

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on January 22, 2004, regarding Comprehensive Design Plan CDP-0102/01 for Chaddsford the Planning Board finds:

1. **Request:** The subject Comprehensive Design Plan is a request for 580 dwelling units on 149 gross acres in the R-M Zone.
2. **Location:** The site is in Planning Area 85A and Council District 9. Chaddsford is located in Subregion V in southern Prince George's County, one mile north of the Prince George's/Charles County line, along the west side of US 301.
3. **Surroundings and Use:** The subject site is bounded to the north by an area known as Brandywood consisting of single-family residential uses, to the south by commercial and industrial uses and residential uses in the Brandywine Village development, to the east by US 301 and to the west by single-family residential uses.
4. **Previous Approvals:**
 - A. Originally, the subject property was rezoned by Basic Plan application (A-8838) in November 1977 for the entire "Mattawoman" development at a total area of 277 acres. Within this 277-acre site, 212 acres were placed in the M-A-C Zone and 64.7 acres were placed in the R-M Zone. This plan is no longer applicable and has been superseded.
 - B. On November 29, 1977, the District Council adopted CR-108-1977 for the entire 277-acre Brandywine Village, placing 213.2 acres in the M-A-C Zone and 64.7 acres in the R-U Zone (A-8898). In 1987, a Basic Plan Amendment was filed to rezone the M-A-C portion but it was unsuccessful. In 1992, another application (A-9878) was filed to rezone the property from the M-A-C to the E-I-A Zone. On September 14, 1993, the District Council adopted the sectional map amendment for Subregion V, rezoning this 212-acre site into 46 acres of E-I-A, 16.4 acres of L-A-C and 149 acres of R-M (District Council Resolution CR-60-1993).
 - C. A Comprehensive Design Plan was approved in January 1993 for 65 acres in the R-M Zone for 316 dwelling units. This section retains the name of Brandywine Village and is adjacent to the proposed Chaddsford development.
 - D. On February 20, 1997, the Planning Board approved Preliminary Plan 4-96083 to dedicate Chaddsford Road and General Lafayette Boulevard to public use and place the resultant land

bays into four outlots. A Type I Tree Conservation Plan (TCP I/47/96) was approved for the entire area concurrently with this application.

- E. A Comprehensive Design Plan CDP-0102 was approved by the Planning Board for the entire 212-acre parcel on October 11, 2001 (PGCPB No. 01-186). This Comprehensive Design Plan included 11 lots on approximately 6 acres, approximately 4 acres of open space, approximately 4 acres for continuation of Brinton Way, and approximately 13 acres for a community lake. The remaining acres were intended for future development.
 - F. On October 18, 2001, the Planning Board approved Preliminary Plan 4-01045 (PGCPB No. 01-199) for 13 lots, one outlet and two parcels in the R-M-zoned portion of the area covered by CDP-0102.
 - G. On July 11, 2002, the Planning Board approved Specific Design Plan SDP-0108 for the community lake and open space (PGCPB No. 02-135) and Specific Design Plan SDP-0109 for 11 lots and the continuation of Brinton Way (PGCPB No. 02-136).
5. **Design Features:** The subject Comprehensive Design Plan CDP-0102/01 is a revision to CDP-0102 and includes the entire 212-acre parcel. The proposal includes development on the 149 acres of the R-M-zoned land and the remaining acres in the L-A-C and E-I-A Zones are intended for future development. Access to the property is from US 301 via Chaddsford Road. The existing General Lafayette Boulevard in the north/south direction on the western side of the R-M- zoned land intersects Chaddsford Drive. A stream valley in the north/south direction bisects the R-M-zoned land. The proposed recreational lake is on the western side of the stream valley. Single-family residential lots are proposed on the east side of the stream valley and townhouse units are proposed on the west side of the recreational lake. A portion of the property on the northeastern side of the stream valley has been identified as a possible future school site. The recreational lake and the stream valley are intended to be the main focal points of the site. A hiker/biker trail is proposed around the lake to connect to the sidewalk system in the major roadways for complete pedestrian circulation. Active and passive recreational opportunities will be provided in the large amount of open space in the Chaddsford development. The area around the floodplains and streams will be used for passive recreational areas with trails and paths. The active recreation areas include tot lots, sitting areas, play areas, picnic areas , tennis courts, a community center and a pool. The community center, swimming pool, tennis courts, picnic areas and sitting areas are proposed in the southwest quadrant of the R-M-zoned land. Tot lots, play areas and sitting areas are dispersed throughout the site. A boat dock and a gazebo are proposed on the southern portion of the lake. The development will also be connected to the Brandywine development to the south via Chaddsford Drive and other vehicular and pedestrian connections.
6. **Development Standards:** The approved Basic Plan density of 5.8 to 7.9 du/acre would result in the potential for development in the range of approximately 800 to 1,000 units. The applicant is proposing a maximum of 580 dwelling units, which is 4.3 dwelling units per acre. The applicant is proposing a total of 405 single-family dwelling units and 175 attached dwelling units. The development proposes three different sizes of single-family detached residential lots and two sizes of townhouse lots.

Single family detached lots

Type A—60 feet x 90 feet=5,400 square feet

Type B—46 feet x 90 feet=4,500 square feet

Type C—36 feet x 90 feet=3,240 square feet

Single family attached (townhouse) lots

Type D—22 feet x 90 feet=1,800 square feet

Type E—24 feet x 85 feet=1,870 square feet

The applicant's proposal is for approximately 50 percent of the proposed single-family detached lots to be 36 feet wide (Type A).

A minimum front yard setback of 18 feet and minimum rear yard setback of 15 feet are proposed for all the single-family detached lots. A minimum side yard setback of five feet is proposed for the 60-foot by 90-foot lots, a minimum side yard setback of four feet is proposed for the 46-foot by 90-foot lots, and a total side yard setback of five feet is proposed for the 36-foot by 90-foot lots. A minimum front yard setback of 18 feet and a minimum rear yard setback of ten feet are proposed for the townhouse lots.

After careful review, the Urban Design staff has concluded that a minimum width of 36 feet is not adequate for contemporary, single-family detached houses and the design of the proposed houses on these lots would in all likelihood appear substandard and too close to each other. The location, siting and size of the houses on these lots would not ensure adequate privacy and open space for the residents. Therefore, the conditions are proposed in the Recommendations section for lot sizes and development standards in order to help ensure a high quality residential environment. These conditions would require that at least 75 percent of all detached lots be 50 feet or more in width at the street line. Provision is made for a small number of 36-foot-wide lots to give the applicant the opportunity to demonstrate to the Planning Board that there are housing units that would fit on lots that small and still create a high quality residential environment.

7. **Density Increment Analysis:** Most of the Comprehensive Design Zones include a list of public benefit features and density or intensity increment factors. If a development proposes to include a public benefit feature in a development, the Planning Board may grant a density increment factor that increases the dwelling unit density or building intensity. The value of the public benefit feature determines the size of the density or intensity increase. In this case, the applicant is proposing a maximum of 580 units, which is less than the base residential density allowed by the Basic Plan. Therefore, the density increment feature is not applicable to this proposal at this time.

COMPLIANCE WITH EVALUATION CRITERIA

8. **Zoning Ordinance:**

The proposed single-family detached and attached residential units are consistent with the permitted uses of the R-M Zone.

9. **Basic Plan:**

CDZ Amendment 2 of Sectional Map Amendment for Subregion V establishes the following land use quantities for the R-M (5.8 to 7.8) Zone:

Gross Residential Acreage:	149 acres
Less Half Floodplain Acreage:	20 acres
Base Residential Acreage:	129 acres
Base Residential Intensity (5.8 du/acre)	748 units
Increment	271 units
Max. Residential Intensity (7.9 du/acre)*	1,019 units

*The actual number of dwelling units will be determined during review of the Comprehensive Design Plan on the basis of adjusted gross acreage in the CDP application, the approved development density, and the proposed public benefit features.

The applicant had originally proposed 11 units and is currently proposing a maximum of 580 units. Therefore, the total number of units proposed (591) is substantially less than the maximum number of units (748) allowed by the base residential density.

A-9878 was incorporated into the sectional map amendment for Subregion V. Twenty-six conditions and three considerations of A-9878 were included in the sectional map amendment. Therefore, the subject CDP must conform to the conditions of the sectional map amendment for compliance with the above section. The following conditions of the sectional map amendment (CDZ Amendment 2) are applicable to the subject CDP application:

- 2. Conveyance of stream valley of the tributary of Timothy Branch to The Maryland National Capital Park and Planning Commission (M-NCPPC) as shown on Exhibit B.**
- 3. Lands to be conveyed to M-NCPPC shall be subject to the conditions of attached Exhibit 'A' as submitted by the Park Planning and Development Division.**

Compliance with Conditions 2 and 3 are addressed in Finding 9.c.

- 4. The applicant shall provide private recreational facilities in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.**

The applicant has provided active and passive recreational facilities in accordance with the *Park and Recreation Facilities Guidelines* on homeowners association land. The staff is of the opinion that a satellite recreation area should be provided in the western portion of the development

5. **The applicant shall construct an eight-foot-wide hiker/biker trail in the above referenced stream valley park from the northern to the southern end of the subject property. The applicant shall provide whatever structures necessary to insure dry passage along the trail.**

Compliance with this condition is addressed in Finding 9.f.

6. **Sensitive natural features shall be preserved as amenities that help define the pattern of neighborhoods.**

The proposed development is designed around the stream valley and the recreational lake as focal points. Passive recreational amenities like trails and paths have been provided along the stream valley.

7. **Single-family attached residential areas shall include a variety of building styles including townhouses, duplex, triplex, quadplex, z-lot and zero lot line units.**

The single-family attached residential areas include townhouse units.

8. **There should be a mix of housing types to accommodate different life styles and household income levels; an appropriate segment should be 'affordable' for seniors and young adults starting out.**

The applicant is providing a mix of housing types including single-family residential units on large and small lots and townhouse units to accommodate different life styles and household income levels. A condition of approval has been added to require the applicant to provide information on the affordability of some of the units for seniors and young adults starting out.

9. **Higher density and medium density housing shall be located as a transition between business areas and regional highway intersections to lower density areas and to expand/diversify housing opportunities for employees in nearby business areas.**

The applicant has proposed townhouse units and smaller lots closer to the L-A-C and E-I-A Zones to provide a transition between business areas and regional highway intersections to

lower density areas and to provide housing opportunities for employees in nearby business areas.

10. **The proposed residential development pattern and implied development densities should be the product of flexible zoning techniques that allow zoning densities to be transferred from areas that should be preserved (for environmental or community design reasons) to development pods that are more suitable for construction. Thus, the zoning categories that are utilized to implement the vision concepts should yield net building densities within the development pod as roughly described on the staff modified vision land use map within the ranges listed below. Gross zoning densities will be somewhat lower depending on the parcel.**

Category	Development pod density
Single-family detached	1.6 to 2.6 du/net acre
Single-family attached	5.8 to 7.9 du/net acre
Multifamily	12 to 16.9 du/net acre

The applicant is proposing an overall residential density of 4.3 du/acre, which is substantially less than the approved base density. The proposed density ensures the preservation of large amounts of open space.

11. **The local road network shall provide convenient access between all uses, and to the regional road system.**

The local road network, the proposed trail system and the trail connections provide convenient access between all uses and to the regional road system.

12. **Trails (hiker/biker) shall provide linkages between all parts of the community, to the surrounding employment areas, and to the stream valley park trail system.**

There is no pedestrian connection separated from the street system between the western portion of the property and the community center on the east side of the property. A condition of approval has been added to require a trail from the western portion of the property to the eastern portion of the property within an open space greenway. The open space greenway will also help create a separation and open space between the rear yards of the proposed single-family detached lots on the central portion of the development. With the proposed conditions, the proposed trail network provides linkages between all parts of the community, to the surrounding employment areas, and to the stream valley park trail system.

13. **The applicant and/or the applicant's heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-**

site transportation improvements as identified hereafter. These improvements shall be funded and constructed through the formation of a Road Club which will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area 'C' in the Subregion V master Plan, as well as any properties along US 301 and MD 5 in Prince George's County and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the R-M portion of the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:

- For each single-family detached unit, a fee calculated as $\$1,472 \times (\text{Engineering News Record Highway Construction Cost index at time of payment}) / (\text{Engineering News Record Highway Construction Cost Index for the first quarter, 1993})$
- For each single-family attached unit, a fee calculated as $\$1,338 \times (\text{Engineering News Highway Construction Cost Index at the time of payment}) / (\text{Engineering News Record Highway Construction Cost Index for first quarter, 1993})$
- For each multifamily unit, a fee calculated as $\$999 \times (\text{Engineering News Record Highway Construction Cost index at time of payment}) / (\text{Engineering news record highway construction cost index for first quarter, 1993})$.
- For development on the L-A-C and E-I-A portions of the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of a fee calculated as $\$1.24 \text{ per gross square foot of space} \times (\text{Engineering News Record Highway Construction Cost Index at time of payment}) / (\text{Engineering news record highway construction cost index for first quarter, 1993})$
- The total fee to be paid shall not exceed an amount calculated as $\$1,719,946,04 \times (\text{Engineering news record highway construction cost index at the time of payment}) / (\text{Engineering News Record Highway Construction Cost Index for the first quarter, 1993})$

Payment is to be made in trust to the Road Club escrow agent and shall be due, on a pro rata basis, at the time of issuance of building permits. Prior to issuance of any building permit, the applicant shall provide written evidence to the M-NCPPC that the required payment has been made.

The off-site improvements to be constructed are set forth below.

Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design and construction have been deposited into the Road Club Escrow account by the Road Club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- a. Widen US 301/MD 5 from a four lane road to a six lane road beginning at Timothy Branch to the US 301/MD 5 interchange. The construction shall be in accordance with presently approved SHA plans.**
- b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T**
- c. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps**
- d. Widen US 301 from a four lane road to a six lane road beginning at the TB interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381**
- e. Reconstruct the traffic signal at the US 301/MD 381**
- f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA**
- g. Provide a grade separation at the point the Spine Road crosses US 301 northeast of T.B.**
- h. Reconstruct the traffic signal at MD 5/Brandywine Road**
- i. Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads**

- j. Construction of an interchange in the area of MD 5 and A-63 north of T.B.**
 - k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Road/McKendree Road intersection and MD 5 north of T.B.**
 - l. Widen US 301/MD 5 from a six lane road to an eight lane road beginning at the T.B interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.**
 - m. Widen MD 5 from a four lane road to a six lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63**
- 14. Total development of this 212-acre site shall be limited to 320,601 square feet of office, 115,000 square feet of retail, 1019 dwelling units in the R-M Zone and 118 dwelling units in the L-A-C Zone or different uses generating no more than the number of peak hour trips (1.074 Am and 1.52 PM peak hour trips) generated by the above development**
 - 15. At the time of Preliminary Plat approval, the applicant and/or the applicant's heirs, successors, assigns, shall show dedication of the right-of-way for US 301/MD 5 on the eastern side of the applicant's property. At the time of the Final Plat approval, the applicant shall dedicate the above mentioned right-of-way. The dedication shall be in accordance with the recommendations for the F-9 facility in the Subregion V Master Plan.**
 - 16. At the time of Preliminary Plat approval, the applicant and/or the applicant's heirs, successors, or assigns shall show dedication of the right-of-way for C-502, as shown in the Subregion V Master Plan. At the time of final plat approval, the applicant shall dedicate the above mentioned right-of-way.**
 - 17. If the applicant and/or the applicant's heirs, successors, or assigns obtains and constructs an entrance from US 301/MD 5 onto the subject property as shown on the Basic Plan, the applicant and/or the applicant's heirs, successors, or assigns shall install a traffic signal at this location at the time it is deemed necessary by SHA.**
 - 18. Following the connection of C-502 to A-55 (and a planned partial interchange at US 301/MD 5 and A-55) on the north, and to McKendree Road to the south, the applicant and/or the applicants heirs, successors, or assigns shall close the**

US 301/MD 5/site entrance at grade intersection to traffic. In the event that a traffic signal has been installed at this location following approval of this plan, and removal of the signal is required as directed by State Highway Administration following closure of the intersection, such modification or removal shall be at the sole expense of the applicant and or the applicant's heirs, successors or assigns.

- 19. The Basic Plan shall retain the three proposed street connections between the subject property and the adjacent Brandywine Village R-M property at the approximate locations shown on the Basic Plan.**

Compliance with the above transportation related conditions is discussed in Finding 9e.

- 20.a The Basic Plan shall be modified to identify a 10-acre elementary school site in accordance with the Subregion Master Plan. The school site may be eliminated if the Board of Education selects a different location prior to the development of the subject site. If the school site is dedicated by the applicant, the Planning Board may approve density transfers within the R-M boundaries upon a finding that the intent of the master plan is not adversely affected.**

- 20.b. In the event an alternative school site is selected, the L-A-C or R-M Zone may be considered as alternate locations for the proposed library site. Such a site shall be designed to be a community focal point in conjunction with recreational, institutional or other public or quasi-public uses.**

The applicant has shown an area on the northeast side of the stream valley as a potential school site. The proposed density is less than the base density, so no density transfers are required at this time. The Prince George's County Public Schools has indicated that the School District is interested in dedication of the 10-acre elementary school site. Final determination of dedication or reservation of the school site will be made at the time of Preliminary Plan of Subdivision.

- 21. The Comprehensive Design Plan shall establish an open space network throughout the development which will include both natural features and man-made public spaces.**

The subject Comprehensive Design Plan has been designed around the stream valley and recreational lake as focal points with an extensive open space network throughout the development. The open spaces include both natural features and manmade active and passive recreational areas.

22. **The CDP shall establish a complete pedestrian system to provide convenient and attractive linkages among individual neighborhoods and to encourage and facilitate pedestrian movements between neighborhoods and the proposed activity center as well as other public spaces. The system should also take the adjacent 65-acre, R-M-zoned development into account to form a fully integrated development.**
25. **The CDP shall provide possible future connections with adjacent properties to the north and south.**

The subject Comprehensive Design Plan establishes vehicular and pedestrian linkages among the individual neighborhoods, the proposed activity center, and the 65-acre Brandywine Village development to the south and the residential development to the north.

23. **The CDP shall establish criteria for internal streets and signage to help define the roadway character for various streets through streetscape and signage designs.**

A condition of approval has been added to require streetscape design and signage design during the review of the Specific Design Plan.

26. **A metes and bounds description shall be submitted by the applicant which accurately shows the location of all zoning boundary lines. What is granted in the approval of this application shall be based on the metes and bounds description.**

A condition of approval has been added to require a metes and bounds description that accurately shows the location of all zoning boundary lines.

10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. In a memorandum dated May 20, 2003, the Department of Environmental Resources has stated that a stormwater management concept approval has not been obtained for the proposal. A condition of approval has been added requiring the same.
 - b. In a memorandum dated December 5, 2003, the Community Planning Division has stated that the 1993 Subregion V SMA classified this property in the R-M Zone as part of the larger comprehensive design zone application A-9878. Although the proposed densities are less than envisioned by the master plan, the proposed lot sizes, lot widths and lot patterns raise serious design concerns for the type of houses to be constructed. The lot layout, widths and lot pattern must be consistent with the master plan guidelines for avoiding visual monotony

and enhancing neighborhood appeal and identity. The location of the proposed recreational amenities are consistent with the themes illustrated on the master plan map and the approved Basic Plan for open space and recreation features.

- c. In a memorandum dated August 20, 2003, the Department of Parks and Recreation has required several conditions of approval for compliance with conditions 2 and 3 of the Basic Plan, for dedication of parkland, for submission of construction drawings, and removal of tree conservation areas shown on the parkland. A condition of approval has been added to require the applicant to submit a public recreational facilities agreement prior to the submission of the first Specific Design Plan for the project. The recreational facilities agreement should include a phasing plan for the construction of the facilities and show that the proposed trails will be built prior to issuance of a building permit for the 300th unit in the development.
- d. In a memorandum dated September 11, 2003, the Historic Preservation and Public Facilities Planning Section has stated that the existing fire engine travel time is beyond the travel time guidelines. Therefore, the section has recommended that all residential structures be fully sprinklered in accordance with the National Fire Protection Association Standard 13D and all applicable Prince George's County laws in order to alleviate the negative impact on fire and rescue services. A condition of approval has been added to require the same. The existing police facilities will be adequate to serve the proposed Brandywine development. The existing ambulance and paramedic services are also within the travel time guidelines.

The memorandum from the Historic Preservation and Public Facilities Planning Section states that:

“The existing fire engine at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 6.25 minutes, which is beyond the 5.25-minute travel time guideline.

“The existing ambulance at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 6.25 minutes, which is within the 6.25-minute travel time guideline.

“The existing paramedic service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 6.25 minutes, which is within the 7.25-minute travel time guideline.

“The above findings are in conformance with the *Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

“In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings

proposed in this subdivision, unless the Prince George’s County Fire/ EMS Department determines that an alternative method of fire suppression is appropriate.

“The proposed development is within the service area for Police District V-Clinton. In accordance with the *Guidelines for the Analysis of Development Impacts on Police Facilities*, the staff concludes that the existing county police facilities will be adequate to serve the proposed Chaddsford development. The current test for police adequacy is based on the standard for square footage in police stations relative to the sworn staff assigned. The standard is 115 square feet per officer. As of 6/30/02, 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.”

“The Historic Preservation and Public Facilities Planning Section has reviewed this comprehensive design plan in accordance with Section 27-521(a)(7) of the Zoning Ordinance, which states that:

“The staging of development will not be an unreasonable burden on available public facilities.

“Findings

“Public Schools

“The Historic Preservation and Public Facilities Planning Section has reviewed this plan in accordance with the policies contained in CB-30-2003 and CR-23-2003 and concluded the following.

“Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	580 sfd	580 sfd	580 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	139.20	34.80	69.60
Actual Enrollment	4,096	4,689	8,654
Completion Enrollment	180.48	86.22	158.07
Cumulative Enrollment	0	0	0
Total Enrollment	4,415.68	4,810.02	8,881.67

State Rated Capacity	4,214	5,114	7,752
Percent Capacity	104.79	94.06	114.57

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.

“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.

“The Historic Preservation and Public Facilities Planning Section 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.”

- e. In a memorandum dated September 23, 2003, the Transportation Planning Section has stated that the applicant has prepared a traffic study for the project. The subject property is located within the developing tier and the subject property was evaluated for standards for a developing tier. The site trip generation would be 426 AM peak-hour trips (985 in, 341 out) and 504 PM peak-hour trips (328 in, 176 out). There would be inadequacies at both intersections within the study area (US 301/MD 5 and McKendree/Cedarville Roads and US 301/MD 5 and Chaddsford Drive) and conditions of approval have been added to address these inadequacies. The Comprehensive Design Plan is generally acceptable from the standpoint of access and circulation. Conformance with the following conditions of the Basic Plan are summarized below:

- 13 The applicant is willing to pay the appropriate road club fees. This condition should be carried forward.
- 14 The proposal is well within the trip cap set by this condition.
- 15, 16 The applicant has provided adequate rights-of-way for the required dedication along master plan facilities within and adjacent to the site.
- 17 This condition regarding required signalization is being carried forward.
- 18 This condition is not affected by this CDP but must be carried forward.
- 19 The Comprehensive Design Plan shows the three street connections required by this condition.

With the proposed conditions, the section has concluded that the proposed development will not be an unreasonable burden on transportation facilities that are existing, under construction and for which 100 percent construction funding is contained in the county CIP or state CTP.

The memorandum from the Transportation Planning Section states that:

“The Transportation Planning Section has reviewed the Comprehensive Design Plan application referenced above. The subject property consists of approximately 212 acres of land in the R-M, L-A-C, and E-I-A Zones. The property is located on the west side of US 301/MD 5 between the US 301/MD 5 junction and McKendree Road. The applicant proposes to develop the R-L portion of the property as a residential development with 580 residences? 400 single-family residences and 180 townhouses. No development is proposed for the E-I-A or L-A-C portions of the site at this time.

“The applicant prepared a traffic impact study dated March 2003, and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the guidelines. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached.

“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 traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

- “• US 301/MD 5 and McKendree/Cedarville Roads (signalized)
- “• US 301/MD 5 and Chaddsford Drive (future/signalized)

“Existing traffic conditions were based on traffic counts done in 2002. Existing conditions within the study area are summarized as follows:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301/MD 5 and McKendree/Cedarville Rds.	1,278	1,835	C	F
US 301/MD 5 and Chaddsford Drive		future	--	--
*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. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

“The submitted traffic study provides an analysis for assessing the background traffic situation. This study considered the following:

- “• A 2.5 percent annual growth factor for through traffic along US 301/MD 5. This is consistent with past studies in the area. It is also consistent with historical data.
- “• Background development in the area, including several million square feet of industrial development within Employment Area C, as defined in the Subregion V master plan and located on the opposite side of US 301/MD 5.

“Background conditions are summarized as follows:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301/MD 5 and McKendree/Cedarville Rds.	1,918	2,564	F	F
US 301/MD 5 and Chaddsford Drive	2,278	2,512	F	F
*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. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

“The site is proposed for residential development of 580 residences, including 400 single-family residences and 180 townhouses. The site trip generation would be 426 AM peak-hour trips (85 in, 341 out) and 504 PM peak-hour trips (328 in, 176 out). Therefore, we obtain the following results under total traffic :

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
US 301/MD 5 and McKendree/Cedarville Rds.	1,927	2,594	F	F
US 301/MD 5 and Chaddsford Drive	2,411	2,665	F	F
*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. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

“In response to the inadequacies at both intersections within the study area, the applicant has indicated that the sole requirement is participation in the Brandywine road club. This is not really true, as the applicant will fund and construct the intersection of US 301/MD 5 and Chaddsford Drive, including the minor street approach, all turning lanes, and any needed signalization. Beyond these requirements, however, the traffic study states that additional north/south lanes along US 301/MD 5 are needed to address the inadequacies, and the study concludes by stating that such improvements are not reasonable. Therefore, the sole proffer made within the traffic study is the payment of money toward the Brandywine road club.

“While this is not a completely satisfying answer to a severe congestion problem, this needs to be further reviewed in the context of the approved Basic Plan. Nonetheless, approval of the plan should be made conditional upon the assumed improvements at US 301/MD 5 and Chaddsford Drive, as may be modified by SHA to provide the same or better service levels at that location.”

Comments—Operating Agencies

“Both DPW&T and SHA have provided comments on the traffic study, and the comments are attached.

“DPW&T had no comments beyond recommending that needed improvements at the access point along US 301/MD 5 be funded by the applicant.

“SHA indicated that the Brandywine road club improvements have ‘insufficient funding’ and have a construction schedule that ‘is not determinable.’ In consideration of this, SHA indicates that this applicant must identify specific roadway improvements to address the

traffic impact of the proposed development. However, by showing right-turn and left-turn lanes into the site from US 301/MD 5, along with an exclusive right-turn and dual left-turn lanes leaving the site, it appears that the traffic study has properly addressed the needed improvements to directly serve the site. SHA's comments suggest that planning staff required that the traffic study determine any needed improvements in accordance with the Planning Board's guidelines. In fact, the study was required to identify 'improvements needed to serve the subject property as interim measures until the road club improvements are constructed.'

“Plan Comments

“The Comprehensive Design Plan is generally acceptable from the standpoint of access and circulation. However, in Chapter 5, page 4 of the CDP document, it is stated that ‘local roadways and cul-de-sacs should have a 50-foot right-of-way.’ The width of any needed right-of-way must be determined based upon the proposed and potential uses served by the roadway. For example, given the number of potential residences within development pods G1 and G2, the street serving those pods may need to be a 60-foot right-of-way. The above quoted sentence should be deleted, as the width of local roadways within the development is primarily a preliminary plan issue. For this reason, Exhibit 6 of the same chapter should include the following note: ‘Internal streets may utilize 50-foot or 60-foot rights-of-way, depending upon the proposed and the potential uses which they could serve. The needed rights-of-way will be determined at the time of preliminary plan of subdivision.’ Finally, it should be noted regarding both Exhibit 6 along with Page 2 of the illustrative plan that the typical sections of any public streets must be built in accordance with DPW&T standards.

“Conformance to Basic Plan

“This site was reviewed as Basic Plan A-9878, which was approved with several transportation-related conditions. The status of these conditions is summarized below:

“A-9878:

“Condition 13: This condition requires that the development participate in a road club to assist in funding the transportation improvements required for adequacy in the area. This lengthy condition sets the amount of payment for each type of land use. The condition also specifies a long list of improvements that are needed for adequacy in the area. The condition states that ‘the applicant’s sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment’ of the appropriate Road Club fee. For single family detached residences the fee is set at \$1,472, and for townhouses the fee is set at \$1,338 (with the fees to be adjusted for inflation). The applicant has indicated a willingness to pay the appropriate road club fees are paid at the time of building permit. This condition should be carried forward in its entirety to ensure that it is duly considered in future approvals.

“Condition 14: This condition sets a trip cap on the site. Between this application and SDP-

0109, a total of 591 residences would be approved within the site, which is well within the trip cap.

“Conditions 15 and 16: These conditions require that adequate dedication be shown along certain Master Plan facilities within and adjacent to the site. While these conditions are enforceable at the time of subdivision, it appears that the CDP provide adequate rights-of-way.

“Condition 17: This condition requires that the applicant provide needed signalization at the US 301/MD 5 and Chaddsford Drive intersection. This condition is addressed by the recommended conditions of approval.

“Condition 18: This condition provides for the potential future closure of the site’s access to US 301/MD 5 in the event that (a) other street connections are available and (b) SHA requests removal of the traffic signal at US 301/MD 5 and Chaddsford Drive. This condition is not affected by the CDP, but should be carried forward to ensure that it is duly considered in future approvals.

“Condition 19: This condition requires that three street connections shown on the Basic Plan be retained. All three street connections are present on the CDP.

“Based on the above information, from the standpoint of transportation, the submitted plan is in conformance to the approved Basic Plan.”

“Transportation Staff Conclusions

“Based on the preceding findings, the Transportation Planning Section concludes that the proposed development will not be an unreasonable burden on transportation facilities that are existing, under construction, or for which 100 percent construction funding is contained in the county CIP or the state CTP. Therefore, the transportation staff believes that the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met if the application is approved with the ...” conditions in the Recommendation section.

- f. In a memorandum dated December 18, 2003, the Transportation Planning Section has stated that the Subregion V Master Plan recommends a stream valley trail within land dedicated to the Department of Parks and Recreation along the tributary of the Timothy Branch. In addition to providing recreational amenities for the subject development, the trail will also connect to a future library, elementary school, and park-and-ride within the Brandywine Special Study Area. Standard sidewalks are recommended along both sides of all internal roads. Conditions of approval for the trail location, feeder trails and sidewalks have been added. An additional trail is recommended within the proposed development along the western edge of the subject site to be connected to the master plan trail via an eight-foot-wide HOA trail within an open space greenway. The internal trail will provide access for the western portion of the community to the master plan stream valley trail via an off-road trail connection. A condition of approval to require the same has been added.
- g. In a memorandum dated January 12, 2004, the Environmental Planning Section has stated that there are extensive areas of woodlands, streams, wetlands, 100-year floodplains and steep slopes on this property. The soils found on this property are Bibb silt loam, Beltsville silt loam, Galestown gravelly loam, Keyport silt loam, and Sassafras gravelly sandy loam. There are no rare, threatened, or endangered species found to occur in the vicinity of this lot. The property is in the Developing Tier according to the adopted General Plan. A detailed forest stand delineation was reviewed for the subject property. The property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because there are previously approved Type I and Type II Tree Conservation Plans. The woodland conservation requirement is 94.02 acres. The plan proposes to meet the requirements by providing 13.04 acres on-site and 80.98 acres off-site conservation. The section has recommended approval of the Type I Tree Conservation Plan TCPI/47/96-01 subject to conditions of approval.

The memorandum from the Environmental Planning Section states that:

“The Environmental Planning Section has reviewed the revised Comprehensive Design Plan, CDP-0102/01, and the revised Tree Conservation Plan, TCPI/47/96-02, stamped as accepted on December 19, 2003. The Environmental Planning Section recommends approval of CDP-0102/01 and TCPI/47/96-02 subject to the conditions listed at the end of this memorandum.

“Background

“This site is located on the west side of US 301 approximately 400 feet north of Clymer Drive. The Environmental Planning Section previously reviewed this site for Basic Plan A-9878, Comprehensive Design Plan CDP-9202, Preliminary Plan of Subdivision 4-96083, TCPI/47/96 and TCPII/126/98, Comprehensive Design Plan CDP-0102, and Preliminary Plan of Subdivision 4-01045, and Specific Design Plans for two portions of the site (SDP-0108 and SDP-0109) have also been approved. A revised Type I Tree Conservation Plan, TCPI/47/96-01, was approved with CDP-0102.

“Site Description

“There are extensive areas of woodlands, streams, wetlands, 100-year floodplain, steep slopes, and severe slopes on this property. The principal stream on the site is a tributary of Mattawoman Creek in the Potomac River Watershed. According to the *Prince George’s County Soil Survey* the soils found on the property include Bibb silt loam, Beltsville silt loam, Galestown gravelly loam, Keyport silt loam and Sassafras gravelly sandy loam. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. Although this property does not abut McKendree Road, the proposed lots will be accessed via McKendree Road which is a designated historic road. Traffic-generated noise from US 301 may impact portions of the property. The property is in the Developing Tier according to the adopted General Plan.

“Environmental Review

“As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

- “1. A detailed forest stand delineation (FSD) was reviewed in conjunction with Preliminary Plan 4-96083. That FSD was resubmitted with CDP-0102 and was found to address the requirements for an FSD in accordance with the Prince George’s County Woodland Conservation and Tree Preservation Technical Manual.

“Comment: No further action regarding the Forest Stand Delineation is required with regard to this Comprehensive Design Plan revision.

- “2. This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because there are previously approved Type I and Type II Tree Conservation Plans. The original CDP, preliminary plan, and TCPs were approved so that permits could be issued for the construction of sewer and water lines from US 301 to Phase I of Brandywine Village along McKendree Road. At that time, TCPI/47/96 was reviewed and was found to satisfy the requirements of the Prince George’s County Woodland Conservation Ordinance. TCPI/47/96-01 was approved in conjunction with Comprehensive Design Plan CDP-0102. The revised plan submitted with this application proposes significantly more clearing of woodland and is a major revision to the approved plan.

“The plan proposes clearing 164.06 acres of the existing 177.10 acres of upland woodland and clearing 5.33 acres of the existing 35.19 acres of floodplain woodland. The woodland conservation requirement for this proposal has been correctly calculated as 94.02 acres. The plan proposes to meet the requirements by providing 13.04 acres of on-site preservation and 80.98 acres of off-site

conservation. Because the project will occur in phases, the off-site woodland conservation requirement may be phased. Note 6 indicates that Washington Homes will be required to provide 52.80 acres of off-site conservation and the developer of the land east of Lafayette Boulevard will be required to provide 28.02 acres of off-site conservation. Staff agrees with the concept, but notes that the total is only 80.82 acres, not the 80.98 acres of area required.

“Recommended Condition: Prior to certification of the comprehensive design plan, the Type I Tree Conservation Plan note #6 shall be revised to account for a total of at least 80.98 acres of off-site woodland conservation.”

“Recommended Condition: 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/47/96-02), 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.”

- “3. Streams, wetlands, 100-year floodplains, and associated buffers are found throughout this property. The 100-year floodplain is shown on record plats VJ 186-63 and VH-186-64. No conservation easements are shown on any of the record plats. Streams, wetlands and associated buffers are shown on the plans submitted with this application; however, there are discrepancies between previously reviewed and approved plans and the plans submitted with this application. A copy of the approved U.S. Army Corps of Engineers Jurisdictional Determination can be used to resolve the differences. Regulated waters of the United States, including perennial and intermittent streams, must have minimum 50-foot stream buffers. Ephemeral streams should not be shown and do not require buffers. Wetlands that are deemed jurisdictional by either the U.S. Army Corps of Engineers or the Maryland Department of the Environment must have minimum 25-foot wetland buffers.

“Recommended Condition: Prior to certification of the comprehensive design plan, a copy of the approved U.S. Army Corps of Engineers Jurisdictional Determination plan shall be submitted.”

“Recommended Condition: Prior to certification of the comprehensive design plan, all appropriate plans shall be revised to conform to the approved U.S. Army Corps of Engineers Jurisdictional Determination plan.”

“Recommended Condition: Prior to the issuance of any permits which impact

jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

- “4. During the review and approval of Preliminary Plan of Subdivision 4-96083, variations to Section 24-129 and Section 24-130 of the Subdivision Regulations were approved for the proposed impacts to streams, stream buffers, 100-year floodplain, wetlands and wetland buffers associated with road crossings for Chadds Ford Drive and General Lafayette Boulevard. However, no variation associated with the proposed lake was requested or approved. The lake design was studied in detail during the review and approval of SDP-0108, and variation requests for impacts to wetlands and wetland buffers were approved by Preliminary Plan of Subdivision 4-01045 that created the parcel containing the lake.

“This revised Comprehensive Design Plan proposes additional impacts that will require variation requests in the future. The concepts of these impacts, including the general locations and magnitude of impacts, are shown on the revised Type I Tree Conservation Plan. Specifically, the plan shows proposed impacts for the installation of sewer lines, outfalls for stormwater management ponds and at least one street crossing.

“All disturbance not essential to the development of the site as a whole is prohibited within stream and wetland buffers by the Subdivision Ordinance. Essential development includes such features as public utility lines (including sewer and stormwater outfalls), streets, and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Impacts for essential development features require variations to the Subdivision Regulations.

“Recommended Condition: As part of the submission of any preliminary plan of subdivision, a variation request shall be submitted if impacts to streams, stream buffers, wetlands or wetland buffers are proposed. The variation request must have a separate justification statement, a map on 8.5 x 11 inch paper, and note the quantities of impacts proposed for each individual impact.

- “5. Although McKendree Road is identified as a historic road, this application proposes no impacts within 600 feet of McKendree Road.

“Discussion: No further information regarding historic or scenic roads is required for the review of this comprehensive design plan.

- “6. Traffic-generated noise may impact portions of the property. US 301 is the eastern boundary of the subject property. The noise model used by the Environmental

Planning Section predicts that the 65 dBA noise contour to be 531 feet from the centerline of US 301. This noise corridor will impact the L-A-C and E-I-A portions of the site but not the R-M-zoned portion. General Lafayette Boulevard is designed as a master plan collector roadway and Chadds Ford Drive is designed as a 70-foot access road. As such these roadways are not regulated for traffic-generated noise.

“Recommended Condition: Prior to certification of the comprehensive design plan, the CDP shall be revised to show the unmitigated 65 dBA Ldn noise contour associated with traffic-generated noise from US 301. The noise contour may be based upon the noise model used by the Environmental Planning Section or by a Phase I Noise Study submitted to and approved by the Environmental Planning Section.

- “7. The concept for stormwater management is shown on sheet 6. In addition to utilizing the pond approved by SDP-0108, and consistent with the variation request approved by the Planning Board with Preliminary Plan of Subdivision 4-01045, six (6) ponds are proposed to control runoff. A Stormwater Management Concept Plan approved by the Prince George’s County Department of Environmental Resources is not required prior to the approval of a Comprehensive Design Plan.

“Discussion: No further information regarding stormwater management is required for the review of this comprehensive design plan.

“Summary of Recommended Actions

“The Environmental Planning Section recommends approval of CDP-0102/01 subject to the following conditions...” in the Recommendation section below.

11. Comprehensive Design Plan Required Findings

Findings Required by Section 27-521, Required findings for approval of a Comprehensive Development Plan:

- (a) Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:**

- 1. The plan is in conformance with the approved Basic Plan.**

As stated above, the plan is in conformance with the approved Basic Plan.

- (2) The proposed plan would result in a development with a better environment than could be achieved under other regulations.**

The proposal is designed around the stream valley and recreational lake as focal points. Large amounts of open spaces will be preserved by the proposal. Active and passive recreational areas are provided in the open spaces and along the stream valley and recreational lake. Therefore, the

proposed plan would result in a development with a better environment than could be achieved under other regulations.

- (3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project.**

The CDP includes the following design elements, facilities and amenities that satisfy the needs of the residents, employees and guests:

Design Elements? The proposed lots are designed around the stream valley and the recreational lake as focal points. The smaller lots and townhouses are located closer to the commercial and industrial areas to provide a transition from the higher density areas to the lower density areas. The potential school site is also well integrated with the surrounding residential areas. Vehicular and pedestrian connections have been provided to integrate the various areas of the development.

Facilities? All public utilities plus electric, telephone, gas and cable TV will be available on site. Water and sewer will be provided by WSSC. Stormwater management facilities will be provided. The recreational lake will also be designed for stormwater management of run-off from future development. A site has been identified for an elementary school as required by the Basic Plan.

Amenities? Various active and passive recreational amenities will be provided throughout the site. A community center with a swimming pool and tennis courts are also being provided. A pier and a gazebo are proposed on the south side of the lake. A master plan trail and trail connections are proposed around the recreational lake.

The Comprehensive Design Plan includes design elements, facilities, and amenities to satisfy the needs of the residents, employees, or guests of the project in the manner foreseen by the Basic Plan.

- (4) The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;**

The site is surrounded on the north by existing residential development, on the south by existing residential and commercial uses, and on the east on the other side of US 301 by commercial and industrial uses. The subject proposal would be compatible with the surrounding residential and commercial development

- (5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

- (A) Amounts of building coverage and open space.**
- (B) Building setbacks from streets and abutting land uses.**

(C) Circulation access points.

Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:

- (a) Amounts of building coverage and open space.

The proposed development standards ensure adequate open space. The open space network offers passive recreation opportunities and includes the stream valley buffers that are enhanced with multiple paths, trails and connections to the community.

- (b) Building setbacks from streets and abutting land uses.

The proposed development standards propose adequate building setbacks from streets and abutting land uses.

- (c) Circulation access points.

Adequate vehicular and pedestrian systems integrate the various areas of the development and also provide connections to the developments to the north and south of the proposed development. The master plan and trail connections ensure adequate pedestrian access.

(6) Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability.

Chaddsford will be developed in the following ten stages with each stage comprising a number of sub stages:

Stage 1 -	Recreation Center
Stage 2 -	147 single-family detached units
Stage 3 -	29 single-family detached units
Stage 4 -	55 single-family attached units
Stage 5 -	120 single-family detached units
Stage 6 -	43 single-family attached units
Stage 7 -	63 single-family detached units
Stage 8 -	77 single-family attached units
Stage 9 -	42 single-family detached units
Stage 10 -	4 single-family detached units

Each stage and substage identifies groups of units and associated roadways, recreational facilities and utilities, which will proceed concurrently. The applicant proposes a five-year development schedule for the project. The intent of the staging is to establish priorities for groups of units within parcels in terms of Specific Design Plan submissions. Conditions of approval have been added for the construction of the recreational facilities. With the

proposed conditions, each staged unit of development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing equality and stability.

- (7) **The staging of development will not be an unreasonable burden on available public facilities.**

Compliance with this condition is discussed in Finding 10.d and e.

- (8) **Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:**

- (A) **The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting.**
- (B) **Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site.**
- (C) **The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site.**

This section is not applicable to this proposal.

- (9) **The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d).**

The plan incorporates several design guidelines set forth in Section 27-274 regarding green areas, public spaces and architecture. A combination trail and sidewalk system will be proposed along the streets and the stream valley. Internal green areas will be provided to create open spaces within the development. The development standards ensure adequate setbacks and open spaces.

- (10) **The Plan is in conformance with an approved Tree Conservation Plan.**

A Type I Tree Conservation Plan has been submitted with the CDP application. Compliance with this requirement is addressed in detail in Finding 9.g.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan

(TCPI/47/96-02), and further APPROVED the Comprehensive Design Plan CDP-0102/01, Chaddsford, for the above described land, subject to the following conditions:

1. Prior to certificate approval of the Comprehensive Design Plan,
 - a. The following revisions shall be made to the plans or information shall be provided:
 - (1) A minimum lot width of 40 feet (at the street line, unless indicated otherwise) for the proposed lots in the development. No more than 25 percent of the total number of single-family lots in the development may be less than 50 feet in width. The rest of the lots shall be 50 feet or more in width, with no less than 25 percent of the total number of lots at least 60 feet in width. (On cul-de-sacs the lot width may be measured at the building line).
 - (2) A minimum side setback of five feet for all lots.
 - (3) Notwithstanding Condition 1 above, no more than twenty 36-foot-wide lots for the total development shall be allowed, but only if the applicant demonstrates to the satisfaction of the Planning Board prior to approval of the first specific design plan that the proposed houses on those lots have a superior architectural design. In the absence of such a finding by the Planning Board, all 36-foot-wide lots shall be increased to at least 40 feet wide and shall be subject to the 25 percent limit in Condition 1.a.(1) above.
 - (4) The boundaries and acreage of the land to be conveyed to The Maryland-National Capital Park and Planning Commission according to the requirements of the Department of Parks and Recreation.
 - (5) The master plan trail along the lake relocated on dedicated parkland with feeder trails from the development pods F, E and K to the master plan trail.
 - (6) The entire master plan trail in the stream valley of the tributary of Timothy Branch from the northern to the southern ends of the subject property according to the requirements of the Department of Parks and Recreation. The exact alignment of the trails shall be determined at the time of the Specific Design Plan.
 - (7) The tree conservation area symbol shall be removed from the area of the dedicated parkland on the TCP-1 drawings.
 - (8) The CDP text, Chapter 5, revised as follows:
 - (a) On page 4, the statement "Local roadways and cul-de-sacs should have a 50-foot right-of-way" shall be deleted.

- (b) Exhibit 6 should include the following note: “Internal streets may utilize 50-foot or 60-foot rights-of-way, depending upon the proposed and the potential uses which they could serve. The needed rights-of-way will be determined at the time of preliminary plan of subdivision.”
- (9) A private eight-foot-wide asphalt trail from the western portion of the subject site (in the vicinity of stormwater management pond #6) to the master plan trail through an open space greenway. The exact location of this trail shall be determined at the specific design plan stage based on the ultimate configuration of the lots and the provision of an open space corridor.
- (10) Standard sidewalks along both sides of all internal roads, unless modified by the DPW&T at the time of issuance of street construction permits.
- (11) A six-foot-wide asphalt feeder trail from the southern portion of the stream valley trail to the end of Road C.
- (12) A six-foot-wide asphalt feeder trail from the southern portion of the stream valley trail to the end of Road B.
- (13) A six-foot-wide asphalt feeder trail from the northern portion of the stream valley trail to the potential future school site/single-family development shall be shown on the CDP. The construction of this trail shall be provided in conjunction with the development of this pod by the applicant if single family lots are constructed or by the School Board if a school is constructed..
- (14) The unmitigated 65 dBA Ldn noise contour associated with traffic -generated noise from US 301. The noise contour may be based upon the noise model used by the Environmental Planning Section or by a Phase I Noise Study submitted to and approved by the Environmental Planning Section.
- (15) For compliance with Condition #12 of the Basic Plan regarding trail connections, an open space greenway from the western area of the development to the southeastern area of the development to accommodate a trail connection and provide open space between the rear yard of the proposed lots in the G1 and H pods of the development on the illustrative lotting plan. The open space between the G1 and H development pods shall be at least 75 feet in width to accommodate the 8-foot trail and to provide adequate open space.
- (16) Recreational facilities in the northwestern portion of the development that include the sitting area, preteen playground and tot lot shall have direct access to the road frontage on the streets in single family development Pod G1.

- b. The applicant shall require the applicant to provide information on the affordability of some of the units for seniors and young adults starting out.
 - c. A copy of the approved U.S. Army Corps of Engineers Jurisdictional Determination plan shall be submitted to the Environmental Planning Section.
 - d. All appropriate plans shall be revised to conform to the approved U.S. Army Corps of Engineers Jurisdictional Determination plan.
 - e. The Type I Tree Conservation Plan note #6 shall be revised to account for a total of at least 80.98 acres of off-site woodland conservation
2. Prior to submission of the first record plats for the sections which contains the following facilities, the applicant shall:
- a. Submit a private recreational facilities agreement covering the facilities. The phasing plan for bonding and construction of the facilities, which shall be as follows:

Chaddsford Phasing of Amenities		
FACILITY	BOND	FINISH CONSTRUCTION
Pod K Community Recreational Facilities (clubhouse, swimming pool, tennis court, tot lot, pre-teen lot, picnic area and open play area).	Prior to issuance of the building permit for Pod K.	Prior to issuance of a building permit for the 290 th unit in the development.
The HOA trail on the east side of the lake, west of Pod E.	Prior to issuance of the first building permit in Pod E.	In conjunction with construction of Pod E, not later than issuance of the building permit for the 60 th unit in the pod.
The HOA trail between the northwestern portion of the development and the southeastern area, between Pods G1 and H, whichever comes first.	Prior to issuance of the first building permit in Pod G1 or H, whichever comes first.	In conjunction with construction of Pod G1 or H, whichever comes first, not later than issuance of the building permit for the 400 th unit in the development.

It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessary. The number of permits allowed to be released prior to construction of any given facility shall not be

increased by more than 25 percent and an adequate number of permits shall be withheld to assure completion of all the facilities prior to completion of all the dwelling units.

3. In conjunction with submission of the second Specific Design Plan, the applicant shall: Develop construction drawings for the trail construction on parkland in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.
4. All residential structures shall be fully sprinklered in accordance with the National Fire Protection Association Standard 13D and all applicable Prince George's County laws in order to alleviate the negative impact on fire and rescue services.
5. Prior to issuance of building permits, the applicant and/or the applicant's heirs, successors, or assignees shall contribute toward and participate in the construction of certain additional off-site transportation improvements as identified hereinafter. These improvements shall be funded and constructed through the formation of a Road Club which will include the applicant, the Montgomery Wards Brandywine Distribution Center, the Brandywine Commerce Center, the Mattawoman-Brandywine Commerce Center, the Brandywine Business Park, the Brandywine/301 Industrial Park, the Hampton CDZ, and other property owners in the area designated as Employment Area "C" in the Subregion V Master Plan, as well as any properties along US 301/MD 5 between T.B. (the intersection of US 301 and MD 5 in Prince George's County) and Mattawoman Creek, and any other properties for which participation is deemed necessary by the Planning Board. For development on the R-M portion of the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of the following:
 - For each single-family detached unit, a fee calculated as $\$1,472 \times (\text{Engineering News-Record Highway Construction Cost index at time of payment}) / (\text{Engineering News-Record Highway Construction Cost Index for first quarter, 1993})$;
 - For each single-family attached unit, a fee calculated as $\$1,338 \times (\text{Engineering News-Record Highway Construction Cost index at time of payment}) / (\text{Engineering News-Record Highway Construction Cost Index for first quarter, 1993})$;
 - For each multifamily unit, a fee calculated as $\$999 \times (\text{Engineering News-Record Highway Construction Cost index at time of payment}) / (\text{Engineering News-Record Highway Construction Cost Index for first quarter, 1993})$.
 - For development on the L-A-C and E-I-A portions of the subject property, the applicant's sole funding responsibility toward the construction of these off-site transportation improvements shall be the payment of a fee calculated as $\$1.24 \text{ per gross square foot of space} \times (\text{Engineering News-Record Highway Construction Cost index at time of payment}) / (\text{Engineering News-Record Highway Construction Cost Index for first quarter, 1993})$.
 - The total fee to be paid shall not exceed an amount calculated as $\$1,719,946.04 \times (\text{Engineering News-Record Highway Construction Cost index at time of payment}) /$

(Engineering News-Record Highway Construction Cost Index for first quarter, 1993).

Payment is to be made in trust to the Road Club escrow agent and shall be due, on a pro-rata basis, at the time of issuance of building permits. Prior to issuance of any building permit(s), the applicant shall provide written evidence to the M-NCPPC that the required payment has been made.

The off-site transportation improvements to be constructed are set forth below. Construction of these improvements shall occur in the numerical sequence in which they appear. Each improvement shall be constructed if and only if sufficient funds for engineering, full design, and construction have been deposited into the Road Club escrow account by Road Club members or said funds have been provided by public agencies. The off-site transportation improvements shall include:

- a. Widen US 301/MD 5 from a four-lane road to a six-lane road beginning at Timothy Branch (north of Cedarville Road) and extending northerly to the US 301/MD 5 interchange (at T.B.). The construction shall be in accordance with presently approved SHA plans.
- b. Install a traffic signal at the A-63/Cedarville Road intersection, provided said signal is deemed warranted by DPW&T.
- c. Make minor widening/striping improvements to the US 301/MD 5 interchange ramps.
- d. Widen US 301 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of MD 381.
- e. Reconstruct the traffic signal at US 301/MD 381.
- f. Install a traffic signal at the MD 381/A-63 intersection, provided said signal is deemed warranted by DPW&T and SHA.
- g. Provide a grade separation at the point the Spine Road crosses US 301 northeast of T.B.
- h. Reconstruct the traffic signal at MD 5/Brandywine Road.
- i. Construction of an interchange in the area of US 301/MD 5 and Cedarville/McKendree Roads.
- j. Construction of an interchange in the area of MD 5 and A-63 north of T.B.
- k. Construction of A-63 as a six-lane arterial roadway (where off-site) between the US 301/MD 5/Cedarville Road/McKendree Road intersection and MD 5 north of T.B.
- l. Widen US 301/MD 5 from a six-lane road to an eight-lane road beginning at the T.B. interchange (US 301/MD 5) and extending southerly to Mattawoman Creek.

- m. Widen MD 5 from a four-lane road to a six-lane road beginning at the T.B. interchange (US 301/MD 5) and extending northerly to a point approximately 2,500 feet north of the planned intersection with A-63.
6. Prior to the issuance of any building permits within the subject property, the following road improvements shall have full financial assurances, have been permitted for construction, and have an agreed-upon timetable for construction with SHA:
 - a. Along US 301/MD 5 at Chadds Ford Drive, provide southbound acceleration and deceleration lanes as well as a northbound left-turn lane.
 - b. Along Chadds Ford Drive at the approach to US 301/MD 5, provide an exclusive right-turn lane and dual left-turn lanes.
 - c. Install a traffic signal at US 301/MD 5 and Chadds Ford Drive at the time it is deemed necessary by SHA.
7. Following the connection of C-502 to A-55 (and a planned partial interchange at US 301/MD 5 and A-55) on the north, and to McKendree Road on the south, the applicant and/or the applicant's heirs, successors, or assignees shall close the US 301/MD 5/Chadds Ford Drive at-grade intersection to traffic. In the event that a traffic signal has been installed at this location following approval of this plan and removal of the signal is required as directed by SHA following closure of the intersection, such modification or removal shall be at the sole expense of the applicant and/or the applicant's heirs, successors, or assignees.
8. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
9. 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/47/96-02), 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.”

10. Prior to a submission of the first final plat of subdivision, the applicant shall enter into a public recreational facilities agreement (RFA) with M-NCPPC for the construction of a master plan trail on dedicated parkland. The applicant shall submit three original, executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of final plats. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.
11. Prior to issuance of the building permit for the 135th unit in the development, the applicant shall submit to the Department of Parks and Recreation a performance bond, a letter of credit or other suitable financial guarantee, for the construction of the of public recreation facilities on dedicated parkland in the amount to be determined by DPR.
12. The applicant, his successors, and/or assignees shall construct the master-planned trail on dedicated parkland in phase with development, and no building permit shall be issued for the lots directly adjacent to the trail until the trail construction is completed.
13. Prior to issuance of the building permits for 290th unit in the development, all public recreation facilities on dedicated parkland shall be constructed.
14. The portion of the master planned trail in the General Lafayette Boulevard right-of-way shall be constructed in conjunction with the construction of the roadway.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Squire and Hewlett voting in favor of the motion, and with Commissioner Vaughns opposing the motion at its regular meeting held on Thursday, January 22, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 12th day of February 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:LS:meg