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**Zoning Map Amendment Petition No.**

**A-9975**

Application	General Data
<b>Project Name:</b> Locust Hill  <b>Location:</b> North and south side of Oak Grove Road, east side of Church Road, east and west side of Popes Creek Railroad Branch, known as 14721 Oak Grove Road.  <b>Applicant/Address:</b> Mercantile Safe Deposit & Trust Company 2 Hopkins Plaza, 3 <sup>rd</sup> Floor Baltimore, Maryland 2201 ATTN: Matt Rockstroh	Date Accepted: 11/7/05
	Planning Board Action Limit: N/A
	Plan Acreage: 507
	Zone: R-A, R-E
	Dwelling Units: 718
	Square Footage: N/A
	Planning Area: 79, 74A
	Tier: Developing
	Council District: 06
	Municipality: N/A
200-Scale Base Map: 202SE13	

Purpose of Application	Notice Dates
Rezoning from R-A and R-E to R-L	Adjoining Property Owners Previous Parties of Record Registered Associations: 9/8/05 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 2/7/06

Staff Recommendation		Staff Reviewer: Reggie Baxter	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

March 9, 2006

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board  
The Prince George's County District Council

VIA: Jimi Jones, Acting Zoning Supervisor

FROM: Reggie Baxter, Planning Coordinator

SUBJECT: **Zoning Application No. A-9975, Locust Hill**

REQUEST: **R-E (Residential-Estate) and R-A (Residential-Agricultural) Zones to the R-L (Residential Low Development) Comprehensive Design Zone**

RECOMMENDATION: **APPROVAL, with conditions**

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NOTE:

The Planning Board has scheduled this application for public hearing on the agenda date indicated above. The Planning Board also encourages all interested persons to request to become a person of record in this application. Requests to become a person of record should be made in writing and addressed to the Development Review Division at the address indicated above. Please call 301-952-3530 for additional information.

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## **FINDINGS:**

- A. **Location and Field Inspection:** The subject property totals 507.0 acres, located along both the north and south sides of Oak Grove Road and south of Leeland Road, generally between Church Road and Collington Branch, approximately 1.2 miles west of US 301. There are 395.1 acres south of Oak Grove Road and west of the Pennsylvania Railroad right-of-way that are in the R-E (Residential-Estate) Zone; 30.1 acres in the R-E Zone, located south of Leeland Road between the railroad right-of-way and Collington Branch; and 81.8 acres in the R-A (Residential-Agricultural) Zone, located along the north side of Oak Grove Road between Church Road and the railroad tracks. The property comprises Parcels 22 and part of Parcel 30 on Tax Maps 76 and 84. It is noted that part of Parcel 30 located on the northeast side of Leeland Road is subject to zoning application A-9668 (Willowbrook). The Subdivision Section staff (November 16, 2005, memorandum) indicates the applicant must include Parcels 22 and 30, in their entirety, or demonstrate how Parcel 30 was legally divided.

The subject property is undeveloped and primarily wooded, with the exception of some cleared fields in the north-central area of the parcel located south of Oak Grove Road. The land has rolling hills, with several stream valleys draining toward the east into Collington Branch. Some wetlands exist on the portion of the property east of the railroad right-of-way, along the western boundary adjacent to the Brock Hall Manor subdivision, and along the northern property boundary.

- B. **History:** The property north of Oak Grove Road was retained in the R-A Zone upon adoption of the 1991 Bowie-Collington-Mitchellville and Vicinity Sectional Map Amendment. The property south of Oak Grove Road was retained in the R-E Zone upon approval of the 1994 Subregion VI Study Area Sectional Map Amendment.

C. **Master Plan Recommendations:**

1. 2002 General Plan: The subject property is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable.
2. Master Plans:
  - The 1993 Approved Subregion VI Study Area Master Plan includes the 425-acre portion of the subject property south of Oak Grove and Leeland Roads. The property is in Planning Area 79, known as Upper Marlboro and vicinity. The master plan recommends Estate Residential development at densities between 0.8 to 1.5 dwellings per acre. The plan states in reference to reinforcing the existing land use and related zoning of the Upper Marlboro Community which includes the subject property (pp. 90 and 91), that: "At the same time consideration should be given to use of the Comprehensive Design Zone, R-L Zone for all tracts in the MD 202 corridor which are designated as such and meet standards for Estate Residential land use."
  - The 1991 Approved Bowie-Collington-Mitchellville and Vicinity Master Plan includes the 82-acre portion of the property located north of Oak Grove Road in Planning Area 74A. The property is recommended for either Large-Lot

conventional development at 1.0 dwelling per acre, or Alternative Low-Density residential development using Comprehensive Design Zones; one of which is the R-L Zone with density ranges between .5 and 1.5 units per acre. This area is currently undergoing an update to the 1991 master plan, and final Council approval of a new master plan is expected in early 2006. The 2005 Adopted Bowie and Vicinity Master Plan recommends a density of 1.0 to 1.5 dwellings per acre.

D. **Request:** The applicant requests rezoning of the entire 507.0 acres from the R-A and R-E Zones to the R-L (Residential Low Development) Comprehensive Design Zone (CDZ). The R-L Zone permits a density range of 0.5 to 1.5 dwellings per acre that is compatible with each master plan's land use concept. The applicant is proposing that Locust Hill be developed in a range between 1.0 to 1.5 dwellings per acre. This density range will allow the construction of between 479 to 718 dwelling units, depending on the type and extent of public benefit features provided during review of the second phase Comprehensive Design Plan.

E. **Development Concept:** Locust Hill is proposed for predominately single-family detached dwellings with a mix of single-family attached "carriage style" (townhouse) units and approximately ten percent large lot single-family dwellings. The Basic Plan shows the attached townhouse (carriage units) clustered between the north side of realigned Oak Grove Road and Black Branch, separated from the railroad tracks by a ten-acre community park that is adjacent to active parkland in the Willowbrook development. A hiker-biker trail is proposed along Black Branch to connect with the adjacent trail in Oak Creek and with the Collington Branch Stream Valley Trail. A 7.5-acre church site is proposed along the east frontage of Church Road and north of the St. Barnabas Church cemetery. The Basic Plan shows single-family detached lots south of Oak Grove Road, that have various lot sizes, surrounded by the site's natural features. East of the railroad tracks, the land will be dedicated as part of the Collington Branch Stream Valley Park and will be improved with a hiker-biker trail that will connect with the hiker-biker trail along Black Branch.

A 65-acre open space buffer area is provided adjacent to the St. Barnabas Church and Queen Anne School. This buffer area is intended to separate the church and school from residential areas in Locust Hill. The buffer strip will be retained by the Trust or one of the Trust beneficiaries (most likely the church or school). The buffer area will be used for tree conservation and is not intended to be homeowner association open space. Some church and or school facilities may be constructed on it where the symbols are located on the Basic Plan to make use of public benefit increment factors. The applicant indicates density increment credits are not being claimed for the use of the 65 acres as open space, but rather as a public facility such as an activity center with space provided for quasi-public services (such as churches, community meeting rooms, and the like).

The applicant believes the flexibility of the R-L Zone will allow development of a community that offers an array of lot sizes, housing types, architectural styles, and public facilities. The R-L Zone is proffered as a logical and appropriate zone for Locust Hill because of the zoning and development of surrounding communities and the recommendations of the General Plan and approved master plans. The applicant proffers that the residents of Locust Hill will share common community recreation facilities and open space with the residents of the applicant's adjacent development to be built at Willowbrook, located on the north side of Leeland Road and east of the railroad tracks.

The proposed Basic Plan, as originally submitted with the application, reflects the following land use types and quantities. The applicant was preparing revisions to the Basic Plan at the time of staff report preparation.

Total area:	507.0 acres
Land in the 100-year floodplain:	55.8 acres
Adjusted Gross Area: (total area less half the floodplain (27.9 acres))	479.1 acres
Density Permitted under the R-L Zone:	1.0–1.5 dwelling units (du)/ac
Permitted Dwelling Unit Range:	479–718 du
Proposed Land Use Types and Quantities:	
Residential single-family detached:	383–574 du
Residential attached dwellings (carriage homes)	
(Not exceeding 20 percent):	96–144 du
Total dwellings	479–718 du
Public Open Space (parkland and parks):	25 acres
Private Open Space Buffer:	65 acres
Proposed church site	7.5 acres

- F. **Neighborhood and Surrounding Uses:** Staff accepts the applicant’s suggested neighborhood that is defined by natural and manmade barriers as follows:

North—Central Avenue (MD 212)  
 East—Robert Crain Highway (US 301)  
 South—Marlboro Pike (MD 725), between Largo Road (MD 202) and US 301  
 West—Largo Road (MD 202)

The 82-acre portion of Locust Hill north of Oak Grove Road is surrounded by undeveloped land that is part of the 890-acre R-L zoned Oak Creek development. The St. Barnabas Church Cemetery is located at the northwest corner of Church Road and Oak Grove Road. The adjacent Oak Creek development in the R-L Zone will contain 1,148 dwellings at a density of 1.3 dwellings per acre. This 82-acre portion of Locust Hill is also adjacent to the proposed “Willowbrook” property to the east, across the railroad tracks and Collington stream valley. A recent rezoning request by this applicant to rezone the Willowbrook property to the R-L Zone was recommended for approval by the Planning Board (A-9968) and is being considered as part of the endorsed Bowie and vicinity sectional map amendment. The applicant proposes that both Willowbrook and Locust Hill will be developed in a unified manner so as to become one community with shared facilities and amenities. In combination, Locust Hill and Willowbrook are proposed to contain approximately 1,179–1,418 units on 934 gross acres. Willowbrook anticipates 490 single-family detached and attached dwellings and 155 active adult dwelling units.

To the east of Willowbrook are the 920-acre Collington Center, Collington Corporate Center, and Collington Land Reserve Area (Collington South). The 362-acre Karrington mixed-use development is north of Collington Center and is approved for office, retail, and a mix of residential development to include single-family, townhouse, multifamily apartments and condominiums, and senior housing (1,239 total dwellings).

Surrounding the 425-acre portion of Locust Hill that is south of Leeland Road are scattered single-family dwellings on large unsubdivided lots to the east. South of these lots is the Beechtree development, which is located on the west side of US 301, and bounded on the north by Leeland

Road. Beechtree is in the R-S Zone with a density of 3.0 dwellings per acre with both single-family and multifamily dwellings.

Scattered commercial uses exist along US 301. South of Locust Hill is the existing Brock Hall Manor and Brock Hall Gardens subdivisions in the R-E Zone, and Rustic Ridge subdivision in the R-R (Rural-Residential) Zone. To the west are townhouses and single-family dwellings in the R-S zoned Perrywood subdivision and the existing Queen Anne Parish School and St. Barnabas Episcopal Church (Historic Site No. 79-059) in the R-E Zone.

Zoning Requirements: Section 27-195(b) provides that prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

**(A) The proposed Basic Plan shall either conform to:**

- (i) The specific recommendation of a General Plan map, Area Master Plan map, or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or**
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity of nonresidential buildings, and the location of land uses.**

**APPLICANT'S POSITION:**

The applicant addresses conformance to the 2002 General Plan and both the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan and 1993 Subregion VI Study Area Master Plan. The following justification is provided to support compliance with General Plan objectives and policies. The property is in the 2002 General Plan's Developing Tier.

**2002 General Plan:** The applicant states the following:

“The first objective noted in Table 1: General Plan Objectives of the 2002 General Plan is to ‘Capture a designated percentage of the county’s dwelling unit growth by 2025 within each tier.’ The percentage for the Developing Tier is 66%. The applicant concurs with the objectives [sic] 2002 General Plan. Because the applicant is seeking a rezoning via the Comprehensive Design Zone process, and has chosen the R-L (Residential Low Development) zone as the best vehicle to accomplish the stated goals of the General Plan, this application is consistent with the [following] objectives of the General Plan:

**“POLICY 1: Encourage low-to moderate-density, transit-and pedestrian-oriented development.**

“Applicant’s Response: The Applicant is requesting the Residential Low Development (R-L) Zone. This zone provides for low-density residential development in areas recommended by both relevant Master Plans for alternative low-density development techniques. The zone allows a mixture of residential types and lot sizes generally corresponding to single-family development;

provides for limited commercial uses necessary to serve the dominant residential uses. The site plan in conjunction with this application proposes a low-to-moderate-density development.

**“POLICY 2: Preserve and enhance environmental features and green infrastructure elements.**

“Applicant’s Response: Considerations for the natural slope and natural beauty of the existing land have been made in the design plans. Additionally, the construction of the new community will adhere to the Landscape Manual’s requirements, and it is the goal of those involved with this project to develop a site that will be aesthetically pleasing.

**“POLICY 3: Provide as many multimodal options as possible for new development to reduce the need for new arterial or major collector roads.**

“Applicant’s Response: The adjacent Willowbrook development will have a shuttle bus to serve the senior housing. Furthermore, the area is served by Metro Bus and the nearest Metro Station is the Largo Town Center Station, which is only about 4.6 miles, a driving distance of approximately 10 minutes. It is expected that the development will be designed subject to the latest criteria for on-site sidewalks and pedestrian connectivity. Oak Grove Road will be upgraded with frontage improvements and signage will be provided to endorse bicycle compatibility along Oak Grove Road.

**“POLICY 4: Plan and provide public facilities to support the planned development pattern.**

“Applicant’s Response: The Applicant will plan and provide the necessary public facilities as determined by the state and county to support the planned development pattern. Construction of Oak Grove Road and paying the anticipated schools and public safety surcharge fee will also contribute to the sustainability and adequacy of the public facilities in the area.”

**Staff Comment:** Staff agrees that the application is consistent with the 2002 General Plan development pattern policies for the Developing Tier discussed above. Part of the General Plan’s vision for the Developing Tier is to maintain a pattern of low-to moderate-density suburban residential communities that are increasingly transit serviceable.

Staff notes that the Bowie City Council has reviewed the application from the perspective of the 2002 General Plan’s emphasis on protecting environmental features. A January 18, 2006, letter from the Mayor states: “Because the density proposed for Locust Hill is comparable to the surrounding developments of Oak Creek Club and Willowbrook, the City Council believes the findings for approval of a Basic Plan stated in the Zoning Ordinance can be met.” The City supports the use of clustering development in comprehensive design zones on smaller lots as a means to minimize disrupting sensitive environmental features. Therefore, the City recommends the following condition:

“The Basic Plan shall be revised to show a more compact development pattern using smaller lot sizes and additional carriage units (especially south of Oak Grove Road/Leeland Road) on the upland portions of the property to alleviate the need to disturb large areas of highly erodible soils found on steep slopes adjacent to streams.”

The technical staff believes the conditions recommended by the Environmental Planning Section and contained in the Conclusion section of this staff report adequately address the city's concern and recommended condition. The number of attached units cannot exceed 20 percent in the R-L Zone and the zone must also provide a large lot component. Because of extensive environmental constraints, staff recommends that the final location of various dwelling types should be decided at the time of CDP review.

**1993 Subregion VI Study Area Master Plan:**

The applicant submits that the Subregion VI Comprehensive Plan reflects maintaining Residential Estate as the recommended zone for this portion of Locust Hill, i.e., the area south of Oak Grove and Leeland Roads. The applicant further notes that the master plan recommends the R-E and R-A Zone, and the appropriate Comprehensive Design Zone would therefore be the R-L Zone. The density range in the R-L Comprehensive Design Zone is 1.0 to 1.5 dwelling units per gross acre. This indicates that the proposed R-L that this application is requesting meets the Criteria for Approval as outlined in Section 27-195, which is discussed in the applicant's analysis below.

The applicant provides the following analysis of the master plan:

**“Recommendation 4**—This recommendation urges the retention of Rural Planning Areas ‘to the maximum degree possible’ in their existing Low Rural and Rural character. The recommendation further states:

“‘The defined open space network of streams, floodplains, Primary Management Areas, trails and parklands should be used where possible to define limits to residential development, preserve natural amenities and as a means of providing nonvehicular connections among community subareas. See page 87 of the Subregion VI Master Plan.’

“Applicant’s Response: Locust Hill will be defined by a network of open space, streams, parklands, floodplains, Primary Management Areas and proposed trails, which will define the limits of residential development. We are preserving these natural amenities, including the viewsheds and other naturally existing features on the property.”

**Staff Comment:** Staff agrees that the Basic Plan has generally been developed using a framework of natural features to define the location and limits of residential development in accordance with the master plan. However, the Basic Plan shows infringement upon the Patuxent River Primary Management Area (PMA) in several locations that will require preservation or minimal disturbance.

**“Recommendation 6**—The predominant housing type in the Study Area shall continue to be single-family detached dwelling units. Other structural forms such as townhomes shall only occur in Urban and Suburban areas and only in interior locations within projects that are being developed under a Comprehensive Design Zone and where such forms are compatible with local land uses and citizen attitudes. See page 87 of Subregion VI Master Plan.

“Applicant’s Response: We believe that the predominant development, although at low density, is suburban throughout the neighborhood in which Locust Hill is located. Locust Hill will be a suburban development also at a low density (1.0 to 1.5 dwelling units per acre). As previously stated, our Basic Plan’s predominant housing type is single-family detached dwellings. We will



also have carriage units which [are] a unique single family attached product. Lot size for the carriage homes will be 3,100 square feet. The carriage homes will be constructed in groups of 3 to 4. The units are approximately 100 feet deep and range in width from 31 to 34 feet. Each unit will provide over 2,400 square feet of finished living space and features a 2-car garage. The number of carriage houses/units (which are attached) provided on site will be limited to 20%, as provided by County Code Section 27-514.10 (d)(1). As reflected in our Basic Plan, the predominant housing type at Locust Hill will be single-family detached dwellings. In that we are developing Locust Hill under a Comprehensive Design Zone (Residential-Low), and believe that attached carriage houses are a form of housing that is compatible with local land uses and citizen attitudes, we will provide a limited number of these units at Locust Hill. Since the R-L Zone permits up to 20% of units to be “attached,” our Basic Plan is consistent with this limit. Further, with regard to the carriage homes, we believe that these are specialty units, not typical townhouses. They are attractive viewed from the road and should not be placed within the interior of the development”.

**Staff Comment:** Staff finds the applicant’s proposal to be in conformance with this recommendation. Single-family housing is predominant and the proposal contains up to 20 percent attached housing and a large lot component of approximately 10 percent of total units. The large lot component will consist of a mixture of one-acre lots and lots having a minimum 120 feet of street frontage. Staff believes the location and proposed design of the attached townhouse units (carriage homes) does not impair the intent of the above master plan recommendation. The proposed attached units will contain three attached dwellings that convey the character of a large single-family dwelling. The Basic Plan shows an 80-to 100-foot-wide landscaped setback from the future realignment of Oak Grove Road. With the Black Branch stream valley on the north, the proposed ten-acre active parkland to the east, and the church cemetery to the west, the carriage units are essentially internal to the development.

**“Recommendation 7—**The use of Comprehensive Design Zones (CDZs) is recommended as a development technique within the Subregion VI Study Area. Density increases are granted the developer in exchange for public benefit features indicated in the development plan. CDZs generally allow more diversity, incur lower public costs and result in better designs. Areas proposed in this Master Plan for residential use are placed in density ranges that are equated with both the nearest Conventional (Euclidean) and Comprehensive Design Zones. (See Table 22, Implementation Zones.) At the same time, the Sectional Map Amendment (SMA) is prepared solely in terms of the conventional Euclidean zone option. CDZs cannot be placed on zoning maps by the District Council during the SMA process, unless an application has already been filed. Applications for the CDZ alternatives may subsequently be filed by individual landowners as a discretionary preference. It is important to note that use of Comprehensive Design Zones should not be used to increase density levels beyond the gross density ranges recommended in the Plan Map. This recommendation for use of the CDZ technique does not apply in the planned Low Rural, Rural and Estate land use categories, where the result would be out of character with the style of existing development. See pages 87-88 of the Subregion VI Master Plan”.

**“Applicant’s Response:** Consistent with the above recommendation, Locust Hill will be developed under a Comprehensive Design Zone, Residential-Low (R-L), in order to utilize the flexibility which the CDZ allows. Public benefit features associated with the subject property include a buffer area between the St. Barnabas Episcopal Church and the Queen Anne Parish School, a portion of which will be planned for future athletic fields and/or Parish facilities. As previously indicated, this buffer will be conveyed to the Queen Anne Parish. Additionally, the developers of Locust Hill will be partly responsible for the realignment and construction of Oak

Grove Road, which also is a significant public benefit. There is also a proposed church site, for which we are providing the acreage. The proposed church site is located north of Oak Grove Road east of the proposed carriage homes. Acreage for the church site will come from both the Willowbrook and Locust Hill properties”.

**Staff Comment:** Staff agrees with the applicant’s response. It is noted that Footnote 1 in Table 22 of the Subregion VI Master Plan indicates that: “Comprehensive Design Zones of equivalent density to Conventional Zones are an alternative in all cases, assuming they can be applied to specific tracts through approved site plans.” The R-L Zone density range is within the gross density of 0.8 to 1.5 dwellings per acre as listed in Table 22 for the R-E Zone, with a maximum density of 1.08 in the conventional R-E Zone. We note that Table 22 does not anticipate the use of the low density R-L Zone (1.0 to 1.5), even though density in Estate areas can range from 0.8 to 1.5 dwellings per acre. The table only envisions the use of higher densities allowable in more dense CDZ’s (R-S, R-M, R-U, R-P-C, and L-A-C). However, we note that the master plan text specifically recommends consideration of the “...R-L Zone for all tracts in the MD 202 corridor which are designated as such and meet the standards for Estate Residential land use” (Page 91). Properties that are designated on the plan map for Estate density include the subject property and essentially all other properties to the south that are within the Marlboro Community and east of MD 202.

Staff believes that the R-L Zone, with its three-phase development review procedures, provides a more viable development alternative than obtainable in the conventional R-E Zone particularly recognizing that many surrounding properties have or will be developed in compatible Comprehensive Design Zones. The R-L Zone will give the applicant far greater incentive to provide public benefit features needed to create a superior development. The Comprehensive Design Plan (CDP) and subsequent development reviews will ensure compatibility with surrounding development, planned public facilities, and that adequate public facilities and amenities are incorporated to ensure balanced land development, improved quality of life, and variety of residential development to conveniently serve the residents of Locust Hill. The exact number of dwelling units will be determined through approval of the CDP.

Staff also recognizes that the Subregion VI Master Plan (Recommendation 7) recommends that CDZs not be used in areas of Low Rural, Rural and Estate land use categories. However, it does so only with a caveat that the result would not “be out of character with the style of existing development” (Page 88). In fact, the subject property adjoins land in, or pending rezoning to the R-L Zone, to the north and east (Oak Grove and Willowbrook, respectively). Adjacent to the south is an R-E zoned subdivision and an R-R zoned subdivision. To the west is a mixed R-S zoned subdivision (Perryville) with scattered townhouses and single-family residential. The Queen Anne Parish School and historic St. Barnabas Church are located adjacent to the west. The applicant proposes a 65-acre open space buffer area adjacent to the church/school property that is one of the public benefit features associated with this application. The area will also be used for on-site tree mitigation and future athletic fields near the school or parish facilities. Other compatibility concerns can be evaluated during review of the CDP. Thus, it is staff’s opinion that the R-L Zone review procedures will ensure that the subject property develops in a manner compatible with other recent development in the master plan’s Marlboro Community.

**“Recommendation 9**—Planned parkland and trail acquisition and improvement as defined in the Public Facilities chapter should occur at a rate which matches residential and population growth in the Study Area and the County as a whole, ensuring that adequate recreational amenities are available at all times for County and local residents.

“Applicant’s Response: We believe that our Basic Plan embraces this recommendation in that our plan provides parklands and trails in the amount of approximately 25 +/- acres. The parklands and proposed trail network will ensure adequate recreational amenities that are commensurate with our proposed population. We are further proposing open space. In addition, we are enhancing Oak Grove Road, and providing water quantity and quality protection. Lastly, many of our houses will be oriented in such a fashion that is solar efficient.”

**Staff Comment:** The Subregion VI Master Plan shows the 30-acre portion of the subject property east of the railroad tracks for stream valley parkland to include trails. In addition, the Basic Plan shows fingers of open space along small streams and interspersed throughout the development. The applicant has been working with the Department of Parks and Recreation (DPR) to resolve all active parkland needs and requirements and the provision of appropriate recreation facilities. Section E of this staff report contains DPR staff findings. Comments from DPR are below under Parks, Recreation and Trails.

**1991 Bowie-Collington-Mitchellville and Vicinity Master Plan:**

The 82 acres north of Oak Grove Road are within this master plan area and are in the R-A Zone. Implementation of the plan could be via conventional Large Lot (R-A) Zones or Alternative Low-Density Comprehensive Design Zones, such as the R-L Zone. The applicant is correct in noting that Table 14 in the 1991 master plan indicates that the appropriate CDZ for implementing Large Lot/Alternative Low Density development is the R-L Zone with a density range between 0.5 and 1.5 dwellings per acre.

While the 1991 master plan is currently being updated and nearing final approval by the District Council, it provides insight as to the most current recommendations of the broad community for the subject property. According to Map 23 in the July 2005 Adopted Master Plan, “Bowie and Vicinity Proposed Land Use,” the subject property is recommended to be Residential Low-Density. According to Map 24, Bowie and Vicinity Proposed Zoning, the subject property is recommended for the R-L Zone. In accordance with Section 27-140, the Planning Board may consider the recommendations of a preliminary master plan, when the plan is prepared pursuant to Section 27-225.01.05, prior to its approval by the District Council, when making a recommendation on a CDZ application.

The applicant refers to the 2005 Adopted Bowie and Vicinity Master Plan *and* states the following:

“The area in which Locust Hill is located is addressed in the Master Plan update for Bowie and Vicinity. Policy 6 reads: ‘Improve site design to maximize the preservation of environmentally sensitive areas, encourage a diversity of housing types, provide a mix of land uses in appropriate locations, and reduce the cost of providing new roads and other public facilities.’ According to both the [1991] approved Bowie, Collington, Mitchellville and Vicinity Master Plan and the Bowie and Vicinity update plan, the proposed land uses and densities proposed under this application are within the recommendations.

“Strategy 3 under this policy states [referring to Page 13 of the adopted 2005 master plan]: ‘Recommend and support future rezoning to residential Comprehensive Design Zones at selected locations.’ While the Locust Hill property is not specifically referenced among the selected locations, it should be noted that one of the selected locations covers property located on the

north side of Leeland Road and Oak Grove Road between US 301 and Church Road, which is the Willowbrook property. The [adopted] Master Plan text reads as follows (referencing the site of Willowbrook):

““This property contains approximately 417 acres. Most of this site is not suitable for employment use, as previously planned, given the properties substantial environmental constraints. Lower intensity land use would reduce the number of vehicle trips on nearby roads. Low-density residential development at 1.0 to 1.5 dwelling units per acre would provide lot layout flexibility, while protecting open space and environmentally sensitive areas. The CDZ/R-L (Residential-Low) Zone is suitable at this location because it is compatible with the average density of 1.3 dwelling units per acre for the Oak Creek development located adjacent to this property. Low-density residential development will have less adverse impact on available public facilities, including schools, public safety and roads. It provides an appropriate pattern of single-family development that is in keeping with the policies of the Developing Tier. It provides a suitable transition from 3.0 dwelling units per acre found on the Beechtree development, south of this site. Active senior housing is encouraged.’

“We believe that, logically, the Locust Hill property can be zoned consistent with this specific recommendation (i.e. to the R-L Zone). Given the close proximity of Willowbrook and Locust Hill, which are adjacent to one another, and recognizing that Locust Hill shares many of the characteristics of the Willowbrook property, it seems consistent with planning goals concerning this location to also include Locust Hill under the above recommendation. Both Willowbrook and Locust Hill have substantial environmental constraints. As such, the rationale underlying the low-density residential development of Willowbrook to provide layout flexibility, while protecting open space and environmentally sensitive areas, is reasonably applicable to Locust Hill. Further, inasmuch as the Locust Hill property is covered by the Bowie & Vicinity Master Plan, the proposed Basic Plan is in conformance.

“The development of Locust Hill and Willowbrook will create a sense of place in the area. These will have a network of trails, providing a pedestrian-oriented environment. As noted throughout this statement, a diversity of housing types will be provided at a level of quality which will protect and enhance the existing neighborhood character”.

**Staff Comment:** The Community Planning Division staff (December 23, 2005, memorandum) indicates that the application is generally in conformance with the land use recommendations in the 1993 Subregion VI Study Area Master Plan, the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan, and the pending 2005 Adopted Master Plan and Endorsed Sectional Map Amendment for Bowie and Vicinity. It is noted that the 2005 Approved Countywide Green Infrastructure Plan identifies both an Evaluation Area and a Regulated Area within the subject property. No development is allowed in the Regulated Areas.

**(B) The economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.**

**Staff Comment:** There are no retail commercial uses proposed for this site.

- (C) **Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which 100 percent of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plan, or urban renewal plans.**

**Staff Comment:** The applicant discusses several arterial and collector roadway improvements that are proposed in the 2005 Adopted Bowie and Vicinity Master Plan that they believe will have a positive impact on the proposal. However, these proposed improvements are essentially the same improvements recommended in the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan that were used to assess the adequacy of transportation facilities based on buildout of the 1991 master plan. The applicant also relies on the roadways proposed in the 1993 Subregion VI Master Plan.

The Transportation Planning Section staff (December 19, 2005, memorandum) indicates the application and traffic study were reviewed based on the following standards for the General Plan's Developing Tier:

“Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the Developing Tier.

“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 traffic controls) if deemed warranted by the appropriate operating agency.

“In a rezoning application, a comparison is generally made between the trip generating potential of the subject property, based on the highest and best use of its current zoning category, versus the highest and best use permitted in the zoning category being sought. The table below illustrates the two existing zones and the associated densities:

Estimated Trip Generation (Existing Zoning)		
Zoning/Use ( <b>existing</b> )	Dwelling Units (DU's)	Daily Trips
R-A: 0.5 dwelling unit/acre	81.8 acres x 1.5 = 122 DU's	122 x 9* = 1,098
R-E: 1.08 dwelling units/acre	425.2 acres x 1.08 = 459 DU's	459 x 9 = 4,131
	<b>Total DU's = 581</b>	<b>5,229 daily trips</b>

\* Based of trip rates from the *Guidelines*.

Estimated Trip Generation (Subject Application)		
Zoning/Use ( <b>proposed</b> )	Dwelling Units	Daily Trips
R-L: 1.0 – 1.5 (507 acres)	507-760	4,563-6,840
<b>Total</b>	<b>Total DU range: 507-760</b>	<b>4,563-6,840</b>

“The subject application is seeking a rezoning to the R-L (1.0–1.5) Zone. On the basis of the information presented in the application and its supported documents, staff concludes that if this application were approved, the maximum number of trips that could be generated would be 6,840 daily trips, based on a maximum density 760 single-family dwelling units on 507 acres. In contrast, based on its current R-A and R-E zoning, the property could potentially generate 5,229 daily trips, based on 581 single-family dwelling units.

“For a basic plan approval, Section 27-195 (b)(1)(C) of the *County Code* requires the applicant to meet several criteria including the following:

““Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans.’

“Based on staff’s review, and considering the upper ranges of the development potential for the proposed condition, staff concludes that the trip generating potential based on the proposed rezoning would lower the level of service anticipated by the land use and circulation systems shown on the approved [1991] *Bowie-Collington-Mitchellville and Vicinity Master Plan*. If however, the proposed development on the subject property were limited to a mix of housing types with a total daily trip production of no more than 5,229 daily trips, then staff will conclude that such uses will not lower the level of service anticipated by the land use and circulation systems shown on the approved *General or Area Master Plans*.

“Traffic circulation/capacity: The applicant has provided staff with an illustrative rendering of a site layout of a possible scenario. This scenario shows a development consisting of a mix of up to 718 dwelling units, which are being served by two access points on Leeland Road.

“Since the master plan analyses typically address capacity of roadway links and not intersections, it has not been determined at this time what the impact of this rezoning would have on individual intersections. To that end, the applicant will be required to provide a traffic study at the time of the filing of a Comprehensive Design Plan (CDP) as well as a Preliminary Plan of Subdivision. The traffic shall address capacity issues at the following intersections:

- “• US 301/MD 725
- “• US 301/Village Drive
- “• US 301/Leeland Road
- “• US 301/Trade Zone Avenue
- “• Leeland Road/Safeway Access
- “• Oak Grove Road/Church Road
- “• Oak Grove Road/MD 193
- “• MD 202/MD 193
- “• Link of Leeland Road Between US 301 and MD 202

“Master Plan: The subject property is within the area covered by the 1991 approved Bowie-Collington-Mitchellville & Vicinity Master Plan and the 1993 Subregion VI Study Area Master Plan. Oak Grove Road-Leeland Road, which is straddled by the subject property, is designated as a four-lane major collector (MC 600) within a 100-foot right-of-way. This applicant will be required to dedicate and build the master planned facility in a manner that is consistent with DPW&T requirements.

“The Transportation Planning Section concludes that this application, pursuant to Section 27-195 (b)(1)(C) of the *County Code*, has met the required findings. In approving this application however, the following conditions are recommended:

- “1. Development on the subject property shall be limited to residential dwelling generating no more than 5,229 daily trips.
- “2. At the time of the submission of a CDP/Preliminary Plan of Subdivision, the applicant (or his heir, successors or assignees) shall provide a traffic study that analyzes the following intersections:
  - “• US 301/MD 725
  - “• US 301/Village Drive
  - “• US 301/Leeland Road
  - “• US 301/Trade Zone Avenue
  - “• Leeland Road/Safeway Access
  - “• Oak Grove Road/Church Road
  - “• Oak Grove Road/MD 193
  - “• MD 202/MD 193
  - “• Link of Leeland Road-Oak Grove Road Between US 301 and MD 202 Road.”

**(D) Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries and fire stations) will be adequate for the uses proposed.**

The applicant’s justification statement evaluates the proposal against the public facility policies and recommendations contained in the July 2005 adopted Bowie and vicinity preliminary master plan. The applicant concludes that all public facilities are or will be adequate to accommodate the proposal based on existing and programmed facilities.

**Staff Comment:** Staff agrees that public facilities are or will be adequate for the uses proposed as indicated in the following referral reply from the Public Facilities Planning Section (November 29, 2005, memorandum):

### **Fire and Rescue**

The existing fire engine service at Kentland Fire Station Company 46, located at 10400 Campus Way South, has a service travel time of 6.5 minutes to the entrance at the intersection of Oak Grove Road and Church Road, which is beyond the 5.25-minute travel time guideline. The facility also provides ambulance and paramedic service within response time standards.

However, there is a proposed and planned fire station on Leeland Road, which will provide engine service within response time standards. The subject site is located approximately 1/2 mile from a proposed Beechtree (Leeland Road) fire station site, which is in the 2006-2011 CIP, Item No. LK 510423. It is proposed to cost \$2,570,000 and is scheduled for completion in 2010.

### **Police Facilities**

The proposed development is within the service area for Police District II-Bowie. The Planning Board's current test for police adequacy is based on a standard complement of officers. As of January 2, 2005, the county had 1,302 sworn officers and 43 student officers in the Academy for a total of 1,345 personnel, which is within the standard of 1,278 officers. This police facility will adequately serve the population generated by the proposed low suburban density residential complex.

### **Schools**

Students in the subject area are currently assigned to attend Perrywood Elementary, Kettering Middle School and Largo High School. An adequate public facility schools test will be conducted at the time of subdivision application. However the Bowie area elementary capacity is programmed to increase with the addition of an elementary school on Northview Drive, which is contained in the FY 2006-2011 Capital Improvement Program [for completion] in 2006.

### **Library Facilities**

The Locust Hill vicinity is primarily served by the Largo-Kettering Library. In addition, the Upper Marlboro Branch on Main Street provides service and the 2006-2011 Capital Improvement Program contains a South Bowie Branch, which is proposed for completion in 2009.

### **Parks, Recreation and Trails**

**Trails:** The Transportation Planning Section staff (December 13, 2005, memorandum) indicates the following regarding trails and recommends several conditions contained in the Conclusion section of this staff report, as modified in consideration of comments from the Department of Parks and Recreation. A more detailed analysis of master plan and internal trail networks will be completed during CDP and SDP review. Connections between neighborhoods and to master plan trails will be a priority. Sidewalk systems will also be an integral part of the pedestrian network.

- The Subregion VI Master Plan shows a stream valley trail along Collington Branch. Both the applicant and the Department of Parks and Recreation (DPR) have had extensive discussions and field visits to discuss the proposed location of this trail in both the subject property and the applicant's adjacent Willowbrook development on the north side of Leeland Road. This trail will eventually connect with the Karrington and Beech Tree communities.
- The 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan shows a trail/bikeway corridor along Oak Grove, Leeland and Church Roads. An Oak Grove Road trail is being implemented through the Oak Creek Club subdivision (4-01032) as a side path along the north side of Oak Grove Road (west of Church Road). The Church Road trail is being implemented as a side path along the east side of Church Road



through Oak Creek Club. Staff recommends that these improvements be continued on the subject property's frontages along Church and Oak Grove Roads.

- The 2005 Adopted Bowie and Vicinity Master Plan reaffirms these recommendations and also recommends a master plan trail along Black Branch. This trail has also been approved through the Oak Creek Club subdivision along either the east or west side of the stream valley. The adopted plan recommends that this stream valley trail be extended to the southeast to the area including the northern portion of Locust Hill. Staff recommends that this stream valley trail be constructed along the subject site's portion of the Black Branch stream valley. This trail should either be within land dedicated to M-NCPPC, or within a public use easement on HOA land.

**Parks and Recreation:** Based on their review of the application, the Department of Parks and Recreation (DPR) staff (January 27, 2006, memorandum) made several findings. Based on the findings that follow, the DPR staff submits several conditions contained in the Conclusion section of this staff report that are recommended if this application is approved:

“Findings:

- “...The Master Plan for Subregion VI Study Area designates Collington Branch as a public stream valley park. The Collington Branch stream valley park is owned by M-NCPPC and adjoins the subject property to the east and continues to the south. The M-NCPPC also owns the Black Branch stream valley in the Oak Creek development north of the subject property. A hiker/biker trail shall be constructed by the Oak Creek developer in the Black Branch stream valley up to the northern property line of Locust Hill. The Black Branch stream valley within the Locust Hill property is a missing link in providing a continuous linear public park along the Black Branch and a trail connection between the planned Oak Creek Community Park and planned Willowbrook Community Park. The master plan also recommends a hiker/biker trail along the Collington Branch. The master planned trail along Collington Branch will be constructed in the Beech Tree and Willowbrook properties to the east. The missing link making the connection to the Collington Branch stream valley trail should be constructed in the Locust Hill development.”
- “The applicant’s proposal indicates that approximately 718 residential dwelling units will be constructed on the subject property. Using current occupancy statistics for single-family dwelling units, one would predict that the proposed development would result in a population of 2,200 additional residents in the community.”
- “The applicant proposes private recreation facilities although the amount and type has not been specified. The applicant has indicated that the majority of the private recreational facilities shall be provided on the applicant’s adjacent Willowbrook development.”
- “DPR staff met with the applicant and developed a mutually acceptable location and acreage for public parkland dedication in the Locust Hill development. The applicant agreed to dedicate approximately 10 acres of developable parkland on the northeast corner of the property next to the parkland to be dedicated from the Willowbrook property. The applicant agreed to grade a 10-acre portion of dedicated parkland for the future ball fields and a parking lot. DPR staff believes that a park at this location will conveniently serve the Locust Hill and Willowbrook communities.”

- “In addition, DPR staff recommends dedication of the Black Branch stream valley and construction of the hiker/biker trail, which will link proposed Locust Hill and Oak Creek community parks.”
- “Section 24-134 of the Prince George’s County Subdivision Regulations will require the mandatory dedication of 22.5 acres of parkland suitable for active and passive recreation at the time of subdivision.”
- “Section 27-511 of the Zoning Ordinance describes the purposes of the Comprehensive Design Zone in the R-L Zone (Residential Low Development). This section requires establishment (in the public interest) of a plan implementation zone. It states that, the location of the zone must be in accordance with the adopted and approved General Plan, or Master Plan. The purpose of the R-L Zone is to encourage that amenities and public facilities be provided in conjunction with residential development and to improve the overall quality and variety of residential environments in the Regional District. In addressing the compliance with the requirements of the Comprehensive Design Zone, the applicant mentions that future development of the subject property would include amenities, and provide public facilities as required by the state and county. The applicant proposes dedication of the Collington Branch stream valley, Black Branch stream valley, and 10 acres of developable parkland as shown on attached Exhibit A.”

**Staff Comment:** The technical staff agrees with the findings and recommendations of the DPR staff. However, we note that the applicant has proposed to provide a portion of private recreation facilities required for Locust Hill on the applicant’s adjacent Willowbrook development. This will result in transferring some of the recreation facilities/funds that would normally be required at Locust Hill to Willowbrook. The applicant believes this approach will enable them to leverage investment in recreation facilities to create larger and more economically viable swimming, clubhouse, and other recreation facilities at Willowbrook, which will benefit residents from both communities and will eliminate duplication of recreation facilities. Although the location, type, and amount of recreation facilities will not be determined until the time of CDP review, staff recommends that the applicant obtain approval for any transfer of Locust Hill recreation facilities/funds to be used at the Willowbrook property from the Department of Parks and Recreation, in consultation with the Urban Design Section, prior to approval of the CDP. In addition, the applicant should submit appropriate covenants to the Department of Parks and Recreation that will ensure that residents of both the Locust Hill and Willowbrook communities will have equal access to membership in and use of open space and recreational facilities in either community.

**(E) Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety and welfare of the present and future inhabitants of the Regional District.**

The applicant proposes using the site’s natural contours, woodlands, and other natural features to shape development envelopes while minimizing impacts to floodplain, wetland, and other sensitive areas.

## Natural Environment

The Environmental Planning Section staff (December 12, 2005, memorandum) provides the following comments on the relationship between this proposal and the natural environment. Recommended conditions intended to protect and preserve sensitive environmental areas and features are included in the Conclusion section of this staff report.

1. “The site is located within the Countywide Green Infrastructure Plan’s network. Several areas designed as regulated areas within the network are located on-site. The remainder of the site is within designed evaluation areas of the plan, except for the open area in the middle of the site. The site contains major tributaries to Collington Branch which are located to the east of the railroad tracks. Some smaller tributaries exist on-site in addition to the major tributaries. These stream systems are within the Patuxent River watershed and as such they are regulated as the Patuxent River Primary Management Areas (PMA). These areas are required to be preserved in the Subdivision Ordinance.

“The Bowie and Vicinity Preliminary Master Plan (adopted July 2005) designates Collington Branch as one of two primary corridors, the other being the Patuxent River. The text states: ‘protect primary corridors (Patuxent River and Collington Branch) during the development review process to ensure the highest level of preservation and restoration possible, with limited impacts for essential development elements.’ As such, the proposal should be conditioned so that it is developed without impacts to the regulated features to the fullest extent possible.

“The illustrative plan shows approximate locations for the PMA on the site. A review of the topography revealed that the PMA limits may be more extensive on the site than those shown on the illustrative plan.

“The illustrative plan shows at least 12 separate impacts to regulated and sensitive environmental areas for the establishment of residential lots and unnecessary road crossings. The master plan alignment of Leeland Road as depicted on the plan shows several significant PMA impacts that can be avoided. This alignment is subject to further review to reduce impacts. Staff will generally not support impacts to sensitive environmental features that are not associated with necessary road crossings or the installation of public utilities that are required to serve the development as a whole.

“It appears that there are two entrances planned into the community to the south of the master planned roadway. Both of these road crossings will result in significant impacts to a major tributary to Collington Branch. The placement of these access points must be further evaluated in the future to determine the points of access that result in the least amount of permanent impacts to the PMA. Other impacts shall be limited to those necessary for utility installation.”

2. “Streams, wetlands, and floodplain associated with the Western Branch watershed of the Patuxent River basin occur on the property. The Subdivision Ordinance provides for the protection of streams, 50-foot stream buffers, wetlands, 25-foot wetland buffers, 100-year floodplain, adjacent areas of slopes in excess of 25 percent, adjacent areas of slopes between 15 and 25 percent with highly erodible soils, and specific areas of rare or sensitive wildlife habitat. The review package contains a discussion of the environmental features of the site and includes a detailed Forest Stand Delineation.

“A signed natural resources inventory(NRI) was not included in the application. Because of the numerous environmental features of the site, an approved NRI will be necessary at the time of comprehensive design plan. The main purpose of an NRI is to identify the environmental features that are regulated by federal, state and county code. Although a signed NRI is a required submission for any preliminary plan of subdivision, the information provided by an NRI is of significant value for the consideration of a comprehensive design plan.”

3. “Areas of sensitive wildlife habitat exist on the site and rare, threatened and endangered species have been identified in the Collington Branch stream system. These resources are generally confined to the wetland areas; however, surveys of the locations of rare, threatened and endangered species are needed to ensure that the proposed development does not cause undue impacts.” Note: Staff is aware that Collington Branch and its nearby tributaries contain populations of the state endangered fish, Stripeback Darter, and the state threatened American Brook Lamprey. Extensive forest clearing, grading and construction of impervious surfaces could potentially cause detrimental impacts to the aquatic habitat for these fish.”

4. “The property is subject to the requirements of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the site is more than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. A Type I tree conservation plan is required as part of any application for a comprehensive design plan.

“The woodland conservation threshold (WCT) for R-A zoned land is 50 percent of the gross tract and the WCT for R-E and R-L zoned land is 25 percent of the gross tract. The site is currently approximately 85 percent wooded. The site contains woodland for priority preservation along the stream, wetlands, and within the floodplain. Provisions to ensure the preservation of these features are needed. In addition, the Green Infrastructure Plan shows a major corridor along the Collington Branch stream valley that runs along the eastern property line. Given the proposed zoning, high quality of woodland, and extensive regulated areas, all woodland conservation shall be met on site.”

5. “According to the ‘Prince George’s County Soils Survey’ the soils found to occur according to the Prince George’s County Soil Survey are in the Adelphia, Bibb, Collington, Ochlockonee, Monmouth, Mixed Alluvial, Sandy Land, Shrewsbury, and Westphalia soil series. Some of these soils have a variety of limitations that could affect the development potential of the property including seasonally high water tables, impeded drainage, poor drainage and slopes.

“Extensive areas of Marlboro clay exist on the site. The elevation of the Marlboro clay layer could influence the location of various proposed structures. At this time, it is not possible to fully evaluate the proposed development without detailed information on the exact location and elevation of the clay. This evaluation requires the preparation of a Marlboro Clay geotechnical report prepared in accordance with the Prince George’s County ‘Criteria for Soil Investigations and Reports on the Presence and Affect of Marlboro Clay upon Proposed Developments’ as attached to this memorandum.

“It must be noted that the proposed layout as reflected by this application could be significantly altered by the findings of a Marlboro Clay geotechnical report because the setbacks necessary to provide the required 1.5 safety factor limits could potentially reduce the limits of the developable area on this site and could influence the location of roads.”

6. “The CSX Railroad is a significant generator of noise (labeled as Pennsylvania Railroad on the plans). A Phase I noise study is required to assess noise emanating from the railroad. All future plans must show the centerline of the railroad tracks.

“The railroad tracks are also a source of vibrations that could affect foundations. Any future development of residential lots should not occur within 150 feet of the railroad tracks.”

- (F) **Notwithstanding subparagraphs (C) and (D) above, where the application anticipates a construction schedule of more than six years (Section 27-179), public facilities (existing or scheduled for construction within the first six years) will be adequate to serve the development proposed to occur within the first six years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.**

This section is not applicable because construction is anticipated within six years. Within the six-year period, the applicant proposes the first and second phase north of Oak Grove Road, with the final stage south of the road.

**G. Conformance with the Purposes of the R-L Zone:**

The purposes of the R-L Zone are found in **Section 27-514.08(a)**

- (1) **Establish (in the public interest) a plan implementation Zone, in which (among other things):**
  - (A) **Permissible residential density is dependent upon providing public benefit features and related density increment factors; and**
  - (B) **The location of the Zone must be in accordance with the adopted and approved General Plan or Master Plan;**
- (2) **Establish regulations through which adopted and approved public plans and policies (such as the General Plan and Master Plans) can serve as the criteria for judging individual development proposals;**

- (3) **Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;**
- (4) **Encourage amenities and public facilities to be provided in conjunction with residential development;**
- (5) **Encourage and stimulate balanced land development;**
- (6) **Improve the overall quality and variety of residential environments in the Regional District;**

**Staff Comment:** Staff finds that development of the subject property in the R-L Zone will more nearly satisfy these purposes than could be obtainable in the property's existing zones. Unlike conventional development in the R-E and R-A Zones, the R-L Zone will encourage the applicant to provide a range of public benefit features to justify increasing density above the base density of 1.0 dwellings unit per acre. Density bonuses will be evaluated and approved during review of the CDP, but in no case will exceed the allowable density limit that is within the 1.5 dwelling per acre density parameters of both relevant master plans.

Both the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan and Subregion VI Master Plan recognize the use of comprehensive design zones as a primary means of implementing land use recommendations in the vicinity of the subject property. Both the 1991 Approved Bowie-Collington-Mitchellville and Vicinity Master Plan and the 2005 Adopted Bowie and Vicinity Master Plan recommend a density maximum of 1.5 dwellings per acre, as is proposed in this application.

The Subregion VI master plan recommends a density range between 0.8 and 1.5 dwellings per acre in areas recommended for Estate density, with a maximum density of 1.08 in the R-E Zone when developed under conventional regulations. The plan's table of implementation zones (Table 22; Page 88) does not anticipate the use of the low density R-L Zone with its density range of 1.0 to 1.5, even though the plan recognizes development in Estate areas can range from 0.8 to 1.5. The table only envisions the use of higher densities allowable in more dense CDZs (R-S, R-M, R-U, R-P-C, and L-A-C Zones). The master plan's text, however, envision use of the R-L Zone in the MD 202 corridor where Estate Residential is shown and the development would be compatible with surrounding developments. As previously noted, the subject property adjoins land in the R-L Zone to the north and east (Oak Grove and Willowbrook). An R-E zoned subdivision and a vacant R-R zoned subdivision are to the south. To the west is a mixed R-S zoned subdivision with scattered townhouses and single-family residential. The Queen Anne Parish School and St. Barnabas Church are located adjacent to the property and will be buffered by land proposed to be conveyed to the church.

A footnote in Table 22 of the Subregion VI Master Plan recognizes that: "Comprehensive Design Zones of equivalent density to Conventional Zones are an alternative in all cases, assuming they can be applied to specific tracts through approved site plans." Staff believes in this case, that the R-L Zone and its three-phase development review procedures provide a more viable development alternative than obtainable in the conventional R-E Zone. This is because the applicant has far greater incentive to provide public benefit features needed to create a superior development. The Comprehensive Design Plan and subsequent development reviews will ensure compatibility with

surrounding residential developments, planned public facilities and will ensure that adequate public facilities and amenities are incorporated to ensure balanced land development, improved quality of life, and variety of residential development.

Staff agrees with the applicant that the Locust Hill Basic Plan conforms to the relevant goals of the 2002 General Plan regarding residential development in the Developing Tier. The first General Plan goal for the Developing Tier is to maintain low to moderate density land uses (except in Centers and Corridors). Locust Hill is proposing a low-density residential development. Another goal is to reinforce existing suburban residential neighborhoods. For the most part, Locust Hill is surrounded by either vacant land or compatible low to medium single-family subdivisions. As previously indicated, however, Locust Hill and Willowbrook will be constructed in a unitary fashion to complement each other.

Staff is recommending several conditions in the Conclusion section of this staff report to ensure that the open space and recreation facilities required for Locust Hill are linked to master planned park, recreation, and trail needs both in Locust Hill, the applicant's adjacent Willowbrook development, and the community in general.

**(7) Encourage low-density residential development which provides for a variety of one-family dwelling types, including a large lot component, in a planned development;**

**Staff Comment:** The R-L Zone will allow development of a variety of housing types and lot sizes. The applicant proposes a mixed type of residential community comprised of 80 percent single-family detached dwelling units on various size lots and no more than 20 percent attached units (carriage homes). The carriage homes are clustered in separated groupings of three, giving the impression of one large single-family dwelling. These attached units will range in size from 3,100 to 3,400 square feet with over 2,400 square feet of living space and two-car garages. Regular single-family lots will range in size (up to 21,000 square feet). Approximately ten percent of the single-family lots will approach one-acre in size. Most of the regular sized single-family lots will be larger than those proposed in the applicant's adjacent Willowbrook development. The lot layout and size will be determined in subsequent review phases.

**(8) Protect significant natural, cultural, historical, or environmental features and create substantial open space areas in concert with a unique living environment.**

**Staff Comment:** The basic plan illustrates protection of the site's significant natural features by use of open space buffers and protection of stream valleys. The applicant indicates that the 100-year floodplain, steep slopes and wetlands will be protected. A 65-acre open space buffer will separate proposed residential development from the historic St. Barnabas Church and Cemetery (Historic Site 79-059). A summary of the Historic Preservation and Public Facilities Planning Section staff memorandum (December 19, 2005) provides the following findings. The Conclusion section of this staff report contains recommended conditions to address these findings.

1. Documentary and archeological investigation will be required to determine if physical evidence of slave dwellings, burial grounds, or the presence of Native American peoples, or other significant archeological resources exist. Staff indicates that the subject property was almost certainly part of the 850-acre Bowieville plantation during the antebellum period. Therefore in accordance with Subtitle 24-104, Section 24-121(18), and 24-135.01, a Phase I archeological investigation will be required to document the existence

of such resources prior to approval of the CDP. The Historic Preservation Commission may have further comments after the applicant provides the Phase I archeological investigative report.

2. Numerous prehistoric archeological sites may exist along Collington Branch and Black Branch as they traverse the property.
  3. When referencing historic resources in Prince George's County, the applicant is advised to refer to the Prince George's County Historic Sites and Districts Plan; not the Maryland Historic Trust (MHT).
  4. The Prince George's County *Landscape Manual* requires that a 50-foot building setback, and a 40-foot tree buffer be retained or planted on portions of the property that adjoins a historic site. The 65 acre buffer area adjacent to the St. Barnabas Church and Cemetery environmental setting appears to meet this requirement. The proposed new parish building/school program facility shall comply with these requirements.
  5. Oak Grove Road, between Leeland Road and MD202 is a historic road and is not proposed for widening. A new master planned realignment of Oak Grove Road will provide ingress/egress to the property. The retention of trees along the existing road can reinforce the character of adjacent historic properties.
- (9) Protect viewsheds and landscape/woodland buffers along the primary roadways and woodlands, open fields, and other natural amenities within the Zone.**

**Staff Comment:** A large buffer will be retained between the relocated Oak Grove Road and the residential lots on the southern portion of the development. The applicant proposes landscaped and woodland buffers as natural amenities along the road frontage. Other perimeter open space areas will preserve viewsheds and function as buffers.

## CONCLUSION

Based on the above analysis, staff finds that the requested R-L (1.0 to 1.5) Zone is in conformance with the specific recommendation of the 2002 General Plan map, the 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan map, the 1993 Subregion VI Study Area Master Plan map, and is consistent with the 2005 Adopted Bowie and Vicinity Master Plan map, including the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties. In consideration of all the merits of the application and the comments received, staff recommends APPROVAL, subject to the following Basic Plan revisions and conditions

1. Total residential development shall be limited to no more than would produce 5,229 daily vehicle trips, or 581 dwelling units. Because of extensive environmental constraints, the final location of dwelling types should be decided at the time of CDP review.
2. The Basic Plan shall be revised to show the following land use locations, types and quantities:

Total area:	507.0 acres
Land in the 100-year floodplain:	55.8 acres



Adjusted Gross Area: (total area less half the floodplain (27.9 acres))	479.1 acres
Density Permitted under the R-L Zone:	1.0–1.5 dwellings (d.u.)/ac
Permitted Dwelling Unit Range:	479–718 d.u.

Approved Land Use Types and Quantities:

Approved Dwelling Unit Range:	479–581 d.u.
Residential single-family detached:	383–465 du
Residential attached dwellings (carriage homes) (Not exceeding 20 percent):	96–116 du
Residential large lot (approximately 10 percent)	48–58 du
Total dwellings	479–581 du
Public Open Space (parkland and parks):	58 acres
Private Open Space Buffer:	65 acres
Church Site:	7.5 acres

3. The Basic Plan shall show the site delineation, acreage, and access to the proposed 7.5-acre church site located along the east side of Church Road and north of the existing cemetery.
4. Development shall preserve the Patuxent River Primary Management Area (PMA) to the fullest extent possible. Impacts to the PMA shall be minimized by limiting the number of road crossings, by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.
5. Alignment of the master planned collector roadway (MC-600) shall be evaluated in detail to determine the location that results in the preservation of the existing natural resources to the fullest extent possible.
6. A staff signed natural resources inventory (NRI) shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.
7. A protocol for surveying the locations of all rare, threatened and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources prior to acceptance of the CDP and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any application for preliminary plans.
8. The woodland conservation threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I tree conservation plan shall focus on the creation of contiguous woodland. Priority areas for tree preservation shall be concentrated in areas within the framework of the approved Green Infrastructure Master Plan. No woodland conservation shall be provided on any residential lot.
9. Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1. This note shall also be placed on all tree conservation plans.
10. A Marlboro Clay geotechnical report that identifies the location and elevation of the Marlboro Clay layer throughout the site shall be submitted as part of the preliminary plan application package.
11. A Phase I noise study shall be submitted with the preliminary plan application package. The noise study should address the location of the 65 dBA Ldn noise contour related to the CSX Railroad

tracks, and what mitigation measures, if any, will be required to reduce noise impacts to 65 dBA Ldn in outdoor activity areas.

12. If noise mitigation is required to reduce noise levels to below 65 dBA Ldn in outdoor activity areas, a Phase II noise study shall be submitted with the preliminary plan application package. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA Ldn interior.
13. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.
14. Prior to signature approval of this Basic Plan the applicant shall submit a revised plan showing parkland dedication and master planned trails for review and approval by the DPR staff. A detailed analysis of parkland, master plan trails, internal trail networks, sidewalk networks, and neighborhood connector trails will be completed at the time of specific design plan review by DPR and the Transportation Planning Section's senior trails planner.
15. The applicant and the applicant's heirs, successors, and/or assignees shall provide the following trail facilities:
  - a. Construct the 10-foot wide master plan hiker-biker trail along the subject property's portion of the Collington Branch Stream Valley and 6-foot-wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.
  - b. Construct the 10-foot wide master plan hiker/biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.
  - c. Construct a Class I master plan trail (or side path) along the subject property's entire frontage of both Oak Grove Road and Church Road.
16. A total of 58± acres of parkland shall be dedicated to M-NCPPC, including the Collington Branch and Black Branch stream valleys and 10 acres of developable land for active recreation as provided in the January 27, 2006, memo from the Department of Parks and Recreation.
17. The land to be conveyed to M-NCPPC shall be subject to the conditions of Exhibit "B" (Conditions for conveyance of land to M-NCPPC), as provided in the January 27, 2006, memo from the Department of Parks and Recreation. The conditions for conveyance are as follows:
  - a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
  - b. The M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalls, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.

- c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits, which include such property.
  - d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
  - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, the DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
  - f. All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance, prior to final plat approval.
  - g. No stormwater management facilities, or tree conservation or utility easements shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
18. The applicant shall grade a 10-acre developable portion of the dedicated parkland on the northeast corner of the property next to the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot. The parkland shall have a direct frontage on proposed Oak Grove Road.
  19. The applicant shall provide adequate, private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
  20. The applicant shall submit for Department of Parks and Recreation approval, prior to the time of CDP approval, appropriate covenants that shall be recorded in the County Land Records at final plat for both the Locust Hill and Willowbrook properties. The covenants are to ensure that residents within both the Locust Hill and Willowbrook communities will have equal access to membership in and use of open space and recreational facilities in both developments.
  21. At the time of CDP/preliminary plan of subdivision submission, the applicant heirs, successors, and/or assignees shall provide a traffic study that analyzes the following intersections:
    - US 301/MD 725
    - US 301/Village Drive
    - US 301/Leeland Road
    - US 301/Trade Zone Avenue

- Leeland Road/Safeway Access
- Oak Grove Road/Church Road
- Oak Grove Road/MD 193
- MD 202/MD 193
- Link of Leeland Road-Oak Grove Road, between US 301 and MD 202.

22. A qualified archeologist shall prepare a Phase I archeological report in accordance with approved Planning Board *Guidelines for Archeological Review* (May 2005). The draft report must also follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994). Following approval of the draft report, four copies of the final report must be submitted to M-NCPPC Historic Preservation staff. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations shall be required prior to signature approval.

The design of a Phase I archaeological methodology should be appropriate to identify slave dwellings, burial grounds, the presence of Native American peoples, or other significant archeological resources. Documentary research should include an examination of known slave dwellings and burial grounds in the surrounding area, their physical locations as related to known structures, as well as their cultural interrelationships. The field investigations should include a pedestrian survey to locate attributes such as surface depressions, fieldstones, and vegetation common in burial/cemetery environs. The Historic Preservation Commission (HPC) may have further comments after the applicant has provided the Phase I Archeological Investigation Report.

If the Planning Department determines from the report that potentially significant archaeological resources exist in the project area, then the applicant shall provide a plan, prior to approval of the preliminary plan of subdivision that shall:

- a. Evaluate the resource at the Phase II level, or
  - b. Avoid and preserve the resource in place.
23. The applicant must include Parcels 22 and 30, in their entirety, in a new preliminary plan of subdivision or demonstrate how Parcel 30 was legally divided.
24. The Basic Plan shall be at a scale of 1-inch=200-feet and shall be revised prior to the Zoning Hearing Examiner's hearing, to show the location of general development envelopes for each major type of residential development (single-family detached, attached, and large lot single-family), including the range of dwellings proposed for each type of residential development.
25. The 24 conditions of approval shall be printed on the face of the Basic Plan prior to signature approval.