwater management plan shall be submitted to ensure that there are no conflicts between the two plans.
9. A detailed site plan shall be approved prior to approval of the final plats.
10. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) the cluster open spaces as shown on submitted plans. Land to be conveyed shall be subject to the following:
  - a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of an unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.

- e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved specific design plan or shall require the written consent of DRD. 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 storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements required by the approval process.
  - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
  - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. Storm drain outfalls shall be designed to avoid adverse impacts on adjacent land, owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by M-NCPPC, the 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.
  - i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to, M-NCPPC, without the review and approval of DPR.
  - j. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
11. The applicant, his successors, and/or assignees shall provide adequate, private recreational facilities constructed in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*, subject to the following:
- a. A site plan shall be submitted to the Development Review Division (DRD) of the Prince George's County Planning Department, which complies with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
  - b. Submission of three original, executed public recreational facilities agreements (RFA) to the DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

- c. Submission to DRD of a performance bond, letter of credit or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.
  - d. The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities on HOA property.
  - e. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the preliminary plan by the Planning Board.
12. Subject to the granting of required easements to M-NCPPC by the adjacent property owner, the applicant, his heirs, successors and/or assignees shall construct 600± linear feet of an eight-foot-wide asphalt trail on the adjacent school site and Daisy Lane Community Park.
  13. The applicant, his heirs, successors and/or assignees shall construct a half basketball court in Daisy Lane Community Park.
  14. A site plan for off-site recreational facilities shall be reviewed and approved with the initial submission of the detailed site plan. It shall include a grading plan and show limit of disturbance and construction details.
  15. All recreational facilities shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.
  16. The location of the trail shall be staked in the field and approved by DPR prior to construction.
  17. The location of the basketball court shall be determined at the time of detailed site plan review.
  18. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed to assure dry passage along the trail.
  19. The applicant, his heirs, successors and/or assignees shall submit three original, executed recreational facilities agreements (RFA) to DPR for approval three weeks prior to a submission of a final plat. Upon approval by the Department of Parks and Recreation, the RFA shall be recorded among the land records of Prince George's County.
  20. The applicant, his heirs, successors and/or assignees shall submit to the Department of Parks and Recreation a performance bond, letter of credit or other suitable financial guarantee to secure construction of the recreational facilities on park property, in an amount to be determined by DPR at least two weeks prior to application for building permits.

21. The construction of the off-site recreational facilities shall be completed prior to the issuance of the 115<sup>th</sup> building permit.
22. At the time of final plat approval, the applicant, his heirs, successors and/or assignees shall dedicate a right-of-way along Prospect Hill Road and Hillmeade Road of 40 feet from the centerline of pavement.
23. Prior to issuance of building permits (other than for model homes), the applicant, his heirs, successors and/or assignees shall provide for a right turn lane on Prospect Hill Road at the site access point, as required by DPW&T. To improve sight distance, DPW&T shall also determine the need for further frontage improvements and/or removal of vegetation.
24. Prior to the issuance of any building permits (other than for model homes) within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with SHA/DPW&T:
  - a. MD 193 at Prospect Hill Road: Construct a double left turn lane from eastbound MD 193 to northbound Prospect Hill Road. This shall include the widening of Prospect Hill Road to accept double left turns. These improvements shall also include any signal, signage, and pavement marking modifications and additions to be determined by SHA.
  - b. MD 193 at Prospect Hill Road: Provide a free right turn lane from southbound Prospect Hill Road to westbound MD 193. This shall include construction of an acceleration lane along westbound MD 193, in accordance with SHA requirements.
  - c. MD 193 at Prospect Hill Road: Modify, by construction or re-striping, the northbound approach of Prospect Hill Road to create a two-lane approach, in accordance with SHA requirements.
  - d. Provide a third through lane along eastbound and westbound MD 193 at the MD 564 intersection, in accordance with SHA requirements. These improvements shall also include any signal, signage, and pavement marking modifications and additions to be determined by SHA.
  - e. Provide a second left turn lane from westbound MD 193 to MD 564. This improvement shall also include any signal, signage, and pavement marking modifications that are determined to be necessary by SHA.
25. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$421.00 to the Department of Public Works and Transportation for the placement of bikeway signs along Hillmeade and Prospect Hill Roads, designated Class III Bikeways. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.

26. At the time of final plat, the internal trail network shall be placed within a public -use trail easement. This easement shall be described by bearings and distances on the final plat.
27. Standard sidewalks shall be constructed along both sides of all internal roads, upon the concurrence of the Department of Public Works and Transportation.
28. Development shall be in conformance with the approved stormwater management concept plan, Concept #20124-2003-00, or any approved revisions thereto.
29. Prior to the approval of the final plat:
  - a. The existing septic systems to be abandoned shall be removed or pumped by a licensed scavenger, backfilled and sealed in accordance with COMAR 26.04.04.
  - b. The above-ground fuel storage tanks shall be removed and properly discarded, along with any contaminated soils associated with them.
  - c. Existing wells to be abandoned shall be backfilled and sealed in accordance with COMAR 26.04.04.
30. At the time of detailed site plan, changes may be made to the plan to make the layout more efficient. These changes must still accomplish the goals of saving the large tree stand in the northeast portion of the site, incorporating the open space into the community, and minimizing impacts to the Patuxent River Primary Management Area. At the detailed site plan stage, up to four additional lots (for a total of 206) may be created.
31. An approved 100-year floodplain study shall be submitted with the submission of the detailed site plan.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located at the intersection of Prospect Hill Road and Old Prospect Hill Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R	R-R
Uses	Golf Course, accessory uses and a historic site	226 single-family homes, private recreational facilities and retention of the historic site
Acreage	124.89	124.89
Lots	0	227
Parcels	2	6
Detached Dwelling Units	1	226 new

**4. Cluster Development Data as proposed by Applicant**

Zone	R-R
Gross Tract Area	124.23 acres
Area with Slopes Greater than 25%	4.85 acres
Area within Preliminary 100-year Floodplain	2.55 acres
Cluster Net Tract Area	117.49 acres
Number of Lots Permitted	234
Number of Lots Proposed	227
Flag lots proposed	3
Minimum Lot Size Permitted	10,000 sq.ft.
Minimum Lot Size Proposed	10,000 sq.ft.
Cluster Open Space Required	32.47 acres
2/3 of Required Open Space to be Located Outside of the 100-Year Floodplain and Stormwater Management Facilities	21.75 acres
Cluster Open Space Proposed Outside of the 100-Year Floodplain and Stormwater Management Facilities	27.30 acres
Cluster Open Space Provided	33.38 acres
Mandatory Dedication Required	6.21 acres
Mandatory Dedication Proposed	On Site Recreation Facilities



Total Open Space Required (Cluster plus Mandatory Dedication)		38.68 acres
Total Open Space Provided	33.38 acres (See Parks and Recreation Finding)	
Open Space to be Conveyed to Homeowners Association		33.38 acres
Open Space to be Conveyed to M-NCPPC		0.00 acres
Open Space to be Conveyed to Prince George’s County		0.00 acres
Slopes Exceeding 25% in grade		4.85 acres
25% of Steep Slopes		1.21 acres
Area of Steep Slopes to be Disturbed	2.59 acres (See Finding 3.i. below)	
Area of Nontidal Wetlands and Waters of the U.S.		0.09 acres

Modification in Dimensional Standards Permitted in Cluster		Standard in Zone	Modification Allowed Proposed	
27-442(c)	Net Lot Coverage	25%	30%	30%
27-442(d)	Lot Width at Bldg. Line	80'	75'	75'
	Lot Frontage Along Street Line	70'	50'	50'
	Lot Frontage Along Cul-de-sac	60'	50'	50'

5. **Cluster Findings**—If modified in accordance with staff recommendations, the design for the proposed cluster subdivision meets the purposes and criteria for approval of cluster developments in the R-R Zone found in Subtitles 27-Zoning and 24-Subdivision of the Prince George’s County Code. The following findings are required in accordance with Section 24-137 of the Subdivision Regulations:

- a. **Individual lots, streets, buildings and parking areas will be designed and situated in conformance with the provisions for woodland conservation and tree preservation set forth in Subtitle 25 of the Prince George’s County Code, and in order to minimize alteration of the historic resources or natural site features to be preserved.**

*Comment:* With modifications discussed in the Environmental section of this report, the lots will be in conformance with the woodland conservation and tree preservation provisions of Subtitle 25 of the Prince George’s County Code. However, the proposed tree save areas leave much to be desired. This property has been a golf course for a long time. Trees present on the property are generally isolated strips found between fairways. The largest stand of trees exists in the northeast portion of the property. In this location the applicant proposes to remove a significant amount of the trees. While there are limited areas on this property to save trees, staff believes that this area, where the stand is the largest, is a very

important tree save area. The plan should be revised to eliminate lots in this area and conserve a majority of these trees. Lots 33 to 50, Block A, should be eliminated.

- b. Cluster open space intended for a recreational or public use, conservation purposes, or as a buffer for a historic resource is appropriate, given its size, shape, topography and location, and is suitable for the particular purposes it is to serve on the site.**

*Comment:* The proposed open space is intended for all of these purposes. The lot for the historic site on the property has been enlarged to nearly 1.5 acres and it is surrounded by an open space buffer and recreational uses. Open space proposed for recreational use is also suitable for its purpose. A pool, tennis courts and outdoor play area are provided in a central location convenient to all homeowners. The highlight of the recreational open space will be an extensive trail system that will run throughout the property, allowing homeowner pedestrian bicycle access to Prospect Hill Road on the west and Daisy Lane Community Park to the southeast. The applicant has also proffered to place this trail in a public use easement, allowing residents of the greater community to use and enjoy the trails as well. One feature of the trail that will prove to be stunning is a proposed trail bridge over a wetland area between the two ponds on the site. This will provide for a very enjoyable recreational environment.

- c. Cluster open space will include irreplaceable natural features located on the tract (such as, but not limited to, stream beds, significant stands of trees, steep slopes, individual trees of significant size, and rock outcroppings).**

*Comment:* As discussed in Finding 3.a, above, the proposal to eliminate a large portion of the wooded area in the northeastern portion of the property falls short of this requirement. The elimination of Lots 33 to 50, Block A, will bring the application closer into compliance with this finding. Other natural features on the site are being preserved. At the original submission, the applicant proposed the elimination of most of the Patuxent River Primary Management Area (PMA), opting to lot out this area because it had been previously disturbed when the golf course was built. Staff worked with the applicant to reduce the amount of PMA disturbance and the plan now preserves a majority of the PMA and in fact reestablishes a stream that was once piped. However, the plan still requires revision. Several lots still impact the PMA unnecessarily. These lots, discussed further in the Environmental section of this report, are Lot 9, Block A, and Lots 33, 48, 49 and 58, Block B. With these lots removed, the cluster open space will include more irreplaceable features than would normally be required in a conventional subdivision.

- d. Cluster open space intended for recreational or public use will be easily accessible to pedestrians; and the means of access will meet the needs of the physically handicapped and elderly.**

*Comment:* The proposal meets this criterion. Open space intended for recreational purposes is centrally located and accessible. The details of its accessibility to the physically

handicapped and elderly will be finalized at the detailed site plan stage. Pedestrian access to the open space is provided by the extensive trail system linking all portions of the property to the open space.

- e. **Cluster open space intended for scenic value will achieve this purpose through the retention of irreplaceable natural features described above; or where such natural features do not exist, such techniques as berms planted with trees and the use of landscaping material may be required to eliminate visual monotony of the landscape.**

*Comment:* As noted above, the large stand of trees on the property could be an enormous scenic asset to this property, if only it were more visible to more of the residents of the community. To enhance its scenic value, staff recommends that the 18 lots that back to it be removed so the entire wooded area would not only be preserved, but also visually brought into the community as well. Other areas of wetlands and streams have scenic value in that they are visible from the streets and the rear yards of lots.

- f. **Diversity and originality of lot layout and individual building design, orientation, and location will achieve the best possible relationship between development and the land.**

*Comment:* When the application was filed, it included very little originality of lot layout; in fact, the proposal looked more like a standard R-80-zoned subdivision than an R-R cluster. However, the preliminary plan has been revised several times and now conforms much more closely to this requirement. Nice, larger lots surround the ponds on the property, creating lots that will have beautiful views from their rear yards. Small lots are concentrated in areas with little or no environmental features. All in all, the range of lot sizes is good. Lots of 20,000 square feet abut Prospect Hill Road, and there are fewer than 30 lots that are near the 10,000-square-foot minimum. A majority of the lots are in the 12,500-square-foot to 17,500-square-foot range. A better relationship between the development and the land can be achieved by saving more of the trees in the northeast corner.

- g. **Individual lots, buildings, parking areas, and streets will be arranged, designed, situated, and oriented so as to harmoniously relate to surrounding properties, to improve the view from dwellings, and to lessen the area devoted to motor vehicle access and circulation.**

*Comment:* As noted, lots along Prospect Hill Road are 20,000 square feet in size. And in most cases, the proposed lots do harmoniously blend with the surroundings. However, along the northern property line, where the lots abut other, larger properties, the applicant proposes smaller lots. Lots 24 through 31, Block A, should be redesigned to be 20,000 square feet each. This can be achieved with the elimination of one or two lots. Lot 26 is an unacceptable flag lot and should be eliminated; its area can be used to increase the size of the remaining lots.

- h. **Individual lots, buildings, parking areas, and streets will be so situated and oriented**

**as to avoid the adverse effects of shadows, noise, and traffic on, and afford privacy to, the residents of this site.**

*Comment:* With the exception of the three flag lots, the lots are situated to afford privacy and reduce the effects of noise, traffic and shadows. Staff recommends the elimination of the flag lots as discussed in the flag lot finding of this report.

- i. Not more than one-fourth (1/4) of any of the land having slopes greater than twenty five percent (25%) will be removed or altered, and then only when the slopes are isolated, small, or otherwise occur as insignificant knolls, so that the design of the development or cluster open space will not be adversely affected.**

*Comment:* The applicant proposes to alter 53 percent of the steep slopes on the property. This requirement is not met and the plan needs to be revised accordingly.

- j. Appropriate landscape screening techniques will be employed at each entrance to the subdivision and along adjoining existing streets, so as to assure the compatibility of the appearance of the cluster subdivision with that of surrounding existing and planned residential development not approved for cluster development, and to provide an attractive appearance from streets. Individual lots shall also be appropriately landscaped in such a manner as to provide an attractive appearance.**

*Comment:* The applicant has accounted for this landscaping in part. Detailed review of the landscaping and entrance features will occur at the detailed site plan stage.

The entrance road from Hillmeade Road will have a stormwater pond on one side and proposed Lot 74, Block A, on the other. The pond can be landscaped in such a way as to make it attractive. Although landscaping can be provided on the lot, a larger entrance feature at this location is appropriate. To provide for this, Lot 74, Block A, should be deleted. This would also serve to enhance the visual quality of the Hillmeade Road.

- 6. Environmental**—The site is currently used as an 18-hole, public golf course with driving range, having an interconnected asphalt golf cart path system, ancillary buildings and structures (i.e., clubhouse, outdoor in-ground pool, parking lot, etc.) and a historic house with established environmental setting. Two springhouses were constructed approximately when the golf course use was developed. There are two on-site streams identified as Waters of the U.S. that drain to the Horsepen Branch watershed. The Horsepen Branch is a tributary in the Patuxent River basin. Areas of nontidal wetlands and 100-year floodplain are present at the site. The property has expanses of steep and severe slopes and 12 different soil types. These soils include Christiana Fine Sandy Loam, Elkton Silt Loam, Fallingston Sandy Loam, Keyport Silt Loam, Muirkirk Loamy Sand, Rumford Loamy Sand, Sassafras Sandy Loam, Sunnyside Fine Sandy Loam, Sunnyside Sandy Clay Loam, Sunnyside–Urban Land Complex, Woodstown Sandy Loam and Woodstown–Urban Land Complex. Overall, these soils are moderate to well drained. According to available information, Marlboro clay does not occur in this area of the county. According to current air photos the site is partially wooded

along the edges of the fairways, with pockets of woodland areas separating the fairways, all of which is maintained for the golf course use. As part of the regular golf course maintenance, some of the woodland areas are mowed so there is no understory associated with them. A total of 99 specimen trees have been identified on the property. Three ponds on the site provide stormwater management and secondarily function as water hazard features in the golf course design. There are no scenic or historic road issues or noise impacts associated with the site.

### **Woodland Conservation**

The site is subject to the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodlands. A detailed Forest Stand Delineation (FSD) has been submitted with a revision date of December 2003. The initial FSD text and map had numerous deficiencies that included insufficient information regarding soils and the erodibility (K) factor, the percentage of steep slopes by soil types, and hydric characteristics. In addition, the forest stand boundaries needed to be delineated more clearly on the map and these areas had to be identified to the nearest one-hundredth of an acre. Several field data sheets were of poor copy quality and the request was made for legible substitutes to be submitted. The Forest Stand Summary worksheets also were omitted from the FSD text. The qualified professional who prepared the plan was required to return to the site and take at least two samples from each of the seven forest stands.

Revisions to the FSD were made as a result of an in-field meeting among the interested parties. The forested portions were more clearly delineated into seven stands of mixed hardwood species. Ninety-nine specimen trees were determined to be present at the site, ranging from poor to good condition. The several Forest Sampling Data Worksheets missing from the original FSD text have been included in the revised submittal. In the FSD text the seven forest stand descriptions have not been identified to the nearest 1/100th of an acre. This is a standard in the FSD preparation process. Forest stands described in the text and identified on the FSD are to the nearest 10th of an acre. The Forest Stand Summary sheets are not in the revised FSD text. These worksheets provide pertinent information about the value and overall quality of the seven forest stands. Written confirmation from the Maryland Department of Natural Resources should also be provided as to the presence of rare, threatened and endangered species. The plan should be signed by a qualified professional and dated. All revisions should be noted on the plan.

A revised Type I Tree Conservation Plan (TCPI/60/03) was submitted and reviewed. The initial FSD and TCPI submittals did not address the requirements of the Woodland Conservation Ordinance and required significant revisions. The TCPI was also not in conformance with the requirements of the Zoning Ordinance with regard to the required findings for cluster subdivisions. A cluster subdivision must result in a better environment than would occur if the subject property were developed using conventional lotting patterns. The previous development of the subject property as a golf course, prior to the adoption of environmental regulations that protect sensitive environmental features, has resulted in difficulties with respect to meeting the Woodland Conservation Ordinance requirements on-site. There is a limited amount of existing woodland, and buffers that would today be preserved as woodland do not exist.

The subject application has been revised significantly to meet the Subdivision Regulations requirements; however, there remain areas where the deletion of proposed lots would result in the preservation of additional woodland on-site. Since the original TCPI submittal, the amount of on-site woodland conservation has increased from 5.37 acres to 19.76 acres (or by approximately four times the original amount). It should also be noted, in a comparison of the current TCPI worksheet with the initial submittal, the amount of off-site mitigation has decreased from 28.72 acres to 13.91, for a difference of 14.81 acres (or by almost half the original amount proposed). However, there are still opportunities to provide woodland conservation on-site and preserve more of the sensitive environmental areas. In order to meet the requirements of the Woodland Conservation Ordinance and the Zoning Ordinance and Subdivision Regulations, the following lots should be deleted and the layout redesigned: Lots 9, and 33-50 of Block A; and Lots 33, 48,49, and 58 of Block B.

The site contains 17.7 acres of existing woodland and has a Woodland Conservation Threshold of 20 percent. The woodland conservation required is based on 9.24 acres of clearing for a total requirement of 33.67 acres. The application proposes to meet the requirement through the preservation of 7.95 acres, reforestation of 5.16 acres, afforestation of 6.65 acres, and off-site mitigation of 13.91 acres. These calculations will need to be revised when the recommended condition above is addressed.

Numerous technical aspects of the TCPI still need to be revised. These include provision of a separate symbol in the legend and on the plan for the limits of disturbance (LOD) not to be combined with the tree protection devices symbol. Tree protection devices are not an appropriate feature on a TCPI and they need to be removed. On Sheet 3 the storm drain easement shown in the woodland conservation area is not labeled, and the woodland conservation credits for this area need to be excluded from the Woodland Conservation Worksheet.

Currently, 43 specimen trees are shown on the TCPI to be retained. During the review of the TCPII, the proposed preservation methods for all trees within 100 feet of the proposed limits of disturbance must be addressed. The TCPII will also need to address the treatment of debris located in proposed woodland conservation areas (i.e., dead and decaying trees, trunks, limbs and similar woody debris). In addition, the proposed woodland conservation areas are not labeled to the nearest 1/100<sup>th</sup> of an acre as required. The TCPI notes on the plan are not the standard notes for a TCPI and they must be revised to provide only the notes applicable to the TCPI. The TCPI notes should include optional note #6 and the Conceptual Stormdrain Plan number from the Department of Environmental Resources (DER). The "Edge Management Notes" should be removed because these are appropriate on a TCPII, not a TCPI. Reference to TCPI/60/03 should be made in the M-NCPPC approval block. The plan should be signed by the qualified professional who prepared it and the revised plan should be dated.

#### **Patuxent River Primary Management Area**

The site is within the Patuxent River Primary Management Area (PMA) as defined in Section 24-101 of the Subdivision Ordinance. It appears that the PMA is shown correctly; however, a 100-year

floodplain study has not been submitted as required. A 100-year floodplain study must be submitted to the Environmental Planning Section for review with the submission of the detailed site plan.

Section 24-130 requires that, when a property is partially or totally within the Patuxent River watershed, the preliminary plan and Tree Conservation Plan demonstrate that the PMA is preserved in a natural state to the fullest extent possible. If impacts are proposed to the PMA, a letter of justification is required to be submitted describing the impacts proposed and justifying why they are unavoidable. A letter of justification has not been submitted.

The preliminary plan shows impacts to the PMA in relation to 11 proposed lots. These lots include Lot 9 of Block A, and Lots 23-26, 48, 49, 58, 123, 124 and 125 of Block B. The proposed impacts to the PMA in relation to these 11 lots are excessive. Impacts to the PMA are also shown on the plans for proposed road construction (see Street H and the unlabeled entrance street from Prospect Hill Road). Disturbance to the PMA is necessary in these two areas for proposed infrastructure improvements. However, based on the proposed location of 11 lots in relation to the delineation of the PMA, the impacts proposed merely for the creation of additional lots are not supported. Therefore, all 11 lots must be removed from the preliminary plan and TCPI.

Additional PMA impacts will be necessary for the installation of utilities and trails in the southeast corner of the property and the reconfiguration of the existing wet ponds for stormwater management. The location and design of the utilities and trails and the proposed reconfiguration of the ponds will be reviewed in greater detail during the detailed site plan review process to ensure that PMA impacts are minimized.

Staff recommends that the Planning Board find that the PMA has been preserved to the fullest extent possible if the impacts proposed for lot creation are eliminated. These lots are addressed in the condition above regarding the removal of lots to create additional woodland conservation on-site.

Sensitive environmental features are required by Section 24-130 to be protected in perpetuity. All of the sensitive environmental areas of the subject property, except for approved impacts, must be placed in a conservation easement.

Stormwater management controls are proposed through a series of four on-site ponds. Although the preliminary plan identifies the stormwater management concept approval, a copy of the plans or the concept approval letter from the Department of Environmental Resources has not been submitted. Because the subject application will include a detailed site plan prior to preparation of final grading plans, the technical stormwater management plans will need to be reviewed in conjunction with the DSP so that conflicts between the two plans can be resolved prior to final approval.

### **Water and Sewer Categories**

The water and sewer service categories are W-4 and S-4 according to water and sewer maps dated September 2002 obtained from the Department of Environmental Resources. The property will be served by public systems.

7. **Community Planning**—The 2002 General Plan places this property in the Developing Tier. It is in Planning Area 70/Annapolis Road Community. 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.

The Glenn Dale-Seabrook-Lanham and Vicinity Master Plan (1993) recommends private open space (golf course) and low suburban residential land uses for the property. The property was rezoned from R-A to R-R by the 1993 Glenn Dale sectional map amendment.

The master plan provides the following guidelines (contained in the Living Areas Chapter) that can be considered in determining the appropriateness of design:

- a. Residential structures should be designed in harmonious relationship to one another and to the terrain and should be situated to create interesting, usable spaces
  - b. Preserve natural amenities and incorporate these natural features into the environmental pattern of residential areas to serve as open space and to define and link living areas.
8. **Parks and Recreation**—The proposal is subject to the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations. The requirement for mandatory dedication of parkland is 6.2 acres. The approved master plan and sectional map amendment for Glenn Dale-Seabrook Lanham Vicinity (Planning Area 70) proposes a 25-acre community park at the north end of the subject property. The floating park symbol covers the northwest corner of subject property, the properties on the north of the subject site, and the property on the west side of Prospect Hill Road. Because the properties on the north and west are subdivided, there is no option to receive the parkland through mandatory dedication at this time. Furthermore, there are not sufficient funds in the CIP to purchase enough land for a community park at the subject location. Alternative locations will be investigated for this planned community park.

Staff of the Department of Parks and Recreation met with applicant and discussed the option of providing a trail connection to Daisy Lane Community Park to the southeast of subdivision. The applicant has agreed to construct the trail connection to the park and to construct a half-court basketball court on park property. DPR staff contacted the Holy Trinity School and obtained an agreement in concept to convey a trail easement to the Commission on school property.

In accordance with Section 24-137 of the Prince George's County Subdivision Regulations, the Park Planning and Development Division recommends that the applicant be required to construct the basketball court and the trail. In addition, land to be conveyed to the homeowners association should be free of debris and in good condition.

9. **Trails**—Two master plan trail/bike facilities impact the subject property. Prospect Hill Road and Hillmeade Road are designated as Class III bikeways in the Adopted and Approved Glenn Dale-



Seabrook-Lanham and Vicinity Master Plan. This recommendation can be fulfilled by the placement of “Share the Road” bikeway signage. If road frontage improvements are required by the Department of Public Works and Transportation (DPW&T), wide asphalt shoulders are recommended along Prospect Hill Road to accommodate bicycle traffic. A standard sidewalk is also recommended along Hillmeade Road, in keeping with road frontage improvements along other nearby segments of Hillmeade Road.

An extensive internal path network is reflected on the submitted plan. Some of these trails utilize existing golf cart paths. The Glenn Dale Civic Association has expressed an interest that the internal trails remain open to the surrounding community. The applicant has expressed a willingness to comply with this request. It is recommended that the internal paths be placed within a public use easement to ensure their use to the community.

Finally, due to the density of the proposed development, standard sidewalks are recommended along both sides of all internal roads, per the concurrence of DPW&T.

10. **Transportation**—The applicant submitted a revised traffic study dated August 8, 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The study was referred to the county Department of Public Works and Transportation (DPW&T), the State Highway Administration (SHA), and the City of Bowie. To date, only comments from DPW&T have been received. DPW&T’s comments are in the file.

#### **Growth Policy – Service Level Standards**

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-Service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

**Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

#### **Staff Analysis of Traffic Impacts**

The applicant has prepared a traffic impact study in support of the application using new counts

taken during June 2003. With the development of the subject property, the traffic consultant concluded that all of the signalized intersections will operate at LOS D or better with the exception of MD 193 and MD 564 and MD 193 and Prospect Hill Road, which will operate at LOS F. The traffic consultant determined that adequate transportation facilities in the area can be attained with the transportation improvements identified in the study. Improvements are proposed at the intersections of MD 193 and MD 564 and MD 193 and Prospect Hill Road.

The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

- MD 193/MD 564 (signalized)
- MD 193/Prospect Hill Road (signalized)
- MD 450/Hillmeade Road (signalized)
- Prospect Hill Road/Hillmeade Road (unsignalized)
- Prospect Hill Road/Site Access (unsignalized)
- Hillmeade Road/Site Access (unsignalized)

The following conditions exist at the critical intersections:

<b>EXISTING TRAFFIC CONDITIONS</b>				
<b>Intersection</b>	<b>Critical Lane Volume (AM &amp; PM)</b>		<b>Level of Service (LOS, AM &amp; PM)</b>	
MD 193/MD 564	1,157	1,415	C	D
MD 193/Prospect Hill Road	1,368	1,052	D	B
MD 450/Hillmeade Road	1,134	1,352	B	D
Prospect Hill Road/Hillmeade Road	15.7*	14.2*	--	--
Prospect Hill Road/Site Access	--	--	--	--
Hillmeade Road/Site Access	--	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

Background developments include 1,400 single-family units, 200 townhouses, and 750 apartments. Other nearby approved developments include 600,000 square feet of office space, 300,000 square feet of retail space, and 100,000 square feet of warehouse space. Additional approved developments include a high school, elementary school, day care center, private school, and a church. Background traffic was also increased by one percent per year to account for overall growth up to the design year 2006. This is the expected year of full build-out. It was brought to staff's attention that several background developments were under-assigned or not assigned to the road network. Staff made adjustments, incorporating the background developments, and recalculating levels of service. These adjustments did not significantly change the findings of the traffic study.

There is one funded capital improvement project in the area. This is the State Highway Administration's project to upgrade and widen MD 450 from MD 193 to Stonybrook Drive. The MD 450 widening project is shown in the state's Consolidated Transportation Program and its scheduled completion date is July 2004. It was assumed to be in place under background conditions. Given these assumptions, background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 193/MD 564	1,655	1,858	F	F
MD 193/Prospect Hill Road	1,840	1,535	F	E
MD 450/Hillmeade Road	1,167	1,353	C	D
Prospect Hill Road/Hillmeade Road	22.8*	21.5*	--	--
Prospect Hill Road/Site Access	--	--	--	--
Hillmeade Road/Site Access	--	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

Based on background traffic conditions, two of the signalized intersections will operate at LOS F during the AM and PM peak hour, with a critical lane volume above 1,450. These are the intersections of MD 193/MD 564 and MD 193/Prospect Hill Road. The background traffic condition for MD 450 and Hillmeade Road reflects the widening project for MD 450, which is currently under construction.

The site is proposed for development as a residential subdivision, with up to 229 single-family dwellings. These would be located on the Glenn Dale Golf Course. The trip rates were obtained from the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The resulting site trip generation would be 172 AM peak-hour trips (34 in, 138 out), and 206 PM peak-hour trips (134 in, 72 out). With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 193/MD 564	1,682	1,902	F	F
MD 193/Prospect Hill Road	1,922	1,620	F	F
MD 450/Hillmeade Road	1,173	1,374	C	D
Prospect Hill Road/Hillmeade Road	23.0*	22.1*	--	--
Prospect Hill Road/Site Access	19.4*	23.1*	--	--
Hillmeade Road/Site Access	9.0*	9.6*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

The traffic study identified inadequacies at both of the signalized intersections along MD 193 during the AM and PM peak hours. The following transportation improvements are recommended at these intersections:

**At MD 193 and MD 564**, construct a third through lane along eastbound and westbound MD 193 at its intersection with MD 564. This could be accomplished by widening MD 193 through the existing channelized right turn islands. In addition, construct a second left turn along westbound MD 193 to southbound MD 564.

**At MD 193 and Prospect Hill Road**, construct a free right turn lane from southbound Prospect Hill Road to westbound MD 193. In addition, construct a double left turn lane from eastbound MD 193 to northbound Prospect Hill Road. Also modify the northbound approach of Prospect Hill Road to provide one left turn lane and one shared through/right turn lane.

The Department of Public Works and Transportation (DPW&T) agreed with the applicant's proposed improvements at the intersection of MD 193 and MD 564 and at MD 193 and Prospect Hill Road. DPW&T provided two comments:

1. Recommend that the developer provide a right turn lane along Prospect Hill Road at the site access point shown on the site plan.
2. Coordinate all proposed improvements at state intersections with the Maryland State Highway Administration (SHA) and the feasibility of such improvements prior to issuance of any building permits, specifically the recommendations proposed for the MD 193 and MD 564 intersection.

The applicant proposed the improvements cited above to provide adequacy at the critical intersections. One change is recommended to the proposed improvement on the northbound approach of Prospect Hill Road at MD 193: this approach should have a shared through/left turn lane and a right-turn lane. With these improvements in place, the following levels of service would occur:

<b>TOTAL TRAFFIC CONDITIONS WITH IMPROVEMENTS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 193/MD 564	1,311	1,346	D	D
MD 193/Prospect Hill Road	1,446	1,232	D	C
MD 450/Hillmeade Road	1,173	1,374	C	D
Prospect Hill Road/Hillmeade Road	23.0*	22.1*	--	--
Prospect Hill Road/Site Access	19.4*	23.1*	--	--
Hillmeade Road/Site Access	9.0*	9.6*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure and should be interpreted as a severe inadequacy.				

Access to the site and circulation within the site is acceptable. As noted above, DPW&T requests that the applicant provide for a right turn lane along Prospect Hill Road at the site access point. Field inspections revealed a possible sight distance problem at site access point due to overgrown vegetation along the east side of Prospect Hill Road. The applicant also plans to close the existing access point from the golf course to Old Prospect Hill Road. It is understood that residents along Old Prospect Hill Road support this closure and oppose any improvements to existing Old Prospect Hill Road such as curb and gutter, streetlights, and sidewalks. In consideration of the subdivision layout these improvements do not appear to be warranted. Another site access point is proposed along Hillmeade Road. DPW&T did not comment on this access point.

Prospect Hill Road and Hillmeade Road are both collector roadways with 80-foot right-of-way recommended in the Bowie master plan (1991) and the Glenn Dale-Seabrook-Lanham master plan (1993). Dedication of 40 feet from the centerlines of both roadways will be required. Dedication is correctly shown on the plan.

Dedication of 25 feet from the centerline of Old Prospect Hill Road is also required and appears to be shown on the site plan. The applicant will also need to make any necessary frontage and safety improvements along Prospect Hill Road and Hillmeade Road as required by the Prince George's County Department of Public Works and Transportation.

**Transportation Conclusions**

Based on these findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations if the application is approved with the transportation conditions included in this report.

11. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	206 sfd	206 sfd	206 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	49.44	12.36	24.72
Actual Enrollment	5,623	5,131	10,098
Completion Enrollment	327.84	217.62	398.97
Cumulative Enrollment	0	6.84	13.68
Total Enrollment	6,000.28	5,367.82	10,535.37
State Rated Capacity	5,892	4,688	8,770
Percent Capacity	101.84%	114.50%	120.13%

Source: Prince George's County Planning Department, M-NCPPC, December 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

Staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003, and CR-23-2003. The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

12. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.

- a. The existing fire engine service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service travel time of 3.43 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance service at Glenn Dale Fire Station, Company 18, has a service travel time of 3.43 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic service at Glenn Dale Fire Station, Company 18, has a service travel time of 3.43 minutes, which is within the 7.25-minute travel time guideline.

These findings are in conformance with the Adopted and Approved *Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic services.

13. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Glenn Dale Golf Course property development.
14. **Health Department**—The Health Department raised several issues in the memorandum dated September 26, 2003.
  - a. A raze permit will be required prior to the demolition of any structure.
  - b. Any septic system to be abandoned must be pumped, backfilled and sealed prior to the approval of the final plat.
  - c. There are two above-ground fuel storage tanks found on the property. These too must be removed and properly discarded prior to final plat approval, along with any contaminated soils found around the tanks.
  - d. Existing wells to be abandoned must be backfilled and sealed in accordance with COMAR 26.04.04 prior to the approval of the final plat.
15. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #20124-2003-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through October 7, 2006. Development must be in accordance with this approved plan or any



revisions thereto.

16. **Cemeteries?** There are no known cemeteries on or adjoining the property.
17. **Public Utility Easement**—The preliminary plan includes the required ten-foot-wide public utility easement. The easement will be shown on the final plat.
18. **Historic Preservation?** The proposed subdivision includes Historic Site 70-25, Prospect Hill. Proposed Lot 51, Block A, has been proposed to include the Historic Site.

The principal structure at Prospect Hill is a multi-section dwelling: a 2½-story, side-gabled brick dwelling attached to a lower gambrel-roof frame dwelling by means of a two-story side-gabled connecting hyphen. The brick main block was built by George W. Duvall early in the nineteenth century; it was later connected to the older gambrel-roof structure. The main block underwent a major renovation in 1940 by then-owner Terrill Brazelton, including refenestration and the addition of new chimneys and the prominent Neo-Classical porticoes. Since the 1950s, the rolling grounds of the farm have been developed into a golf course, and the older agricultural buildings have been demolished. The house and domestic outbuildings have been the centerpiece of the Glenn Dale Golf Club.

In April 1981, the Planning Board and County Council determined and approved an Environmental Setting for the principal buildings of the Prospect Hill Historic Site. This setting comprises 1.52 acres including the nineteenth-century house and smoke house, but none of the agricultural structures; any proposed development, construction or major change to the features within this Environmental Setting must be reviewed by the Historic Preservation Commission (HPC). At the same time in 1981, the Planning Board and Council approved a somewhat larger “Impact Review Area” surrounding and including the Environmental Setting, thus allowing HPC to comment on development in that larger area that might have an adverse impact on the Historic Site.

Planning Department staff met with representatives of the applicant on October 3, 2003. Revisions to the originally submitted preliminary plan have been made.

The General Notes of the preliminary plan correctly noted the location of Historic Site 70-25, but it was shown only as “Historic Lot.” At the October 3, 2003 meeting, the applicant agreed to correct the legend to read “Prospect Hill, Historic Site 70-25.” This change has been made to the preliminary plan.

Proposed Lot 51 includes the historic Prospect Hill house. As shown on the originally submitted preliminary plan, Lot 32 was located within the “Impact Review Area,” but did not include all of the 1.52-acre Environmental Setting. At the October 3, 2003 meeting, it was agreed that Lot 51 would be enlarged to include all of the Environmental Setting. This change has been made to the preliminary plan.

The area (Parcel D) around the “Historic Lot” is to be conveyed to the homeowners association.

Within this homeowners' parcel, in the area to the immediate northeast of the Prospect Hill house, the applicants have proposed a tennis court, pool, play area and parking lot. At the October 3, 2003 meeting, it was agreed that the location of the pool, clubhouse, tennis court and parking area would be slightly revised. This change has been made to the preliminary plan.

At the October 3, 2003 meeting, it was agreed that Lots 31, 33, 34 and 35 will be eliminated, increasing the open space around the Historic Site. Lot 89 will also be eliminated, allowing views of the Historic Site from Parcels 410 and 149 and further increasing open space area. These changes have been made.

To protect the views from the Historic Site, some screening will be required along the common boundaries between the Historic Site and the developing lots. The Prince George's County *Landscape Manual*, pages 57-61, requires a D buffer along the lines of the Environmental Setting. At the October 3, 2003 meeting, it was agreed that some existing tree stands will be preserved around the Environmental Setting, but that in order to allow views from the south toward the Historic Site, the applicants may apply for Alternative Compliance or departure to decrease the buffering required along the south boundary of the Environmental Setting.

19. **Flag Lots**—The applicant proposes four flag lots. Proposed Lots 26, Block A, and 33 and 34, Block B, are all flag lots. Flag lots are permitted pursuant to Section 24-138.01 of the Subdivision Regulations. The proposed flag lots satisfy all standards of Section 24-138.01(d).
- a. A maximum of two tiers is permitted. The proposed flag lots represent the second tier.
  - b. The flag stems are a minimum width of 25 feet for the entire length of the stem.
  - c. All three flag lots exceed the minimum of 10,000 square feet, exclusive of the flag stem, required in an R-R Zone cluster.
  - d. A building envelope must be established at the time of preliminary plan. The applicant has not included a building envelope on the preliminary plan.
  - e. Shared driveways are only permitted under certain circumstances. The proposal includes no shared driveways.
  - f. Where rear yards are oriented toward driveways, an "A" bufferyard is required. In this case, no rear yard is oriented toward a driveway.
  - g. Where front yards are oriented toward rear yards, a "C" bufferyard is required. In this case, front yards may be oriented toward rear yards. The bufferyard would be enforced at the detailed site plan stage.

Prior to approval of a flag lot, the Planning Board must make the following findings of Section 24-138.01(f):

- A. The design is clearly superior to what would have been achieved under conventional subdivision techniques.** *Comment:* The proposed flag lots do not yield a superior design to that which would be allowed conventionally. Specifically, Lot 33, Block B, impacts wetlands and Lot 26, Block A, simply overdevelops a portion of the site that calls for larger lots. Neither flag lot creates the court-like setting required by the Subdivision Regulations.
- B. The transportation system will function safely and efficiently.** *Comment:* As all three lots are located at or near the end of cul-de-sacs, no impacts to the transportation system are expected.
- C. The use of flag lots will result in the creative design of a development that blends harmoniously with the site and the adjacent development.** *Comment:* These flag lots merely help to increase lot yield; they impact wetlands and are in an area where larger lots should be granted. They do not blend harmoniously with the site or adjacent development. In particular, Lot 26, Block A, backs to larger lots on the adjacent properties. The elimination of this one lot could increase the size of the surrounding lots, making them all compatible with adjoining lots. As proposed, harmony is not achieved.
- D. The privacy of property owners has been assured in accordance with the evaluation criteria.** *Comment:* The Zoning Ordinance does not allow flag lots in zones with smaller lot sizes than the R-R Zone. This is because, on smaller lots, it becomes more difficult to place the homes in a manner that assures privacy. Therefore, staff rarely supports the use of flag lots on lots less than the standard minimum of 20,000 square feet in the R-R Zone. One of the proposed lots meets that standard, and the other two fall just shy of it. Privacy should not be an issue; however, eliminating these lots ensures that privacy is maintained.
20. **Variance Reference**—An odd note appears in the “Development Standards” notes shown on the proposed preliminary plan. The applicant appears to be setting the stage for a slew of variance requests. Side yards in the R-R Zone, whether developed as standard or cluster lots, are required to be a minimum of eight feet on one side of the lot, with the total side yard adding to 17 feet? if one side is eight feet, the other must be a minimum of nine feet. The applicant proposes to have a minimum side yard of five feet with a minimum total side yard of ten feet. The plan notes that a variance from Section 27-442(c) is required. (In fact, variances are not permitted in cluster subdivision; rather, the Planning Board sets the development standards at the time of preliminary plan approval.) This request to reduce the side yard requirement is yet another indication that the property is being overdeveloped. Surely, minimum standards must be met if a finding of superiority to a conventional layout is to be made. At this stage, lots can and should be created in a manner that will allow for development without the need for variance. Therefore, the note must be removed from the plan.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with Circuit Court for Prince George’s County, Maryland within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Hewlett voting in favor of the motion, and with Commissioner Harley absent at its regular meeting held on Thursday, January 29, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of February 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FIG:JD:meg