



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-04011

Application	General Data
Project Name: BRIGHTON PLACE Location: East on Rollins Avenue, 1,500 feet south of its intersection with Central Avenue. Applicant/Address: Beazer Homes Corporation 8965 Guilford Road, Suite #290 Columbia, MD. 21046	Date Accepted: 03/30/04
	Planning Board Action Limit: 09/16/04
	Plan Acreage: 29.0
	Zone: R-55 & R-T
	Lots: 128
	Parcels: 3
	Planning Area: 75A
	Tier: Developed
	Council District: 07
	Municipality: N/A
200-Scale Base Map: 201SE06	

Purpose of Application	Notice Dates
SINGLE-FAMILY AND TOWNHOUSE RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: 02/09/2004 (CB-58-2003)
	Sign(s) Posted on Site: 06/29/04

Staff Recommendation		Staff Reviewer: Whitney Chellis	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Brighton Place Preliminary Plan of Subdivision 4-04011
Lots 1-4, Block A; Lots 1-25, Block B; Lots 1-8, Block C; Lots 1-31, Block D; Lots 1-19, Block E; Lots 1-10, Block F; Lots 1-31, Block G; and Parcels A, B, C, D and E

OVERVIEW

The subject property consists of approximately 29 acres of land in the R-T and R-55 Zones, within the limits of the Addison Road Metro (ARM) Town Center Development District. The property is found on Tax Map 73, Grid C-2, in Capitol Heights and is identified as Parcels 150, 152 and 154. The site is improved with two dwelling units that are to be razed. The applicant is proposing to develop the R-55-zoned portion of this property (19 acres) with 68 single-family dwelling units and the R-T-zoned portion of this property (10 acres) with 60 townhouses. The applicant's proposal conforms to the Zoning Ordinance standards for density within the applicable zoning classification.

Development of this site is subject to the Addison Road Metro (ARM) Town Center Development District Plan. Being part of the larger ARM plan, the development must integrate with existing and future developments to support the objectives of the ARM plan. One of the concepts for the ARM plan is to create a pedestrian-oriented, mixed-use town center to serve the local community and Metro riders. The ARM plan intends to create an urban environment to support pedestrian activities and a sense of community around the Addison Road Metro. The ARM plan provides specific recommendations regarding type and orientation of improvements and circulation. The applicant's proposal at this preliminary plan of subdivision stage establishes the foundation to ensure conformance to the ARM plan through further stages of development.

Development within the Addison Road Metro (ARM) Town Center Development District requires the approval of a Detailed Site Plan (DSP) in accordance with Part 3, Division 9, of the Zoning Ordinance. At the time of DSP review, further conformance with the development standards and guidelines will be determined. Review will include the location of structures, landscaping, and architectural review. Methods for the modification of those standards, if necessary, are provided in the ARM plan. That request can be made a part of the review process of the DSP. At the time of review of the DSP staff envisions a great degree of flexibility in modifications to the location and configuration of lots and parcels within the limits of development established by the preliminary plan of subdivision. Through the review of the DSP staff will further evaluate the integration of this development with the future development scenarios of surrounding properties.

The applicant proposes to develop a mix of private and public streets to serve the development. One of the important guidelines of the ARM plan is to provide streetscapes that are not dominated by vehicles, driveways and garages. By providing private streets within the single-family detached residential portion of the property, the applicant may propose rear load garages, specifically along Rollins Avenue, where dwellings are envisioned to front on Rollins Avenue. Within the townhouse portion of the property, the mixture of private and public streets can allow the townhouses to front on the public streets

while having rear load garages. At the time of review of the DSP a more critical review of the dwelling unit product types, orientations and appropriate access locations for individual lots (townhouse and single-family) will occur, as well as close coordination with the Department of Public Works and Transportation (DPW&T) for private and public street standards.

The applicant proposes Parcels A-E (4.66± acres total) to be conveyed to a homeowners association (HOA). One additional HOA parcel will need to be created from the overall lotting pattern at the time of review of the DSP, and is it to be conveyed to an umbrella homeowners association for the entire project for park purposes. The ARM plan identifies a centrally located park between Rollins Avenue and Addison Road South, to the west. At the time of review of this preliminary plan a determination as to the most appropriate location of the park has not been made. The parkland is to be a private park to serve all of the residential development in this portion of the town center. Half of the land for the park is to be identified with this development and the other half to be identified at the time of development of the abutting property to the east. The applicant is aware that in order to create the park envisioned by the ARM plan within this subdivision (abutting the east property line), a loss of lots may occur. The location of the park and the number of lots lost, if any, will be determined at the time of review of the DSP.

SETTING

The subject property is located on the east side of Rollings Avenue, approximately 1,350 feet south of its intersection with MD 214. To the west of the property, across Rollins Avenue, is the Rollins Avenue Neighborhood Park, an M-NCPPC undeveloped public park. North of the property are several large developed residential properties and the Capitol Heights West Jehovah’s Witness. The property is located southwest of the Addison Road Metro.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-T and R-55	R-T and R-55
Use(s)	Vacant	Single-family detached dwellings and townhouses
Acreage	R-T (10 acres) R-55 (19 acres)	R-T (10 acres) R-55 (19 acres)
Lots	R-T (0) R-55 (0)	R-T (60 lots) R-55 (68 lots)
Parcels	3	5
Dwelling Units:		
Detached	0	68
Attached	0	60

2. **Environmental**—The Environmental Planning Section has no records of previous applications for this property. This property is located within the approved sector plan for Addison Road Metro Town Center. A site visit was performed on May 25, 2004. The site is characterized by terrain sloping toward the northeast and drains into unnamed tributaries of the Anacostia River watershed in the Anacostia River basin. A review of the available information indicates that there are streams, Waters of the U.S., wetlands, and areas of severe and steep slopes associated with the

site. There are no 100-year floodplain, highly erodible soils, or Marlboro clays found to occur on the site.

Rollins Avenue is a collector roadway not generally regulated for noise. The primary soil type found to occur on the subject property according to the Prince George's County Soils Survey is the Collington series. This soil series generally exhibits slight to moderate limitations to development due to steep slopes. Based on the information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled, "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 property. There are no designated scenic and historic roads adjacent to this property.

The subject property is located within Subarea 4 of the Addison Road Metro Town Center sector plan. The environmental requirements for woodland preservation, stormwater management and noise are addressed in the Environmental Review section below. There are no other specific environmental requirements or design standard that require review for conformance.

The revised Forest Stand Delineation (FSD) as submitted, dated June 28, 2004, was found to generally address the requirements of a Detailed Forest Stand Delineation and be in compliance with the Woodland Conservation Ordinance. The plan, however, states that the amount of woodland on-site is 11.05 acres and the TCPI states that there are 11.14 acres. This discrepancy must be reconciled.

The Subdivision Ordinance requires the preservation of stream and wetlands and their associated buffers in their entirety, unless the Planning Board approves a variation and can make the required findings of Section 24-113. A variation request was submitted for the subject application on June 26, 2004; however, the application confuses wetlands with streams and does not address the total areas of impacts. Because the variation request was timely filed, staff has accepted the request and will address the required findings and appropriate proposed impacts.

The site contains two streams in the northwest corner of the property, one that is parallel with Rollins Avenue and one that is somewhat parallel to the northern property line. The area along Rollins Avenue has been shown to be a wetland. Site visits conducted this spring confirmed that this is in fact a stream with defined banks and stream flow. The second stream is shown on the plans as a connection between an area of wetlands and the first stream; however, the plans do not show the required stream buffer for this section of stream.

Staff has met with staff from the Maryland Department of the Environment (MDE) on two occasions to discuss the proposed impacts to the existing regulated features. MDE's comments were that the site could be developed without the need for any impacts to the existing features, except perhaps for an impact for a stormwater management pond, but they were willing to discuss the project further. Due to the mandatory action time frame for review of preliminary plans, additional time was not available to meet with MDE to discuss alternatives prior to the Planning Board hearing date for this application.

The following are the variations that are recommended for approval by staff:

Impact #1: A minor area of impact for the placement of a stormwater management pond outfall into the existing stream buffer that is parallel to Rollins Avenue.

Impact #2: A minor area of impact to address any requirements of other agencies with regard to the existing pipe outfall at the northern property line where the stream parallel to Rollins Avenue has been piped for a short distance.

Section 24-130 of the Subdivision Regulations restricts impacts to these buffers unless the Planning Board grants a variation to the Subdivision Regulations in accordance with Section 24-113. Even if approved by the Planning Board, the applicant will need to obtain federal and state permits prior to the issuance of any grading permit. Each variation is described individually below. However, for purposes of discussion relating to Section 24-113(a) of the Subdivision Regulations, the impacts were discussed collectively.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;**
- (2) The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;**
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;**

The two minor variations are required to address the regulations associated with the stormwater management ordinance that are designed to promote public safety and health and to ensure no off-site properties are damaged.

The conditions of the property are unique with respect to the placement of the existing stream, the associated buffer and the required placement of the necessary public utilities.

No other variances, departures, or waivers are required with regard to the treatment of stormwater. All appropriate federal and state permits must be obtained before the construction can proceed. Because there are state permitting processes to review the proposed impacts to nontidal wetlands, wetland buffers and Waters of the U.S., the construction proposed does not constitute a violation.

Due to the configuration of this site, the location of the stream, and the fact that no other reasonable options are possible which would further reduce or eliminate the number and extent of the proposed impacts while allowing for the development of the property under its existing zoning, staff recommends approval of the variations.

Staff recommends that the Planning Board approve the two areas of impacts recommended for approval by staff.

The following are the variations that are recommended for approval by staff, but must be further evaluated at the time of review of the DSP. At the time of review of the DSP these impacts may be eliminated, reduced or altered:

Impact #3: The elimination of an area of wetlands for the construction of Street D.

Impact #4: The elimination of the stream from the wetland west to its connection with the other stream.

The following is an analysis of the required findings of Section 24-113 with regard to these two variations:

These impacts, to this magnitude, will likely not be approved by the Maryland Department of the Environment and as such should not be recommended for approval by the Planning Board. However, MDE staff has indicated a willingness to evaluate the proposal further, and because of this staff is recommending that prior to submittal of the Detailed Site Plan, the applicant should coordinate and hold a meeting with staff from the Maryland Department of the Environment, the Department of Environmental Resources, and the Urban Design and Environmental Planning Sections of the Planning Department, M-NCPPC.

Prior to that meeting, the TCPI should be reviewed to show all the regulated features correctly. If MDE provides verbal input at that meeting that additional impacts to the environmental features shown will be considered, staff will consider additional impacts during the review of the Detailed Site Plan. In order to allow for this flexibility at the time of review of the DSP, staff supports the applicant's proposed impacts. These impacts may be eliminated, reduced or altered as required by MDE.

The following is a variation request that is not supported and recommended for disapproval.

Impact #5: The elimination of the entire stream parallel to Rollins Avenue and removal of the currently vegetated stream buffer for the regrading of the entire area and installation of a stormwater management pond.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Staff has been unable to make the required findings for approval. The impact is unnecessary and avoidable.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract is in excess of 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. The revised Type I Tree Conservation Plan (TCPI/33/04) has been reviewed and was found to require revisions to conform to the requirements of the Woodland Conservation Ordinance.

The minimum woodland conservation requirement for the site is 5.80 acres of the Net Tract. An additional 7.14 acres are required due to the removal of all of the woodlands on-site, for a total woodland conservation requirement of 12.94 acres. However, the FSD and the TCPI show different acreages of existing woodland and should be revised to be comparable. The plan shows the requirement being met with 12.94 acres of off-site mitigation at a location to be determined later. In addition, there are several other minor revisions required.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps dated June 2003 obtained from the Department of Environmental Resources and will utilize public systems.

3. **Community Planning**—The subject property is located within the limits of the Addison Road Metro Town Center Development District Plan (ARM plan) and in the Developed Tier as described in the 2002 General Plan. The applicant’s proposal is consistent with the land use recommendations of the ARM plan and the vision of the General Plan, for development around Metro town centers.
4. **Parks and Recreation**— In accordance with Section 24-135(b) of the Subdivision Regulations, the Park Planning and Development Division of the Department of Parks and Recreation recommends that the applicant provide private on-site recreational facilities for the fulfillment of the requirement of mandatory dedication of parkland. The ARM plan identifies a centrally located park between Rollins Avenue and Addison Road South.

M-NCPPC has an existing undeveloped park on the west side of Rollins Avenue known as the Rollins Avenue Neighborhood Park. Staff evaluated the possibility of the applicant paying a fee-in-lieu of the mandatory dedication of parkland for the purposes of developing facilities on the existing park. However, the cost of developing that site would exceed any fee-in-lieu that would be required. Staff recommends that on-site recreational facilities would better serve the residents, conform to the requirements of the ARM plan, and not require residents to cross Rollins Avenue to have access to any recreational facilities.

M-NCPPC recommends that the park be privately owned and maintained by the residents of the community. The applicant, his successors, and/or assignees shall provide adequate, private recreational facilities on site in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.

5. **Trails**— The Adopted and Approved Addison Road Metro Town Center and Vicinity Sector Plan recognizes that bicycle and pedestrian facilities are important in promoting nonmotorized access to the Addison Road Metro. Standard sidewalks, wide sidewalks, or trails are recommended along all major roads due to their ability to facilitate continuous pedestrian movement to the town center and Metro. Sidewalks are recognized as an important component of transit-oriented development. The sector plan also recommends a grid street system in the town center area. This type of street grid is bicycle friendly because it disperses traffic along numerous routes and tends to promote slower driving speeds. Part of this proposed grid is reflected on the submitted plan.

Although no master plan trails impact the subject site, staff is recommending a comprehensive network of standard and wide sidewalks along the internal streets in order to accommodate pedestrian and encourage nonmotorized access to Metro. All sidewalk recommendations are per the concurrence of DPW&T. Further evaluation at the time of review of the DSP should occur to ensure safe pedestrian and bicycle movements. The DSP should also evaluate methods of promoting slower vehicular speeds within the neighborhoods and alerting motorists to pedestrian movements.

6. **Transportation**—The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated April 2004 that was referred for comment; comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) were received and their comments integrated into this review where appropriate. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

Growth Policy - Service Level Standards

The subject property is located within the Developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections 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.

Analysis of Traffic Impacts

The traffic study for this site examined the site impact at six intersections, as noted on the attached map:

- MD 214/MD 332 (signalized)
- MD 332/Rollins Avenue (unsignalized)
- Rollins Avenue/north and south site access points (unsignalized)
- Walker Mill Road/Rollins Avenue (signalized)
- Walker Mill Road/MD 458 (signalized)

The existing conditions at the study intersections are summarized below:

EXISTING TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 214 and MD 332	909	1,374	A D
MD 332 and Rollins Avenue	39.1*	60.6*	-- --
Rollins Avenue and north site access	future		
Rollins Avenue and south site access	future		
Walker Mill Road and Rollins Avenue	542	617	A A
MD 458 and Walker Mill Road	498	607	A A
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.			

The area of background development includes 18 developments in the area. Traffic growth of one percent per year was assumed along the major facilities. There are no programmed improvements in the county Capital Improvement Program (CIP) or the state Consolidated Transportation Program (CTP). Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 214 and MD 332	1,015	1,491	B E
MD 332 and Rollins Avenue	847.4*	+999*	-- --
Rollins Avenue and north site access	future		
Rollins Avenue and south site access	future		
Walker Mill Road and Rollins Avenue	628	735	A A
MD 458 and Walker Mill Road	565	698	A A
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.			

The site is proposed for development as a residential subdivision. The site is proposed to be developed with 68 single-family homes and 60 townhouse residences, which would generate 93 (18 in, 75 out) AM peak-hour vehicle trips and 109 (71 in, 38 out) PM peak-hour vehicle trips. With the trip distribution and assignment as assumed, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and MD 332	1,034	1,507	B	E
MD 332 and Rollins Avenue	+999*	+999*	--	--
Rollins Avenue and north site access	10.7*	10.1*	--	--
Rollins Avenue and south site access	10.8*	10.9*	--	--
Walker Mill Road and Rollins Avenue	642	746	A	A
MD 458 and Walker Mill Road	565	689	A	A
*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, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The traffic study identifies an inadequacy at one intersection within the study area, and this is further discussed below:

MD 332/Rollins Avenue

The applicant proposes the possible signalization at this intersection. The analysis indicates that this intersection operates unacceptably as an unsignalized intersection. 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 if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. This intersection operates with a single lane on each approach, with Rollins Avenue coming into the intersection to create a "T" intersection. Much of the delay results from left-turning and right-turning traffic on Rollins Avenue queuing at the intersection.

DPW&T offered no comments on the traffic study. SHA, however, indicated that the applicant should first explore providing a second approach lane on Rollins Avenue and then explore the need for signalization. It is noted that with signalization but no physical widening, the MD 332/Rollins Avenue intersection operates at LOS C with a CLV of 1,196 in the AM peak hour and at LOS E with a CLV of 1,559 in the PM peak hour. It is furthermore apparent that subsequent development in the area will need to widen the Rollins Avenue approach if signalization is approved by SHA—and it is not clear at this time that signalization will even be warranted. Given the relatively large turning movements from Rollins Avenue at this location, it is agreed by staff that separate northbound left-turn and right-turn approach lanes are needed along Rollins Avenue at MD 332. However, the existing right-of-way is very limited in size, with a privately owned, undeveloped lot on the west and a public school—Lyndon Hills Elementary School—on the east. Nonetheless, a condition will be recommended in this regard.

Since the submittal of the original plan, the subdivision plan has been revised several times as a means of showing conformance to the ARM plan. The ARM plan was recommended as a strategy for creating a transit-oriented town center in the area of the Addison Road Metrorail Station. From the standpoint of transportation, that plan includes several primary elements:

- a. Continued endorsement of the longstanding planned roadway facilities to serve the town

center: MD 214, Addison Road, and Brooks Drive/Rollins Avenue Extended as arterial facilities, MD 332 (Old Central Avenue) as a collector facility, and Rollins Avenue as a primary residential facility.

- b. Use of a modified grid pattern within the town center to connect proposed uses to the above facilities.
- c. Establishment of two intersecting commercial main streets, with a north-south one extending southbound from Addison Plaza and MD 214 just west of Yolanda Avenue, and an east-west one extending westbound from Addison Road at the Metrorail station entrance.

The existing plan takes a significant step toward the realization of the ARM plan. Adequate dedication is shown along Rollins Avenue. A modified grid pattern is effectively used. Street D on the plan is shown as a potential connector from the Brooks Drive/Rollins Avenue Extended facility along the axis of the future north-south main street. Streets A and F are shown as primary streets and east-west components of the grid.

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with conditions.

- 7. **Schools**— The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	128 sfd/a	128 sfd/a	128 sfd/a
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	30.72	7.68	15.36
Actual Enrollment	36,236	11,113	16,710
Completion Enrollment	209.04	52.26	95.81
Cumulative Enrollment	201.12	50.26	100.56
Total Enrollment	36,676.88	11,223.20	16,921.73
State Rated Capacity	38,817	10,375	14,191
Percent Capacity	94.49%	108.18%	119.24%

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

These figures are correct on the day the referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to

the public hearing on this project will cause changes to these figures. The numbers shown in the resolution of approval will be the ones that apply to this project.

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 an 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.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road, has a service travel time of 2.00 minutes, which is within the 5.25-minute travel time guideline.
 - b. The existing ambulance service at Seat Pleasant Fire Station, Company 8, located at 6305 Addison Road, has a service travel time of 2.00 minutes, which is within the 6.25-minute travel time guideline.
 - c. The existing paramedic service at Silver Hill Fire Station, Company 29, located at 3900 Silver Hill Road, has a service travel time of 8.38 minutes, which is beyond the 7.25-minute travel time guideline. The nearest fire station, Seat Pleasant, Company 8, is located at 6305 Addison Road, which is 2.00 minutes from the development. This facility would be within the recommended travel time for paramedic service if an operational decision to locate this service at that facility is made by the county.

The above findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

9. **Police Facilities**— The proposed development is within the service area for Police District III-Landover. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision
10. **Health Department**— Fuel storage tanks were noted on the site in association with the existing dwellings. These tanks associated with the existing structures must be removed and the contents properly discarded. A representative from the Health Department should evaluate the soils beneath these tanks for possible contamination and the soils must be properly discarded if contamination has occurred.

The septic recovery fields associated with the dwellings should be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.

The Health Department also identified that numerous tires were found on the property. The tires should be hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility and a receipt for tire disposal must be submitted to the Health Department. All other trash, including 50 sealed rechargeable lead-acid batteries, and numerous abandoned vehicles must also be removed and properly discarded.

11. **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, #8153-2004-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
12. **Urban Design**—The subject property is wholly within the area shown on the ARM plan as supporting residential development, south of the pedestrian-oriented, mixed-use development, as shown on the Town Center Generalized Land Use plan. The preliminary plan appears to meet the chief single purpose of the sector plan, which is to maximize the public benefits of the Addison Road Metro Station by proposing a plan which is, in general, reflective of the layout of streets in a grid pattern which will ultimately provide pedestrian connections to the Metro. The plan also appears to fulfill the four primary goals of the sector plan, which are:
 - a. Revitalizing the town center by providing new upscale residential development.
 - b. Promoting transit-oriented development thorough the layout and connectivity shown on the plan.
 - c. Promoting pedestrian-oriented development through connectivity shown on the plan.
 - d. Promoting compact development in accordance with the R-55 and the R-T Zones.

At the time of Detailed Site Plan the applicant must demonstrate conformance to the Development District Standards for the development of the subject site.

The plan is designed such that the fronts of units in the R-55 Zone will front on Rollins Road, rather than backing onto the collector street. At the time of the Detailed Site Plan, special attention should be given to the appearance of these units, additional setbacks from the right-of-way, and the use of shared driveways with sufficient turning radius to provide for the easy access to the roadway, or the use of alleys at the rear of the units should be considered. Further, the architectural design should be such that a two-car garage is provided for each unit and the garage should not dominate the streetscape.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as

follows:

- a. To provide the current parcel identification numbers.
 - b. To provide the zoning of abutting properties.
 - c. To revise the site tabulation chart to remove minimum zoning requirements for lot width, lot depth, lot coverage, building setbacks, and building height requirements.
 - d. To provide a note that the requirements of mandatory dedication of parkland are being fulfilled by on-site private recreational facilities and not fee-in-lieu.
 - e. To note that at the time of review of the DSP the location and size of the private park shall be determine and may result in a loss of lots.
2. A Type II Tree Conservation Plan shall be approved in conjunction with the required Detailed Site Plan.
 3. The applicant shall dedicate 60 feet along the north property line between Addison Road and Zelma Avenue as right-of-way for a planned east-west primary street as shown on the Addison Road Metro Town Center Sector Plan. Improvements within the dedicated right-of-way shall be determined by DPW&T.
 4. Development of this site shall be in conformance with the Stormwater Management Concept Plan, #8153-2004-00, and any subsequent revisions.
 6. Prior to building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
 7. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to DRD for approval prior to the submission of final plats, for construction of recreational facilities on homeowners land. Upon approval by DRD, the RFA shall be recorded among the county Land Records.
 8. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to building permits for the construction of recreational facilities on homeowners land.
 9. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 4.66± acres of cluster open space land (Parcels A, B, C, D and E) and any other land determined at the time of Detailed Site Plan to be appropriate for common open space. Land to be conveyed shall be subject the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of 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 detailed site 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. 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.
10. At the time of review of the DSP the plan shall be evaluated to ensure safe pedestrian and bicycle movements, that should include methods of reducing vehicular speeds within the neighborhoods and alerting motorists of pedestrian movements.
11. In conformance with the Adopted and Approved Addison Road Metro Town Center and Vicinity Sector Plan, the applicant and the applicant's heirs, successors and/or assignees shall provide the following:
- a. Provide a wide sidewalk (six to eight-feet wide) along the subject site's entire frontage of Rollins Avenue.
 - b. Provide wide sidewalks (six to eight-feet wide) along both sides of Street A and Street C. These roads, as envisioned in the Sector Plan, will provide pedestrian access from the town center and residential areas to the Addison Road Metro.
 - c. Provide standard sidewalks along both sides of all other internal roads.

All improvements within the public rights-of-way are subject to the approval of DPW&T.

- 12. Development of this property shall be in conformance with the approved Addison Road Metro (ARM) Town Center Development District Plan.
- 13. **MD 332 and Rollins Avenue:** Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either

private money or full funding in the county's capital program, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

- a. Provision of a separate northbound left-turn and right-turn approach lanes along Rollins Avenue, to be constructed according to SHA standards.
- b. Submission at the time of detailed site plan of an acceptable traffic signal warrant study to SHA (and DPW&T, if necessary) for the intersection of MD 332 and Rollins Avenue. The applicant should utilize a new 12-hour count and should analyze signal warrants under total future traffic as well as existing traffic at the direction of SHA. If a signal is deemed warranted by SHA, the applicant shall bond the signal prior to the release of any building permits within the subject property and install it at a time when directed by SHA.

The improvements in a. above may be waived by SHA in consultation with M-NCPPC transportation planning staff only if (a) it is determined by SHA that adequate right-of-way to construct the needed improvements is not available, and (b) it is determined by SHA that the signalization identified in B above is warranted and will operate acceptably with the one-lane approach along Rollins Avenue. The status of these improvements shall be provided and reviewed during review of the detailed site plan.

14. At the time of review of the DSP, the applicant shall demonstrate conformance with Section 24-134 of the Subdivision Regulations and shall allocate appropriate and developable areas for the private recreational facilities on homeowners association (HOA) open space land. Recreational facilities shall be provided in accordance with the Parks and Recreational Facilities Guidelines.
15. Prior to the issuance of grading permits the applicant shall submit a manifest demonstrating that the fuel storage tanks located on the property have been properly disposed of by a licensed waste company and reclamation of any contaminated soils has occurred under the direction of the Health Department.
16. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
17. Prior to the issuance of grading permits the applicant shall submit evidence from the Health Department that the tires found on the property have been hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility.
18. Prior to signature approval of the preliminary plan, the amount of woodland existing on-site shall be verified and either the TCPI or the FSD shall be revised accordingly.
19. Prior to submittal of the Detailed Site Plan, the applicant shall coordinate and hold a meeting with staff from the Maryland Department of the Environment, the Department of Environmental Resources, and the Urban Design and Environmental Planning Sections of the Planning Department, M-NCPPC. Prior to that meeting the TCPI shall be reviewed to show all the regulated features correctly. Additional impacts to environmental features may be considered with input from MDE.

20. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the stream, its 50-foot-wide buffer, and the wetlands and their associated buffer, except for areas of approved variations, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. 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 are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

21. Prior to signature approval of the Preliminary Plan, the Type I Tree Conservation Plan (TCPI/33/04) shall be revised as follows:
- a. Revise the TCP to clearly show all sensitive environmental features that are required to be preserved.
 - b. Revise the limits of disturbance to preserve the regulated site features.
 - c. Revise the worksheet as necessary to address all conditions of approval.
 - d. Include in the legend all symbols used in the plan.
 - e. Have the revised plan signed and dated by the by the qualified professional who prepared the plan.
22. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/33/04). 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/33/04), 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.”
23. Prior to signature approval of the preliminary plan, a copy of the Stormwater Management Concept Approval Letter and associated plans shall be submitted.
24. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/33/04 AND A VARIATION TO SECTION 24-130 OF THE SUBDIVISION REGULATIONS