



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-08011

Application	General Data
<b>Project Name:</b> Glenn View  <b>Location:</b> North side of Annapolis Road, approximately 500 feet east of the intersection of Annapolis Road and Forbes Boulevard.  <b>Applicant/Address:</b> Endless Horizons 12012 Lilim Lane Glenndale, Maryland 20769  <b>Property Owner:</b> Endless Horizons 12012 Lilim Lane Glenndale MD 20769	Date Accepted: 5/14/08
	Planning Board Action Limit: 7/23/08
	Plan Acreage: 6.55
	Zone: R-80
	Gross Floor Area: N/A
	Lots: 16
	Parcel/Outlots: 1/2
	Planning Area: 70
	Tier: Developing
	Council District: 03
	Election District: 20
	Municipality: N/A
200-Scale Base Map: 207NE09	

Purpose of Application	Notice Dates
Single-family residential subdivision.	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003) 2/19/08
	Sign(s) Posted on Site and Notice of Hearing Mailed: 9/23/08

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: Preliminary Plan of Subdivision 4-08011  
Glenn View Lots 1-16, Parcel A, and Outlot A and B

OVERVIEW

The subject property is located on Tax Map 45 in Grid E-3 and is known as Parcels 105, 107 and 152. The property is approximately 6.55 acres and zoned R-80, and has not previously been the subject of a preliminary plan of subdivision. The property is currently improved with a vacant dwelling which is to be razed. The applicant is proposing to subdivide the property into 16 lots, one parcel and two out parcels for the construction of single-family dwelling units. All of the lots proposed meet and or exceed the minimum standards for conventional development in the R-80 Zone. The minimum lot size required in the R-80 Zone is 9,500 square feet. The applicant proposes lots which range in size from 9,500 to 13,601 square feet, with an average lot size of 10,342 square feet.

The property is located on the east side of Annapolis Road (MD 450) and at the northern terminus of Diablo Avenue, which is proposed to extend into the site from the existing Glenwood Park neighborhood to serve the development. No access to this site is proposed via MD 450 nor is direct access to MD 450 recommended.

Diablo Avenue was platted in two parts, the first in 1956 (WWW 27@31) and then further extended to the subject property along the eastern property boundary in 1966 (WWW 60@10) as a stub street. As part of the Glenwood Park record plat recorded in 1956 (WWW 27@31) Elmira Avenue to the north was stubbed on to an abutting property. Both of these streets were intended to extend into abutting properties to serve future development. Staff is recommending a street pattern which extends Diablo Avenue west through the site in an alignment which will provide for a future connection to Elmira Avenue creating a loop road. As a part of the alignment of the extension of Diablo Avenue through the site, the Department of Public Works and Transportation (DPW&T) has requested that the area of Outlot A (1,747 square feet) and Outlot B (4,814 square feet) be incorporated into the area of land to be dedicated as a part of the public street right-of-way. This will provide two functions, one being to establish some flexibility in the alignment to ensure a connection can be accommodated, and to provide frontage on a public street to two abutting land locked parcels, as discussed further in the transportation section of this report. The applicant has revised the preliminary plan accordingly.

Staff would note that in general, streets which dead end in a cul-de-sac are not intended to extend on to abutting properties to serve future development as opposed to stub streets which are generally intended to extend onto abutting properties to serve additional development, as discussed further in the transportation planning section of this report.

The property is located within the Folly Branch Stream Valley drainage area. A number of properties within the area have been prone to flooding based on information provided by both existing homeowners of the abutting Glenwood Park Community and Councilman Olson's office, in who's district this property is located. As a result the DPW&T has required a revision to the original approval of the stormwater management concept plan and is requiring that the SWM concept plan provide for stormwater

management of the 100-year flood on site where a much lesser standard would normally be required. The layout proposed on the current preliminary plan accommodates the larger facility and required buffers from abutting lots.

The applicant has proposed Parcel A (1.21 acres) abutting MD 450 to be conveyed to a homeowners association. Parcel A will contain the stormwater management facility required by the DPW&T. In addition, a berm and fencing are being proposed by the applicant on Parcel A to mitigate adverse noise impacts associated with the proximity of the dwellings on Lots 10 and 11 to MD 450. Details of the noise mitigation measures are recommended to be a part of the Type II tree conservation plan, as discussed further in the environmental planning section of this report.

## SETTING

The 6.55-acre site, in the R-80 Zone, is located on the north side of Annapolis Road (MD 450) approximately 500 feet east of the intersection of Annapolis Road and Forbes Boulevard. The site contains a ruin, to be razed, and is approximately 85 percent wooded. The Glenwood Park Community zoned R-80 generally surrounds the property on the north and east. The M-NCPPC Folly Branch Stream Valley and Glenwood Neighborhood Park are located to the north and east. The Washington Business Park is located south across MD 450 from the subject property, zoned I-1.

## FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-80	R-80
Use(s)	Single-family dwelling	Single-family dwellings
Acreage	6.55	6.55
Lots	0	16
Outlots	0	2
Parcels	3	1
Dwelling Units:		
Detached	1(to be razed)	16 (new)
Public Safety Mitigation Fee		No

2. **Environmental**—The Environmental Planning Section has reviewed the preliminary plan and TCPI/016/08, and recommends approval of TCPI/016/08 subject to conditions. The Environmental Planning Section (EPS) has not previously reviewed any development applications for the site. However, EPS did previously review a Natural Resources Inventory, NRI/008/08, for the subject property.

The site is approximately 85 percent wooded. There are no streams or wetlands on the property and it is located in the Folly Branch drainage area of the Patuxent River watershed. According to the *Prince George's County Soil Survey*, the principal soils on this site are in the Christiana series. Marlboro clay does not occur in this area. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, rare, threatened, or endangered species do not occur on this property or on adjacent properties. No designated scenic or historic roads will be affected by the proposed development. The site has frontage along Annapolis Road (MD 450), a master planned arterial roadway that is regulated for noise. This property is located in the Developing Tier as reflected in the adopted General Plan.

## **Environmental Issues Addressed in the Glenn Dale-Seabrook-Lanham Master Plan**

The master plan does not indicate any environmental issues associated with this property. The environmental requirements for woodland preservation, stormwater management and noise are addressed below.

### **Countywide Green Infrastructure Plan Conformance**

Neither the subject property nor any adjacent properties are within the designated network of the Countywide Green Infrastructure Plan.

### **Environmental Review**

An approved Natural Resources Inventory, NRI/008/08, was submitted with the application. The NRI notes there are no streams, wetlands or 100-year floodplain on the subject property. The TCPI and the preliminary plan are in conformance with the NRI.

The forest stand delineation (FSD) indicates two forest stands totaling 5.61 acres and 11 specimen trees are located on the property. All of the specimen trees are to be removed. There are no priority preservation areas on the site.

The property is subject to the provisions of the Prince George's County Woodland and Tree Preservation Ordinance because the site is greater than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan (TCPI/016/08) was submitted with the review package.

The Woodland Conservation Threshold (WCT) for this 6.55-acre property is 20 percent of the net tract area or 1.31 acres. The total woodland conservation requirement based on the amount of clearing proposed is 3.50 acres. This requirement is proposed to be satisfied by 0.20 acres of on-site preservation, 0.10 acres of on-site reforestation, and 3.20 acres of off-site mitigation.

The plan requires some technical changes to be in conformance with the Woodland Conservation Ordinance. Soils are adequately shown on the approved NRI and are not necessary on the TCPI. The location of existing and proposed utilities and their associated easements are important to be shown on the plan because woodland conservation is not allowed in easements and clearing may be necessary. The proposed water and sewer utilities should be shown on the TCPI.

The site has frontage along Annapolis Road (MD 450), a master planned arterial roadway that is regulated for noise. The submitted plan shows the location of the unmitigated 65 dBA Ldn ground level noise contour based on a noise analysis prepared by Phoenix Noise & Vibration, LLC, dated September 17, 2008.

Based on the noise study provided, two lots (Lots 10 and 11) will be impacted by transportation noise from MD 450. The houses on these lots are proposed to be built using a "walk-out" design meaning that the back of the house is lower than the front. Mitigation is proposed in the form of modified architecture and a localized noise barrier to meet the state standard of 45 dBA Ldn for indoor areas and 65 dBA Ldn for outdoor activity areas. The mitigated 65 dBA Ldn noise contour should to be shown on the plan. The noise barrier must be clearly shown on the plan as being located on Parcel A, abutting MD 450. In addition, the notes on the plan must clearly indicate an appropriate elevation for the proposed structure to mitigate noise for outdoor activity areas to 65

dBa Ldn or less. In this case the noise mitigation is being placed behind the rear lot line on homeowner's association land and will provide a full 20-foot usable yard area outside the 65 dBA Ldn mitigated noise contour based on the submitted Phase I noise study. The only other option available to remove the requirement for a noise barrier would be to pull back or remove the cul-de-sac of Diablo Avenue so that the lots are outside the existing 65 dBA Ldn unmitigated noise contour.

Prior to signature approval of the preliminary plan, the TCPI should be revised to show the mitigated 65 dBA Ldn noise contour based on the submitted Phase I Noise Study and should show and label the proposed noise mitigation berming and fence on proposed Parcel A with at least 10 feet of space between the lot lines and the fence/berm for maintenance.

A Phase II Noise Study should be submitted with the Type II tree conservation plan. The findings of the Phase II noise study should then be reflected on the TCPII including the unmitigated and mitigated 65 dBA Ldn noise contours. The TCPII should provide details showing the proposed noise mitigation measures paying particular attention to cross-sections, construction material, and design so as to encourage functionality and a pleasing appearance.

Prior to the issuance of building permits for Lots 10 and 11 the reforestation area adjacent to the proposed noise mitigation device should be completed. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It should include, at a minimum, photos of the reforestation area and the associated fencing in relation to these lots, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

According to the *Prince George's County Soils Survey*, the principal soils on the site are in the Christiana series. This information is provided for the applicant's benefit. The County may require a soils report in conformance with CB-94-2004 during the building permit process review, which requires:

“For each proposed residential building lot on which a basement is proposed to be constructed, the hydrological characteristics of the lot to a depth of six feet below the finished floor level of the basement and the depth of the closest aquifer to the proposed final grade of the basement.”

CB-94-2004 was adopted as a revision to the Building Code for Prince George's County in 2004 for the purpose of requiring the submission of data concerning the presence of sub-surface water for proposed residential construction with a basement.

### **Water and Sewer Categories**

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources (DER) dated June 2003, and the site will therefore be served by public systems.

3. **Community Planning**—The subject property is located within the *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (1993)*, in Planning Area 70. The master plan recommendation for the property is for “suburban” land use densities. The 1993 SMA retained the property in the R-80 Zone which is consistent with a suburban land use density of 4.58 dwelling units per acre. The preliminary plan proposes a density of 4.09 dwelling units per acre which is consistent with the R-80 Zone requirements.

The 2002 General Plan locates the property in the Developing Tier. One of the visions for the Developing Tier is to maintain a pattern of low-to moderate-density suburban residential communities. The proposed preliminary plan is consistent with the recommendations of the General Plan and proposes suburban residential development.

4. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations the Department of Parks and Recreation recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location.
5. **Trails**—The existing Glenn Estates and Glenwood Park developments include standard sidewalks along both sides of all internal roads. Glenn Estates also includes an extensive network of internal trails, including a segment of the Folly Branch Trail. Standard sidewalks are reflected along both sides of all internal roads for the subject application.

The Approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan designate MD 450 as a master plan trail corridor. This trail has been completed by the State Highway Administration (SHA) through several recent road improvement projects, including along the frontage of the subject site. The master plan trail along MD 450 currently extends from the west of Forbes Boulevard to Race Track Road in Bowie. Staff initially recommended a connector trail from Diablo Avenue to the master plan trail. However, after further evaluation, it appears that steep topography makes a trail connection at this location not feasible. Trail access from the subdivision to the master plan trail will be via the existing sidewalk network.

6. **Transportation**—The subject property is located within the Developing Tier as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:
  - Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;
  - 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.
  - The trips generated by the proposed development will impact the following critical intersections:
    - MD 450 – Forbes Boulevard (signalized)
    - MD 450 – Galveston Road (unsignalized)

Based on recent traffic data, the following levels-of-service (LOS) were computed for the critical intersections:

<b>EXISTING CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	(LOS/CLV)	(LOS/CLV)
MD 450 – Forbes Boulevard (signalized)	A/641	A/943
MD 450 – Galveston Road (unsignalized) **	A/7.8 seconds	A/9.3 seconds
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the <i>Guidelines</i> .		

Staff identified six approved background developments that collectively, will impact the above intersections during the morning and evening peak hours. A second analysis with the inclusion of the background developments was performed, and revealed the following results:

<b>BACKGROUND CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	(LOS/CLV)	(LOS/CLV)
MD 450 – Forbes Boulevard (signalized)	A/667	A/998
MD 450 – Galveston Road (unsignalized) **	A/8.2 seconds	A/9.7 seconds

The proposed 16-lot single family development would generate 12 AM (2 in, 10 out) and 14 PM (9 in, 5 out) peak hour vehicle trips as determined using the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Combining the site-generated traffic along with background developments, the following results were determined:

<b>TOTAL CONDITIONS</b>		
<b>Intersection</b>	<b>AM</b>	<b>PM</b>
	(LOS/CLV)	(LOS/CLV)
MD 450 – Forbes Boulevard (signalized)	A/671	B/1001
MD 450 – Galveston Road (unsignalized) **	A/8.2 seconds	A/9.7 seconds

Based on the above analysis the two critical intersections for this development would operate at acceptable levels of service in both the AM and PM peak-hours.

Regarding accessibility and general on-site circulation, staff and the DPW&T find the proposed layout to be appropriate as revised. Staff would note that several residents of the adjacent Glenwood Park Community have indicated that they would prefer that access to the site be via MD 450 and not from the Glenwood Park Community. Staff has carefully evaluated the possibility of this alternative and does not recommend that access to this proposed development be via direct access to MD 450.

The proposed development fronts on the terminus of Diablo Avenue, a 50-foot-wide dedicated public residential street, as well as MD 450, a four-lane master planned arterial road. MD 450, in the vicinity of the property currently carries approximately 24,531 vehicles per day. The *Glenn Dale Seabrook Lanham & Vicinity* master plan recommends an ultimate cross section of six lanes, with future volumes well in excess of 50,000 vehicles per day. The efficiency of high volume facilities can be compromised as the number of access point's increase. When multiple accesses (two or more public streets) to a development exist, it is generally preferred to pursue access via the lesser of the two (or more) roadways. In most cases (with some exceptions), a stub street that ends at an undeveloped property, is generally created with the goal of providing for the future access when development is being pursued. If extension of a stub street to the adjacent property is never contemplated, then the preferred method for a terminal point would be a traditional cul-de-sac.

The State Highway Administration (SHA) has evaluated the possibility of direct access to MD 450 from this site and found the following:

“The proposed property is located north of MD 450, between Galveston Road and Forbes Boulevard. The proposed access is via Galveston Road to Buena Vista Avenue to Diablo Avenue. MD 450 is a state secondary roadway with an annual average daily traffic count of 24,531 vehicles in the vicinity of Galveston Road and Forbes Boulevard allowing additional access points/street connection along this section is not desirable. In order to manage optimum level of traffic operations on state roadways SHA does not support the direct access points where an access is available via the side street. In conclusion SHA fully support the proposed access from the Galveston Road.”

It is therefore staff's opinion that access to Diablo Street would be more desirable than access to MD 450 and in keeping with a hierarchical street system.

The preliminary plan has changed significantly since the original application was submitted for



17 lots. The applicant originally proposed to extend Diablo Avenue into the site and terminate in a cul-de-sac and serve no other surrounding properties. The DPW&T and staff noted that a stub street (Elmira Avenue) existed to the north. The stub street of Elmira Avenue was intended to extend to the south into the generally undeveloped land area zoned R-80 located in the north east quadrant of MD 450 and Forbes Boulevard west of the subject site. By providing for the future extension of Elmira Avenue to connect to Diablo Avenue additional development in this vicinity could be served by a public street system if subdivided in the future without the need for direct access onto MD 450. The extension of Diablo Avenue west through the site at an alignment, which has been approved by the DPW&T, will allow for a loop road connection to Elmira Avenue in the future. In addition, two existing parcels (Parcel 103 and Parcel 104) which are abutting to the north and currently landlocked will now have street frontage. Staff would note that direct access to the west to Forbes Boulevard for future development is not feasible in this area because the Glenn Estates Homeowners Association owns the land which fronts Forbes Boulevard, precluding future road connections.

The Transportation and Public Facilities Planning Division concludes that adequate public facilities as required by Section 24-124 of the Prince George's County Code will exist if the application is approved.

7. **Schools**—The Special Projects Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Ordinance and CR-23-2003 and concluded the following.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Dwelling Units	17 DU	17 DU	17 DU
Pupil Yield Factor	.24	.06	.12
Subdivision Enrollment	4.08	1.02	2.04
Actual Enrollment	6,272	4,920	10,050
Completion Enrollment	117.6	99.84	199.8
Cumulative Enrollment	0	.24	.48
Total Enrollment	6,393.68	5,021.1	10,252.32
State Rated Capacity	6,339	6,356	10,254
Percent Capacity	100.86%	79.00%	99.98%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

At the writing of the referral for this staff report the applicant proposed 17 dwelling units, which has now been revised to 16.

County Council bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between Interstate 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. CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,870 and \$13,493 to be paid at the time of issuance of each building permit.

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 Special Projects Section finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-31-2003 and CR-23-2003.

8. **Fire and Rescue**—The Special Projects Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(a)(2), Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance and found the following:

Special Projects staff have determined that this preliminary plan is within the required 7-minute response time for the first due fire station Glenn Dale Company #18, using the *7 Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire/EMS Department.

Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in CB-56-2005.

9. **Police Facilities**—The subject property is located in Police District II, Bowie. The response standard is 10 minutes for priority calls and 25 minutes for nonpriority calls. The times are based on a rolling average for the proceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on May 14, 2008.

Reporting Cycle	Previous 12 Month Cycle	Priority Calls	Nonpriority Calls
Acceptance Date May 14, 2008	4/07 - 4/08	9 minutes	13 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for priority calls and 25 minutes for nonpriority calls were met May 28, 2008. The Police Chief has reported that the Police Department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn police personnel staffing levels.

10. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision and note that a raze permit must be obtained through the Department of Environmental Resources prior to the removal of the old 1½ story frame house found on the

property. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structures being razed.

Any abandoned well found within the confines of the above referenced property must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department. Any abandoned septic tank found within the confines of the property must be backfilled after a licensed scavenger has pumped it out.

11. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, No. 4804-2008-00 was approved for the development of this site on April 21, 2008 prior to the acceptance of this preliminary plan application on May 14, 2008. Subsequent to the acceptance of the preliminary plan DPW&T has been made aware of issues associated with flooding down stream from this site.

Originally the stormwater management concept plan was approved with a requirement for the applicant to provide only water quality on site. However, because of the notice given by the community of Glenwood Park and DPW&T, they have required that the applicant revise the stormwater concept plan and provide for retention of the 100-year floodplain on-site, which resulted in a reconfiguration and increase in the SWM facility on Parcel A.

Prior to signature approval of the preliminary plan, the applicant should submit a copy of the revised concept approval letter and indicate the approval date on the preliminary plan. Development must be in accordance with that approved plan to ensure that development of this site does not result in on-site or downstream flooding.

12. **Historic**—The subject property is located at 9730 and 9800 Annapolis Road in Lanham, Maryland. The proposed development consists of sixteen single-family detached lots. The subject property is located on a tributary of Folly Branch. Prehistoric sites have been found in similar settings and the probability of identifying prehistoric archeological resources is moderate.

An examination of aerial photographs and deed records indicates that the ruined house on parcel 107 was built prior to 1938. Mary E. and James Jackson purchased a five acre tract in 1919 and may have built a house on the property around that time. A house was probably also located on adjoining Parcel 105 and was built by Jesse C. Ross around 1928. A house appears on Parcel 105 in the 1938 aerial photographs. These two houses were occupied by African American families in an area just to the southwest of Lincoln. Lincoln was an African American retreat community established on the Washington, Baltimore, and Annapolis Electric Railway in the early 20<sup>th</sup> century.

Five archeological sites, 18PR360, 18PR378, 18PR379, 18PR407, and 18PR408, have been identified within a one-mile radius of the subject property. Four of the sites are prehistoric and one is a 19<sup>th</sup> century store. In addition, there are four County Historic Sites, Crandell-Cook House (PG:70-010), Thomas J. Calloway House (PG:70-049-33), Seabrook School (PG:053-13), Kelly-Howerton House (PG:70-053-14), Seifert House (PG:70-053-12), and two Historic Resources, Robert Cook House (PG:70-043) and Glen Dale Hospital (PG:70-050), within a one-mile radius of the subject property.

A Phase I archeological survey was conducted on the Glenn View property from August 12-18, 2008. One late 19<sup>th</sup> early 20<sup>th</sup> century archeological site was identified. A draft Phase I archeological report, *Phase I Archeological Survey of the Proposed Glenn View*

*Subdivision, Glenn Dale, Prince George's County, Maryland, Preliminary Plan Number 4-08011*, was submitted to Historic Preservation staff on September 3, 2008. Due to the lack of cultural materials around the house or intact subsurface features, no further work was recommended on the Glenn View archeological site. Staff concurs that no further archeological investigations are necessary on the Glenn View Subdivision property. Once a Maryland Inventory of Historic Properties form and four copies of the final report are submitted, all archeological conditions will have been met.

13. **Site Boundary**—The property boundary should be verified by a deed with a description that matches the description shown on the TCPI and preliminary plan. In particular, the “sliver” of land extending north east between Parcel 103 and Parcel 94, which may be a total of 525 square does not appear on the current tax maps. The bearings and distances that are shown on the TCPI and preliminary plan do not match the description on the deed that was submitted (Liber 7525 folio 781). Prior to signature approval, the applicant should submit the appropriate deed description for that area of the site and the preliminary plan should be revised to create two outlots of that area. One outlot to be conveyed to DPW&T for the right-of-way of Diablo Avenue extended and one outlot for the conveyance to either the property owner of Parcel 103 or Parcel 94.

## RECOMMENDATION

APPROVAL, of Preliminary Plan of Subdivision 4-08011 subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
  - a. Revise general note 3 to indicate that the property is within Water and Sewer Category 3, not “service category.”
  - b. Create two outlots of that area of land located between Parcel 103 and Parcel 94. One outlot to be conveyed to DPW&T for the right-of-way of Diablo Avenue extended and one outlot for the conveyance to either the property owner of Parcel 103 or Parcel 94.
  - c. Outlot A and B designation shall be removed and that area labeled as right-of-way to be dedicated to DPW&T as part of the Diablo Avenue extension on site.
  - d. Revise general note 2 to reflect the gross and net “tract” area note “lot.”
2. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.
3. Prior to signature approval of the preliminary plan that applicant shall submit a copy of the revised concept approval letter and indicate the approval date on the preliminary plan. Development of this site shall be in conformance with the Stormwater Management Concept Plan, #4804-2008-00 and any subsequent revisions.
4. Prior to the approval of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 1.2± acres of open space land (Parcel A). 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 plan or shall require the written consent of the Development Review Division (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.
6. Prior to approval of the Final Plat of subdivision the applicant and the applicant's heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication.
  7. Prior to the approval of building permits the applicant and the applicant's, 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.
  8. 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.
  9. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
    - a. Revise the legend to include all symbols that are shown on the plan including, but not limited to, the property boundary, proposed contours, the limits of disturbance, stormdrain, water and sewer, existing and proposed fences, and proposed planting. Remove symbols from the legend that are not shown, or not required to be shown on the plan including, but not limited to, steep and severe slopes, forest stand boundary, and soils boundaries.
    - b. Remove the soils key map from the plan.
    - c. Show on the plan view and in the legend the location of all the proposed utilities and their associated easements.
    - d. Show the location of all specimen trees and associated critical root zones.
    - e. Revise the Type I Tree Conservation Notes as follows:
      - (1) Revise note 1 to reference Preliminary Plan 4-08011 at the end of the first sentence.

- (2) Revise note 6 to reference SWM approval No. 4804-2008-00 at the end of the first sentence and to replace “associated plan” with “Preliminary Plan 4-08011” at the end of the second sentence.
  - f. After all these revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revisions made.
  - g. Provide a copy of the deed which shows the bearings and distances as they are shown on the TCPI and preliminary plan.
10. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/016/08). The following notes shall be placed on the Final Plat of Subdivision:
- "This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/016/08), 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 Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of The Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
11. Prior to signature approval of the preliminary plan, the TCPI shall be revised to show the mitigated 65 dBA Ldn noise contour based on the submitted Phase I Noise Study and it must show and label the proposed noise mitigation device on proposed Parcel A with at least ten feet of space between the lot lines and the fence/berm for maintenance. The proposed fence/berm design must provide a mitigated area at least six feet in height at the rear of each structure.
12. A Phase II Noise Study shall be submitted with the Type II tree conservation plan. The findings of the Phase II noise study shall be reflected on the TCPII including the unmitigated and mitigated 65 dBA Ldn noise contours. The TCPII shall provide details showing the proposed noise mitigation measures paying particular attention to cross-sections, construction material, and design so as to encourage functionality and appearance. The plan must show and label the proposed noise mitigation device on proposed Parcel A with at least ten feet of space between the lot lines. The proposed mitigation design must provide a mitigated area at least six feet in height at the rear of each structure.
13. Prior to the issuance of building permits for Lots 10 and 11:
- a. The reforestation area adjacent to the proposed noise mitigation device shall be completed. A certification prepared by a qualified professional may be used to provide verification that the reforestation has been completed. It shall include, at a minimum, photos of the reforestation area and the associated fencing in relation to these lots, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
  - b. The proposed noise mitigation device shall be installed.
14. Applications for building permits for Lots 10 and 11 shall contain a certification, to be submitted to M-NCPPC, prepared by a professional engineer with competency in acoustical analysis using the certification template. The certification shall state that the interior noise levels have been reduced through the proposed building materials to 45 dBA Ldn or less.

15. Prior to signature approval of the preliminary plan, evidence of M-NCPPC concurrence with the final Phase I archeological report and recommendations is required.
16. The applicant shall submit an executed deed of conveyance (signed by all parties) of the outlot, which extends between Parcel 103 and Parcel 94, to the property owner of either parcel prior to approval of the final plat and shall submit the recorded deed of the conveyance prior to the approval of a grading permit. If the applicant is unable to provide evidence of the agreement for the conveyance of the land prior to final plat the applicant shall retain ownership.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCPI/016/08.