

Maryland-National Capital Park and Planning Commission  
 Prince George's County Planning Department  
 Development Review Division  
 301-952-3530

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## PRELIMINARY PLAN

**4-01100**

Application	General Data
Project Name:	Date Accepted 12/19/2001
WOODMORE AT OAK CREEK	Planning Board Action Limit 03/13/02
Location:	Tax Map & Grid 069/E-03
East side of Church Road, approximately 1,000 feet south of its intersection with Central Avenue.	Plan Acreage 123.47
Applicant/Address:	Zone R-A
Washington Management Development Co., Inc. 2812 Chesterfield Drive Washington, DC 20008	Lots 57
	Outlots / Outparcels 1 / 1
	Planning Area 74A
	Council District 04
	Municipality N/A
	200-Scale Base Map 201NE13

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners (CB-15-1998) N/A
	Previous Parties of Record (CB-13-1994) N/A
	Sign(s) Posted on Site April 22, 2002
	Variance(s): Adjoining Property Owners N/A
Staff Recommendation	Staff Reviewer: @
APPROVAL	APPROVAL WITH CONDITIONS
	<b>X</b>
DISAPPROVAL	DISCUSSION

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-01100  
Woodmore at Oak Creek, 57 Lots and 2 Outparcels

OVERVIEW

The subject site consists of 123.47± acres of land in the R-A Zone. Identified as Parcel 12, Tax Map 69, Grid E-3, it is currently undeveloped. The applicant proposes to subdivide the property into 57 lots for development with single-family homes and two outlots. Outlot ■A• is the site of a pending Special Exception (SE-4432) proposal for a private club. (If that application is approved, a preliminary plan to convert the outlot into a buildable parcel will be required.) Outlot ■B• is proposed for dedication to M-NCPPC for park access.

The applicant proposes to develop the property using varying lot sizes as allowed by Section 27-442 of the Prince George's County Zoning Ordinance. A full discussion of this technique is found in Finding 12 of this report.

SETTING

The property is located on the east side of Church Road, approximately 1,000 feet south of its intersection with Central Avenue. To the north are single-family homes on large lots in the Collington Manor Subdivision, zoned R-A. To the east are single-family homes in the Collington Station Subdivision, zoned R-R. The Riley Tract Neighborhood Park abuts the property to the south. Further south is the undeveloped land subject of the recently approved Oak Creek development (4-01032) in the R-L Zone. Undeveloped land in the R-L Zone is across Church Road to the west.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues and Impacts to the Primary Management Area (PMA)■A review of the available information indicates that streams, wetlands, and the associated buffers for these features are found to occur on the property. There are no 100-year floodplains found to occur on the property. No existing adverse noise impacts from off-site sources have been identified which would limit development of this site; however, proposed A-44, if constructed, would create significant adverse noise impacts. The soils found to occur on this site according to the Prince George's County Soil Survey include Adelphia fine sandy loam, Collington fine sandy loam, Monmouth clay loam, Sandy land steep, Shrewsbury fine sandy loam, and Westphalia fine sandy loam. The limitations associated with these soils include impeded drainage, high water tables, slow permeability, and steep slopes.

According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled ■Ecologically Significant Areas in Anne Arundel and Prince George's Counties,• December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. Church Road is a designated scenic and

historic road located along the western property boundary. The property is located in the Collington Branch subwatershed of the Patuxent River watershed.

The current sewer and water service categories are S-4 and W-4 for the proposed lots and S-5 and W-5 for Outlot A. The property was included in the December 2001 sewer and water cycle with proposed changes to S-4 and W-4. The County Council adopted the W-4 and S-4 categories for the proposed lots on April 16, 2002. The Council retained the W-5 and S-5 categories for Outlot A. For this reason, Outlot A should be deemed an outparcel.

The revised Detailed Forest Stand Delineation (FSD) has been reviewed and found to generally address the requirements for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation Technical Manual. However, some woodland areas along the northern and eastern property lines were not correctly identified as woodland. This will be addressed on the TCPI. No further information with respect to the Forest Stand Delineation is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is greater than 40,000 square feet, there is more than 10,000 square feet of existing woodland, and more than 5,000 square feet of woodland will be cleared. A Type I Tree Conservation Plan (TCPI/38/01) as revised has been reviewed and found to generally satisfy the requirements of the Prince George's County Woodland Conservation Ordinance. A table was produced that shows the Woodland Conservation data for each lot; however, it contains many errors that need to be corrected. TCPI/38/01 is recommended for approval subject to several conditions to correct errors.

The soils found on this property have some limitations including impeded drainage, seasonally high water tables, and slopes which may affect the development of the property. The presence of a high water table will have the most significant impact for the development of the property. No further information is required at this time.

Streams, the 50-foot stream buffer, wetlands, the 25-foot wetland buffers, and the extended buffer for slopes are found to occur on this property. Because this property is located in the Patuxent River watershed, these features comprise the Patuxent River Primary Management Area (PMA). The Wetland Report has been reviewed and found to meet the requirements. The PMA has been accurately reflected on the Preliminary Plan of Subdivision and TCPI/38/01, however, some of the individual features that comprise the PMA are not shown correctly. In particular, some areas of wetland buffers have not been shown around areas designated as wetlands. Prior to signature approval of the preliminary plan, the plan and the TCPI should be revised to accurately show all the individual features for the PMA.

The Stormwater Concept Plan and TCPI/38/01 propose impacts to the PMA. The standard of review for PMA impacts is contained in Section 24-130(b)(5) of the Subdivision Ordinance: ■Where a property is partially or totally within the Patuxent River Watershed, the plat shall demonstrate adequate protection to assure that the Primary Management Area Preservation Area is *preserved in a natural state to the fullest extent possible*.

The full extent of the PMA has been shown on the preliminary plan and TCPI and the proposed impacts to the PMA have been reduced from what was originally proposed. As revised this

application proposes six distinct impacts to the PMA. Each of the PMA impacts is summarized below and is either supported, supported with conditions, or not supported.

**Impact A** is actually two distinct impacts. The first impact is associated with the proposed improvements to existing Church Road which have generally been minimized. The ultimate extent of these impacts will be dictated by the Department of Public Works and Transportation. The second part of this impact is associated with clearing for a house pad for proposed Lot 5, Block B. This impact is not supported because an adjustment to the lot layout could further reduce or eliminate the PMA impacts on proposed Lot 5, Block B. Proposed Lot 5 could be eliminated, or the lot pattern could be shifted to the east to preserve the PMA to the fullest extent possible.

**Impact B** is for the construction of a stormdrain outfall to convey stormwater from Jennings Drive to the stream. This impact has been minimized with respect to the disturbance necessary for the outfall and is supported.

**Impact C** is actually two distinct impacts. The first impact is for the construction of Jennings Drive and is supported with the condition that an alignment slightly to the north of the current alignment be examined prior to signature approval of the Preliminary Plan of Subdivision. The second impact is for the construction of a house on proposed Lot 12. The impacts associated with the stream on Lot 12 are not supported because these impacts could be minimized or avoided. The impacts in this area result in over 27,000 square feet of PMA elimination. To preserve the PMA to the fullest extent possible, Lot 12 could be eliminated or the lot lines could be shifted.

**Impact D** is for the construction of a sewer alignment to connect four lots to an existing outfall. Because the connection for these lots requires a pressure sewer line, the alignment is not as restrictive as would be required for a gravity line. Therefore, the alignment could be relocated to within the Church Road right-of-way and connected to the pressure sewer line in front of Lot 1, Block A. This alignment change would eliminate Impact D and should not increase impacts associated with Impact A. Impact D is not supported.

**Impact E** is for the construction of a stormdrain outfall on Lots 21 and 22, Block B, to convey stormwater from Jennings Drive to the stream located on Lot 22. This impact is supported.

In summary Impacts B and E are supported and Impacts A and C are supported for the construction associated with Church Road and Jennings Drive only, and Impact C needs to be further evaluated with respect to the alignment of the proposed road. The portion of Impacts A and C associated with the creation of pad sites for those lots are not supported and Impact D is not supported.

Church Road is a designated Scenic and Historic Road which will be a four-lane collector with an open median of varying width as determined by DPW&T and an ultimate right-of-way of 90 feet maximum. A 20- to 30-foot-wide hedgerow is located along Church Road along the entire property frontage. The area behind the hedgerow consists mostly of agricultural fields with the exception of a small area which is existing woodland. The proposed road widening will remove the existing hedgerow leaving behind the open agricultural fields and/or residential lots.

Because the hedgerow is the feature that identifies the character of this area, and it can be recreated on-site, a landscape buffer is needed.

The preliminary plan and the TCPI show a 30-foot-wide landscape buffer yard along the property frontage with Church Road. Woodland Conservation Areas may be substituted for the required landscape buffer, if they exist in the area. A note has been added to the plans that identifies the area and states: "30 foot-wide landscape buffer to be planted to mimic, at maturity, the plant number, species, and spacing characteristics of the existing hedgerow." A planting plan and schedule for the 30-foot-wide landscape bufferyard shown on the preliminary plan and TCPI should be shown on the TCPII and approved as part of that plan.

2. Community Planning The 2000 Interim General Plan places this property in the Developing Tier. The *Bowie-Collington-Mitchellville and Vicinity Master Plan* (1991) recommends large lot development for the site. The *Bowie-Collington-Mitchellville and Vicinity Sectional Map Amendment* (1991) placed/retained the property in the R-A Zone. There are no master plan issues concerning this proposal at this time. The proposal is in conformance with master plan recommendations and the Zoning Ordinance.
3. Parks and Recreation In accordance with Section 24-134(a) of the Prince George's County Subdivision Regulations, the above referenced subdivision is exempt from Mandatory Dedication requirements because all of the proposed lots are greater than one acre.

In the Master Plan for Bowie, Collington, Mitchellville and vicinity, a 60-acre park designated as Church Road South Community Park is proposed east of Church Road and south of Central Avenue. Currently, the Commission owns 28.17 acres of parkland in Collington Station and the 10.17-acre Riley Tract, located adjacent to the southern boundary of the proposed Woodmore at Oak Creek. Twenty-six acres have been proffered for a park/school to be located south of the Riley Tract, of which approximately 11 acres will be used as parkland. An additional 35 acres of land on the west side of Church Road will be developed as parkland in the Oak Creek Club and Cameron Grove subdivisions. This land will be adequate to meet the parkland requirements of the Master Plan for this area.

The Department of Parks and Recreation recommended that the plan should provide for a 30-foot-wide right-of-way between Lots 17 and 18 for a trail connection to the Oak Creek Community Park/School. The revised preliminary plan accepted on April 24, 2002, reflects an outlot to be conveyed to M-NCPPC in the location and configuration requested by the Department of Parks and Recreation. The land to be conveyed should be subject to the standard conditions relating to land to be conveyed to M-NCPPC.

4. Trails The *Adopted and Approved Bowie-Collington-Mitchellville & Vicinity Master Plan* recommends a trail/bikeway along the subject property's portion of Church Road. In keeping with the goal of preserving the rural qualities of Church Road and based on discussions with the Department of Public Works and Transportation (DPW&T), Church Road will be constructed as an open-section roadway with six-foot-wide, asphalt shoulders along the entire frontage of the subject property. These shoulders will serve as the Master Plan trail facility and accommodate bicycle traffic. Standard sidewalks are recommended along both sides of Jennings Mill Road, and on one side of all other internal roadways to safely facilitate internal pedestrian movement.

5. Transportation ●The Transportation Planning Section has reviewed the subject application. The subject property consists of approximately 123.47 acres of land in the R-A Zone. The property is located on the east side of Church Road, approximately one-quarter mile south of its intersection with MD 214. The applicant proposes a residential subdivision consisting of 57 single-family residences.

The subject application was determined to be sufficient in size to require a traffic study. The applicant has prepared a traffic impact study dated March 2002. The study has been referred to the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The traffic study examined the site impact at three intersections in the area:

- MD 214/Church Road (signalized)
- MD 214/site entrance (unsignalized)
- Church Road/Oak Grove Road (unsignalized)

The transportation staff fully reviewed the traffic study as submitted by the applicant. The existing conditions at the study intersections are summarized below:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Church Road	1,176	925	C	A
Church Road and site entrance	future			
Church Road and Oak Grove Road	16.4*	11.9*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

Under existing traffic, the two existing intersections under study operate acceptably during both peak hours. The *Guidelines* identify signalized intersections operating at LOS E or F during any peak hour as unacceptable. Also, the *Guidelines* identify unsignalized intersections having delays exceeding 50.0 seconds in any movement as unacceptable, and under that criterion the existing intersection of Church Road and Oak Grove Road operates acceptably as it is currently configured.

The traffic study shows approved development in the area. This is consistent with the recent traffic study done for Oak Creek Club (applications CDP-9902, CDP-9903, and 4-01032).

Also, the Oak Creek Club is discussed in the traffic study as a potential background development. The transportation staff would note that Oak Creek Club has a significant impact on traffic in the immediate area of this site. The analysis year for the subject application is 2005, and Oak Creek Club's traffic study is based on an analysis year of 2008. This analysis year is very ambitious, however, as the attorney for the Oak Creek Club applicant has stated in public hearings that the entire development would be completed in 10 to 15 years, or in the year 2012 at the earliest. For the purpose of analyzing the subject property, staff believes that a fair assumption for Oak Creek Club, for the purpose of analyzing approved development at this time, would be 50 percent of the residential development plus the golf course and the nonresidential component. Otherwise, the assumptions are fully consistent with the Oak Creek Club traffic study. Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Church Road	1,427	1,228	D	C
Church Road and site entrance	future			
Church Road and Oak Grove Road	39.6*	29.8*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

The site is proposed for development as a residential subdivision. The site is proposed to be developed with 57 single-family detached residences, with access from a new street connecting Church Road to an existing street within the Collington Station subdivision. The site trip generation would be 43 AM peak hour trips (9 in, 34 out) and 52 PM peak hour trips (34 in, 18 out).

The site trip distribution shown in the traffic study is reasonable, but probably does not fully account for the connection into Collington Station. Using the trip distribution and assignment used in the traffic study, we obtain the following results under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 214 and Church Road	1,442	1,243	D	C
Church Road and site entrance	14.0*	14.8*	--	--
Church Road and Oak Grove Road	40.3*	31.8*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

Under the analysis done, no inadequacy has been identified at the three intersections within the study area.

Both SHA and DPW&T were concerned that the traffic study recommended no improvements at the MD 214/Church Road intersection. However, the proposed development would be built out long before the Oak Creek Club development would become built out. Furthermore, the traffic study used a slightly different critical lane volume computation methodology which shows *worse* results than if the methodology shown in the *Guidelines* had been followed. In staff's view, the development would have a small but measurable impact on the MD 214/Church Road intersection, it will occur well before the Oak Creek Club development is built out, and the Oak Creek Club property, in any regard, will provide significant improvements at this intersection.

There are three master plan facilities which cross the subject property:

- Church Road, C-48 on the *Bowie-Collington Master Plan*, is a planned rural collector within a 100-foot right-of-way. Its alignment the preliminary plan is substantially in conformance to the alignment shown on the master plan.
- The A-44 facility, as shown on the *Bowie-Collington Master Plan*, is a planned controlled-access arterial facility within a 200- to 300-foot right-of-way. Its alignment on the submitted plan is correctly shown.
- The location of the primary residential connector roadway between Church Road and existing Jennings Mill Road is acceptable. While two access points are not essential for the residences within the subject property, the connection has been deemed necessary through the master plan process for secondary access to the Collington Station development, and so must be reflected on the plan as the applicant has done.

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



6. Schools The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001).

Impact on Affected Public School Clusters

Affected School Clusters #	Dwelling Units	Pupil Yield Factor	Subdivision Enrollment	Actual Enrollment	Completion Enrollment	Wait Enrollment	Cumulative Enrollment	Total Enrollment	State Rated Capacity	Percent Capacity	Funded School
Elementary School Cluster 3	57 sfd	0.24	13.68	5864	339	128	0	6344.68	5054	125.54%	Bowie, Whitehall
Middle School Cluster 2	57 sfd	0.06	3.42	4397	201	189	6.19	4796.61	3648	131.49%	East Central
High School Cluster 2	57 sfd	0.12	6.84	12045	412	377	12.36	12853.20	10811	118.89%	Frederick Douglass addn.

Source: Prince George's County Planning Department, M-NCPPC, January 2002

The affected elementary, middle, and high school clusters percent capacities are greater than 105 percent. Bowie and Whitehall are the Funded Schools in the affected elementary school cluster. East Central is the Funded School in the affected middle school cluster. The Frederick Douglass addition is the Funded School in the affected high school cluster. Based on this information, staff finds that the subdivision may be approved subject to conditions, in accordance with Section 24-122.02, including a three-year waiting period.

7. Fire and Rescue The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
- The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 5.36 minutes, which is beyond the 5.25-minute response time guideline.
  - The existing ambulance service at Bowie Fire Station, Company 43, has a service response time of 6.25 minutes, which is within the 6.25-minute response time guideline for Lots 1-14, 20 and 31 south of Jenny Mill Drive; Lots 1-11 north of Jenny Mill Drive. All other lots are beyond.
  - The existing paramedic service at Bowie Fire Station, Company 43, has a service response time of 6.72 minutes, which is within the 7.25-minute response time guideline.

These findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department requires that all residential structures be fully sprinkled

in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws. Since this is a requirement of law, no condition is necessary.

In response to a letter dated April 22, 2002 from the City of Bowie, the Growth Policy and Public Facilities Planning Section staff examined the travel times from the proposed Leeland Road fire station and the site of this subdivision application. The travel time to the entrance of this site from the proposed Leeland Road station is 6.62 minutes, which is beyond the recommended travel time for an ambulance unit according to the Planning Board's adopted guidelines. This time is a function of the distance to the station and the existing road system. Both Leeland Road and Church Road are currently two-lane facilities. Therefore, it is assumed fire vehicles cannot travel at the same speed on these roads as they could on an arterial road. Vehicles coming from the Bowie Station are assumed to be able to use arterial roads and travel at faster speeds, therefore making the travel times better. The staff cannot support a condition for fee payments for the Leeland Road station from this proposed subdivision.

8. Police Facilities●The proposed development is within the service area for District II- Bowie. In accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Woodmore At Oak Creek development. This police facility will adequately serve the population generated by the proposed subdivision.
9. Health Department●The Division of Environmental Health reviewed the subject application and offered a number of comments primarily relating to the existing structures and well and septic systems on the property that need to be removed. The Recommendation section of this report contains conditions addressing those concerns. Other comments pertaining to the appropriate water and sewer category and the division of property have otherwise been addressed as part of the review process.
10. Stormwater Management●The Department of Environmental Resources (DER), Development Services Division, is reviewing a Stormwater Management Concept Plan submitted by the applicant. This concept plan must be approved prior to signature approval of the preliminary plan. Development must be in accordance with this approved plan.
11. Public Utility Easement●The proposed preliminary plan depicts the required 10-foot-wide public utility easement. This easement will be included on the final plat.
12. Varying Lot Sizes●The applicant is proposing to use varying lot sizes as permitted by the Prince George's County Zoning Ordinance. Unlike the provision for the use of Lot Size Averaging (R-55, R-80, R-R and R-E Zones), the use of varying lot sizes in the R-A and O-S Zones does not require specific findings for approval. Only the minimum standards outlined in the Zoning Ordinance must be met.

Section 27-442(b) (Table I) of the Zoning Ordinance sets the minimum standards for varying lot sizes. In the R-A Zone, the creation of varying lot sizes is permitted as long as the total tract being subdivided is at least 25 acres in size. In this case the total tract area is 123.47 $\overline{v}$  acres. Further, at least 60 percent of the lots created using varying lot sizes must meet or exceed the minimum lot size in the zone: two acres in the R-A Zone. This requirement has been met with the submitted preliminary plan. Thirty-six of the 57 lots (or 63 percent) are a minimum of 2 acres on this subdivision.

The Zoning Ordinance allows one, 1-acre lot for every 25 acres of land in the tract. With 123 acres of land in the R-A tract, a maximum of four, 1-acre lots is permitted. The remaining lots are required to exceed 50,000 square feet. The submitted preliminary plan includes 2 lots between 1 acre and 50,000 square feet in size, with the remaining 19 lots exceeding 50,000 square feet. This arrangement meets the minimum standards set forth in Section 27-442(b) (Table I) of the Zoning Ordinance for the use of varying lot sizes.

13. City of Bowie On April 15, 2002, the Bowie City Council reviewed the subject preliminary plan for Woodmore at Oak Creek. Their review concluded with a recommendation for approval of the application with six conditions.

**Bowie Condition One** requests land to be conveyed to M-NCPPC for a trail connection to the Oak Creek Club Community Park/School site. Additionally, this condition would require a six-foot-wide trail along the entire length of the extension of Jennings Mill Drive and a six-foot-wide trail connecting that trail to the park/school site. The applicant's engineer has indicated that a six-foot-wide trail need only be provided along the south side of Jennings Mill Drive.

**Bowie Condition Two** pertaining to school APF is identical to Condition 10 in the Recommendation section of this staff report.

**Bowie Condition Three** requests a fee contribution for the Leeland Road Fire Station. Staff of the Public Facilities Planning Section have determined that a fee is not appropriate and have recommended that such a fee not be imposed. Further discussion on this issue is contained in Finding 7 of this report.

**Bowie Condition Four** requests that a limited detailed site plan be prepared and reviewed by M-NCPPC Urban Design staff for monumental entrances at both ends of the extension of Jennings Mill Drive. M-NCPPC Urban Design staff would generally not prepare such a plan and one is not traditionally required solely for that purpose.

**Bowie Condition Five** anticipates future residential development of what is referred to as the 10-acre Correctional Officers Union property that is part of the subject application. The proposed condition would regulate the access for any future residential lots to be from proposed Court B. Court B is currently proposed as a secondary residential right-of-way ending in a cul-de-sac that would serve four lots. The 10 acres in question is the subject of a pending special Exception (SE-4432) for a union hall. The adoption of CR-9-2002 established the December 2001 Cycle of Amendments to the Ten-Year Water and Sewer Plan. That action kept the 10-acre tract in a category for private systems and moved the remainder of the application to a category for public systems. Based on that action, staff requested that the plan be revised to show the 10-acre tract as an outparcel. As an outparcel, the property is not usable as a legal building site and any future development would require the approval of a preliminary plan and a final plat of subdivision. At this time, M-NCPPC staff does not recommend any restriction on the nature of vehicular access to what will become a 10-acre outparcel.

**Bowie Condition Six** recommends traffic safety devices (four-way stop signs) at the proposed intersection of Road A and Jennings Mill Drive in order to address high volumes of traffic

going to and from the adjacent Collington Station subdivision. • This type of operational decision within a proposed public right-of-way is generally left up to the entity with the jurisdictional control over the right-of-way. In this instance, the subject roads will either be under the control of the Department of Public Works and Transportation for the county or, if annexed prior construction of the road, under the control of the City of Bowie. M-NCPPC staff recommend that no condition be established with the action on this application that would attempt to limit the future operational control of this intersection.

## RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan, the Type I Tree Conservation Plan, TCPI/38/01, shall be revised as follows:
  - a. The areas along the northern and eastern property lines that are shown as Woodland Conservation Tree Save Areas shall be included in the acreage of existing woodland on the property and the Woodland Conservation Worksheet shall be corrected to reflect the change in requirements that result, and the plan shall be revised to show how the requirements are being met.
  - b. The table submitted that itemizes the acreage of existing woodland on each lot, the acreage of woodland cleared on each lot, the acreage of woodland preservation on each lot, the acreage of afforestation on each lot, and the total Woodland Conservation provided on each lot shall be revised to accurately summarize the requirements for each lot. The table shall also be put onto the TCPI.
2. Prior to signature approval of the preliminary plan, the plan and the TCP I shall be revised to accurately show all the individual features for the PMA.
3. Prior to signature approval of the preliminary lan, the TCPI shall be revised to protect the portion of the PMA located on proposed Lots 1 and 12, Block A, that is not associated with the construction of Church Road or Jennings Drive and to eliminate Impact D. The alignment of Jennings Drive shall also be adjusted northward to the extent possible to preserve the PMA to the fullest extent possible.
4. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area except for approved impacts. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
5. A planting plan and schedule for the 30-foot-wide landscape bufferyard shown on the preliminary plan and TCPI shall be shown on the TCPII and approved as part of that plan.

6. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/38/01). The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/38/01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

7. Prior to the issuance of grading permits, a Type II Tree Conservation Plan shall be approved.
8. Before completion of the road construction phase, the applicant, his heirs, successors and/or assignees shall provide six-foot-wide striped bicycle lanes along the property's frontage on Church Road. Appropriate signage and pavement markings shall also be provided.
9. A six-foot wide trail shall be provided along the south side of Jennings Mill Drive along the entire length of the extension of Jennings Mill Drive. A six-foot wide trail connecting the Jennings Mill Drive trail shall be provided along the east side of Court A and extend through to the end of the outlot to be conveyed to M-NCPPC. The six-foot wide trail on Outlot B shall only be constructed if permitted by M-NCPPC. Along all other roads not provided for above, continuous sidewalks shall be provided along at least one side of all internal streets.
10. No building permits shall be issued for this subdivision until the percent capacity at all the affected school clusters are less than or equal to 105 percent or 3 years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.
11. A stormwater management concept plan shall be approved by the Department of Environmental Resources prior to signature approval of the preliminary plan.
12. Proposed Outlot A shall be platted as an outparcel. Any proposed development on this outparcel shall require the approval of a new preliminary plan of subdivision.
13. At the time of final plat approval, the applicant shall dedicate right-of-way along Church Road as shown on the submitted plan. Improvements within the dedicated right-of-way shall be determined by DPW&T, and will include acceleration, deceleration, and left-turn lanes at the proposed access point at a minimum.
14. All final plats shall indicate the A-44 facility as shown on the submitted plan with the notation ■Future Access-Controlled Highway Facility A-44.● If the alignment is changed or otherwise deleted by means of a master plan update, this requirement shall be waived.
15. Prior to approval of the final plat of subdivision all abandoned wells must be backfilled and sealed in accordance with Code of Maryland Regulations (COMAR) 26.04.04.

16. Prior to approval of the final plat of subdivision the applicant shall submit to the Division of Environmental Health a schedule for the abandonment of existing residences on-site in relationship to the grading of the property. Evidence that this schedule was accepted and approved by the Division of Environmental Health shall be provided to the Development Review Division prior to the approval of the final plat of subdivision.
17. For all structures that must obtain a raze permit from the Department of Environmental Resources, any hazardous materials in these structures must be removed prior to the razing of the structures. Once removed, these materials must be properly discarded or labled and stored in an appropriate manner.
18. At the time of Final Plat, Outlot B shall be conveyed to M-NCPPC subject to the following provisions:
  - 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. 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, sidewalks, 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 the 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 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, 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

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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.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN I/38/01 and IMPACTS TO THE PRIMARY MANAGEMENT AREA, IN PART, AS DISCUSSED IN THIS REPORT.