

R E S O L U T I O N

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

WHEREAS, in consideration of evidence presented at a public hearing on December 7, 2006, regarding Comprehensive Design Plan CDP-0506 for Locust Hill the Planning Board finds:

1. **Request:** The CDP proposes approximately 552 single-family detached and attached units on approximately 503.53 acres in the R-L Zone. Of the 503.53 acres, 68.56 acres are within the 100-year flood plain.
2. **Location:** The subject property is in the R-L Zone and is located north and south of Oak Grove Road, east of Church Road and east and west of Popes Creek Branch.
3. **Surroundings:** The site is surrounded by vacant land to the north; by the Brock Hall Manor, Brock Hall Gardens, and Rustic Ridge subdivisions to the south; by vacant land and large lot single-family detached dwellings to the east; by the Perrywood subdivision to the west and to the northwest by an existing church and school.
4. **Design Features:** The proposed 552-lot subdivision is located both north and south of a proposed-to-be realigned Oak Grove Road. The access points are lined up north to south on Oak Grove Road, making well defined and safe traffic movements in and out of the subdivision. The northern portion of the subdivision includes a combination of townhomes (called "carriage lots" in the application) and single-family detached lots north of what will be the realigned Oak Grove Road. Development to its south is uniformly single-family, though the developer distinguishes between three different types of single-family lots depending on lot size and width at the front property line. Single-family detached units include "Estate Lots" (18,700 square feet and larger, with a minimum lot width of 110 feet at the front building restriction line), "Executive Lots" (11,050 square feet and larger with an 85 foot minimum lot width at the front building restriction line), "Points Lots" (7,400–9,999 square feet with a 65-foot minimum at the front building restriction line). All estate lots measure 18,700 square feet or larger. The difference between the regular estate and wide estate lots is the estate lots measure a minimum of 110 feet at the front building restriction line, and wide estate lots measure a minimum of 120 feet at that location. The proposed number of each type of lot is as follows:

Type of Lot	Number of Lots
Carriage Lots (townhomes)	90–110 (not to exceed 20 percent)
Point Lots	70–90
Executive Lots	200–225
Wide Estate Lots	30–40
Regular Estate Lots	70–90

Design of the subdivision is sensitive to wetlands, Patuxent Management Area, floodplain, a perennial stream and other sensitive environmental features on the site, concentrating the lots on double loaded streets. An area measuring approximately 66.70 acres is indicated to be donated to an existing adjacent church and a second 8.76-acre property is indicated as potentially being dedicated to a second church. Recreational facilities include a path or trail system through the development and an alternate recreational facility is included in the central part of the development. Stormwater management is handled by seven ponds dispersed throughout the site.

5. **Previous Approvals:** The property was zoned Residential-Suburban (R-L) by Zoning Ordinance No. 19-2006 granting conditional approval to the Basic Plan for the property—A-9975. Final approval by District Council will occur after receipt of a written acceptance or rejection of the land use classification and the conditions contained in the approval. The project is also the subject of Stormwater Management Concept /case #47462-2005-00 dated May 9, 2006, and in effect until May 9, 2009.

6. **Development Data—Locust Hill**

Zone	Residential-Limited (R-L)
Gross Tract Area	503.53 Acres
Area within the 100-year floodplain	68.56 Acres
Net tract area	434.97 Acres
Density Range (dwelling units per acre)	1.18 Dwelling Units per acre

7. **Public Benefit Features and Density Increment Factors:** The Comprehensive Design Zone encourages amenities and public facilities in conjunction with density increases. Section 27-513(b) of the Prince George’s County Zoning Ordinance provides the guidelines and criteria for calculating the density increases for the R-L Zone. The current Locust Hill application calculates the base density as 469 units (1.0 X469.25 acres), then lists the following potential density increase allowances:

Amenity/public facility	Size	Allowance	Calculation	Resultant density increment
Open space land (HOA)	151.56 acres	up to 25% increase in units	469 X .25=	117 units
Recreational development of open space (M-NCPPC park property)	47.5 acres	up to 10% increase in units	469 X .10=	46 units
Public facilities(existing adjacent church buffer)	66.70 acres	up to 30% increase in units	469 X.30 =	140 units
Activity Centers (Church site dedication)	8.76 acres	up to 10% increase in units	469 X .10 =	46 units

The basic plan condition set forth by the Zoning Ordinance was for the density range to be between 475 to 581 dwelling units per acre. The net CDZ area for the subject tract is 434.97 acres allowing for a base density of 469 units and a maximum of 703 units. Existing environmental conditions and the applicant's design for the subdivision have resulted in the inclusion of only 552 units, 83 units above the base density, but 151 units below the maximum number of units allowed.

Staff finds that in accordance with Section 27-513(b) (Regulations-Public Benefit Features and Density Increment Factors) of the Zoning Ordinance that the density increment is earned and appropriate. Please note, however, that the donation of a church site (8.76 acres) is not appropriate in a calculation for density increment and therefore excluded. It will not, however, affect the density of the proposed development as it had already earned in excess of the needed density increment factors. Also, please note that open space, in order to be considered as a basis for a public benefit feature and density increment, must be provided at a ratio of at least 3.5 acres per 100 dwelling units, or for the subject application, approximately 19 acres. The provision of 151.56 acres of HOA open space in this application meets and exceeds this requirement.

Findings Required by Section 27-521 of the Zoning Ordinance (Findings 8-16 below)

8. The Comprehensive Design Plan is in conformance with the approved Basic Plan.

Comment: Basic Plan A-9975 was approved subject to 18 conditions and 5 considerations. Each relevant condition/condition is listed in bold face type below with staff's comment following:

- 1. Total residential development shall be limited to no more than that which 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 Comprehensive Design Plan ("CDP") review.**

Staff comment: The proposed project requests 552 dwelling units, well within the requirements of this condition. The final location of the dwelling types has been specified on the comprehensive design plan and if it is approved by the Planning Board will be decided at the time of CDP review.

- 3. 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.**

Staff comment: In a memorandum dated November 17, 2006, the Environmental Planning Section confirmed that the PMA was preserved by the project's design to the fullest extent possible and that impacts to the PMA had been minimized. Please see Finding 8(h) for a more complete discussion.

- 4. 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.**

Staff comment: Alignment of the master planned collector roadway (MC-600) has been evaluated in detail to determine the location that results in the preservation of the existing natural resources to the fullest extent possible. Please see Finding 8 (h) for a more complete discussion.

- 5. Natural Resources Inventory (NRI), signed by appropriate staff, shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.**

Staff comment: A signed NRI was submitted with the CDP. That all subsequent plan submittals will clearly show the PMA as shown on the signed NRI is ensured by a recommended condition below.

- 6. 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.**

Staff comment: A protocol, found acceptable by the Environmental Planning Section was submitted with the subject application package.

- 7. The Woodland Conservation Threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I Tree Conservation Plan required with the CDP application 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.

Staff comment: The WCT is 25 percent and is met on-site. The required Type I Tree Conservation Plan was submitted and focused on the creation of contiguous woodland. Priority areas for tree preservation were concentrated in within the framework of the approved Green Infrastructure Master Plan and no woodland conservation was provided on any residential lot. Please see Finding 8 (h) for additional discussion of compliance with this condition.

- 8. Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance. This note shall also be placed on all tree conservation plans.**

Staff comment: Woodland cleared within the PMA's Preservation Area has been mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels and woodland cleared within the PMA for the construction of the master planned roadway has been mitigated in conformance with the standards of the Woodland Conservation Ordinance. The placing of the required note on all tree conservation plans is ensured by a recommended condition below.

- 9. 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 CDP application package.**

Staff comment: Such report was submitted as part of the CDP application. Please see Finding 8 (h) for a more detailed discussion of the geotechnical report.

- 12. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.**

Staff comment: No residential lots are indicated to be located within 150 feet of the centerline of the CSX Railroad tracks on the submitted Comprehensive Design Plan.

- 14. The Applicant and its heirs, successors, and/or assignees shall provide the following trail facilities:**

- a. Construct the 8-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 of the M-NCPPC.**

- b. Construct the 8-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.**

Staff comment: In reference to the above condition, the trails planner offered the following in his comments dated November 6, 2006:

Staff recognizes that extensive discussion will be necessary between the Environmental Planning Section, DPR, and the applicant to ensure that trails do not impact the environmental buffers, stream valley corridors, water quality, and identified rare, threatened, and endangered species. A more detailed analysis of the master plan trails and the internal trail network will be completed at the time that specific design plans are reviewed for the site. Connections between neighborhoods will be a priority, in addition to the connections to the master plan trails. The sidewalk system will also be an integral part of the pedestrian network, and will be analyzed in more detail at later phases of review.

Five conditions were suggested by the trails planner in order to ensure compliance with Condition 14. Such conditions are included in the recommendation section of this report.

- 14. The Applicant shall submit for DPR's 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.**

Staff comment: Such covenants have been submitted to DPR for approval.

- 15. At the time of CDP and Preliminary Plan of Subdivision submissions, the Applicant or its heirs, successors, and/or assignees shall provide a traffic study that analyses the following intersections:**

- **US 301/MD 725**
- **US 301/Village Drive**
- **US301/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.

Applicant will be required to show that these transportation facilities will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density.

Staff comment: A traffic study, meeting the above requirements was submitted together with the subject comprehensive design application.

- 17. All stream and wetland mitigation for impacts to environmentally regulated site features shall be provided within the Collington Branch watershed, or, if mitigation sites cannot be found, within the Western Branch watershed.**

Staff comment: All mitigation for the project's impacts is to be within the Collington and Western Branch watersheds. Please see Finding 8 (h) for further discussion.

Considerations:

- 2. At the time of CDP review, specific acreage of parkland dedications shall be determined. Such dedication should include the Collington Branch and Black Branch stream valleys and 10 acres of developable land for active recreation as provided in the January 27, 2006 memorandum from the Department of Parks and Recreation. (Exhibit 10(a)). This area should include an approximately 1.7 acre parcel of land from the Willowbrook project area which was not previously committed for parkland dedication. The conditions of conveyance shall be determined by appropriate staff of M-NCPPC.**

Staff comment: The applicant proposed dedication of 48 acres of parkland includes the Collington and Black Branch stream valleys and 8.5 acres of developable land for active recreation. This area includes a 1.7± parcel of land from the Willowbrook project, which was not previously identified for parkland dedication.

- 3. At the time of CDP review the Applicant shall address its plan to grade a 10-acre developable portion of the dedicated parkland (including an approximately 1.7-acre parcel of land from the adjacent Willowbrook project area which was not previously committed for parkland dedication) 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 direct frontage on proposed Oak Grove Road.**

Staff comment: The applicant's proposed dedication of 8.5 acres of developable parkland and construction of recreational facilities on dedicated parkland typical for a neighborhood park of this size, such as ball fields, playground picnic areas and a parking lot. The list of recreational facilities should be determined at the time of approval of the preliminary plan of subdivision.

- 4. At the time of CDP review 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.**

Staff comment: Adequate, private recreational facilities are indicated on the plans. That these facilities will be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines is ensured by a recommended condition below.

- 5. The applicant shall obtain approval from the Planning Board for any transfer of recreation facilities/funds to be used at the Willowbrook property at time of CDP approval.**

Staff comment: If applicant gains approval of its recreation plan as presented, facilities would be shared and implicit approval of such transfer would be given.

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

Staff comment: The proposed design of the subdivision offers a better environment than could be achieved under other regulations by preserving natural features of the site, reinforcing neighborhood integrity by providing higher density (townhouses and the smaller single-family detached lots) near the two entrances from Oak Grove Road, and clustering various housing types in distinct individual neighborhoods.

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

Staff comment: Approval is warranted because the submitted comprehensive design application includes a design based on the considerations mentioned in Finding 9(2) above together with four open play areas, a community center including a pool, and hiker/biker trails that should satisfy the needs of residents, employees or guests of the project.

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

Staff comment: A buffer has been maintained at the periphery of the development by a combination of land to be donated to M-NCPPC for parks, and to an existing adjacent church, for a proposed new church. Such buffer provides a reasonable transition from the proposed site to the adjacent land uses as well as protects proposed residents of the project from off site impacts. In short, the proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings.

- 12. Land uses and facilities covered by the Comprehensive Design Plan will be**

compatible with each other in relation to:

(A) Amounts of building coverage and open space;

(B) Building setbacks from streets and abutting land uses; and

(C) Circulation access points;

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