

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

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

## PRELIMINARY PLAN

**4-02003**

Application	General Data
Project Name:  <b>ST. JAMES PROPERTY</b>  Location:  1,000 feet north on Livingston Road from Farmington/Berry Roads.  Applicant/Address:  Haverford Homes 6525 Belcrest Road, #380 Hyattsville, MD 20782	Date Accepted 01/14/02
	Planning Board Action Limit 06/02/02
	Tax Map & Grid 142/E-03
	Plan Acreage 400.07
	Zone V-M
	Lots 181
	Parcels 10
	Planning Area 84
	Council District 09
	Municipality N/A
	200-Scale Base Map 218SE02

Purpose of Application		Notice Dates	
Large Lot Residential Subdivision		Adjoining Property Owners (CB-15-1998)	N/A
		Previous Parties of Record (CB-13-1994)	02/04/02
		Sign(s) Posted on Site	05/08/02
		Variance(s): Adjoining Property Owners	N/A
Staff Recommendation		Staff Reviewer: Del Balzo	
APPROVAL	APPROVAL WITH CON- DITIONS	DISAPPROVAL	DISCUSSION
		X	

Comment [COMMENT1]: WHEN INSERTING INFORMATION AT THE @ SIGN REMEMBER TO USE INDENT FOR SECOND LINE - NOT TAB. ALSO, IT WILL LOOK LIKE THE TEXT IS GOING WACKO, BUT DON'T WORRY - IT IS FINE.

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-02003  
St. James Property, Lots 1 - 181

OVERVIEW

The subject property consists of approximately 400.07 acres of land in the V-M Zone. The applicant proposes to develop the property with 181 large lots for single-family homes under the provisions of the R-A Zone pursuant to CB-11-2000.

The property is the subject of a valid preliminary plan (4-95131) which allows 800 units on smaller lots under the provisions of the V-M Zone. The applicant now wishes to void that preliminary plan approval and replace it with this less-dense version. In general, staff supports this concept and would like to be in a position to recommend approval. However, the staff recommendation is for disapproval for reasons outlined in the Environmental Issues finding in this report.

At this point, it is important to note several dates and deficiencies which lead to the staff's recommendation. The applicant was notified of staff concerns at the Subdivision Review Committee meeting on February 1, 2002. A copy of the original memorandum from the Environmental Planning Section is attached to this report. At that time, staff asked the applicant for several revisions, including the following:

- a. Revisions to the Type I Tree Conservation Plan which was woefully deficient.

- b. Revisions and additions to the variation requests.
- c. A slope stability study.
- d. A noise study.
- e. A visual assessment of Livingston Road, a designated historic road.
- f. Revisions to the preliminary plan.

As of this date, staff has yet to receive the requested noise study, and the other revised information submitted is either inadequate or incorrect. Staff met with the applicant on March 5, 2002. At the conclusion of that meeting, staff had the expectation that all outstanding issues would be addressed and resolved in short order. However, that expectation was not met. With regard to the revised Tree Conservation Plan, staff received these revisions first on April 26, 2002, nearly three months from the request. As staff was reviewing these revisions, the applicant filed new revised plans on May 3, 2002. The plans submitted on May 3, 2002, do not accurately reflect existing conditions, including tree coverage, a critical calculation on which all other calculations are based. Therefore, staff has no confidence that the figures on the worksheet on the Tree Conservation Plan are correct. A more detailed analysis of the application's shortcomings is found in Finding 1 of this report.

Given the severe problems with the accuracy of the information submitted, staff believes it would be in the applicant's best interest to withdraw the application at this time. Once all of the required information

is gathered, the applicant can resubmit and staff will commit to an expedited review. The project is worth pursuing, but at this time not enough information is on the table and staff cannot recommend approval.

## SETTING

The property is located on the north and south sides of Livingston Road, east of Berry Road in the Accokeek area. It is undeveloped and mostly wooded.

## FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues and Variation Requests●The property is bounded to the north by Piscataway Creek Park and contains a small portion of the Chesapeake Bay Critical Area along the northwest perimeter. The undulating topography supports both nonwooded plateaus and steep forested slopes where drainage is conveyed to the stream valleys. Topographic relief ranges from 210 feet along the southeastern terminus to 40 feet above sea level along the northwest perimeter. The site is within the Mt. Vernon viewshed. The streams, wetlands, and floodplain on the property are part of the Potomac River watershed. Current air photos indicate that 75 percent of the site is wooded. Marlboro clays and associated outcrops have been noted on the property. Livingston Road is a historic road. Indian Head Highway is a nearby noise source. The proposed use is not expected to be a noise generator. No species listed by the State of Maryland as rare, threatened or endangered are known to occur in the general region. According to the sewer service and water service maps produced by DER, the property is in categories S-3 and W-3. A Stormwater Management Concept Plan has been submitted for review by the Prince George's County Department of Environmental Resources. The major soils

comprising the upland areas belong to the highly erodible Beltsville and Leonardtown series, while the steep slopes predominantly support the sandy and very highly erodible Aura series.

The site is subject to the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required. A Forest Stand Delineation has been reviewed and determined to meet the requirements of the Woodland Conservation Ordinance, however, the existing tree line shown on the Preliminary Plan of Subdivision and the Type I Tree Conservation Plan does not match the tree line shown on the FSD. The tree line shown on the FSD matches that on current air photos. The tree line on the Tree Conservation Plan and the Preliminary Plan of Subdivision must match the tree line shown of the Forest Stand Delineation.

A Type I Tree Conservation Plan, TCP I/66/95, was approved with 4-95131. The plan must be revised because of the proposed changes in the lotting pattern from that approved by 4-95131. The site is situated within the Mt. Vernon viewshed, therefore special care must be taken to address the visibility concerns of the Historic Mt. Vernon Association. St. James Hill should be adequately buffered from the development to ensure attenuation of visibility and noise. The Historic Preservation Section of M-NCPPC points out that two additional historic sites abut the subject property. Additionally, Livingston Road is identified as a historic thoroughfare in the Subregion V Master Plan. The site also contains extensive woodlands in floodplain, in stream buffers, in wetland buffers, and on steep slopes which are designated as priority preservation areas by the Woodland Conservation Ordinance.

A Tree Conservation Plan, TCP I/66/95-01, has been reviewed. Staff of the Environmental Planning Section cannot determine how the plan will meet the minimum requirements of the Woodland Conservation Ordinance. The plan contains area measurements and tabulations within it which conflict. The table provided on sheets 2, 3, 4, and 5 of the TCP lists eight woodland preservation areas with a total of 122.36 acres. The worksheet on page 1 of the TCP indicates 153.37 acres of on-site woodland preservation. Staff do not know where the missing 31.01 acres of on-site woodland preservation are located. In calculating the requirements of the Woodland Conservation Ordinance, the area of the floodplain is an important factor. The Tree Conservation Plan lists the floodplain area as 43.61 acres. The Preliminary Plan of Subdivision lists the floodplain area as 34.3 acres and as 25.7 acres.

The worksheet on the TCP indicates 5.96 acres of previously dedicated land but a corresponding number is not indicated on the Preliminary Plan of Subdivision. At this point, staff must recommend disapproval of TCPI/66/95-01 because based on the confusing and erroneous information provided, staff cannot determine if the plan meets the minimum requirements of the Woodland Conservation Ordinance.

The site contains significant natural features, which are required to be protected under Section 24-130 of the Subdivision Regulations. A Jurisdictional Determination regarding the extent of regulated streams and wetlands has been obtained from the U.S. Army Corps of Engineers. Wetlands are correctly shown on the Preliminary Plan of Subdivision and the revised Type I Tree Conservation Plan. A minimum 25-foot wetland buffer required by Section 24-130(b)(7) is not clearly shown on the plans. A minimum 50-foot buffer for all streams required by Section 24-130(b)(6) is not clearly shown on the plans. The Preliminary Plan of Subdivision and the revised Type I Tree Conservation

Plan correctly show all areas of severe and steep slopes and the extent of the 100-year floodplain. The Preliminary Plan of Subdivision and the revised Type I Tree Conservation Plan do show stream and wetland buffers expanded to include adjacent severe or steep slopes, however, the plans also show areas as expanded buffers which are not required by Section 24-130 of the Subdivision Regulations. The Preliminary Plan of Subdivision and Type I Tree Conservation Plan must correctly show all buffers required by Section 24-130 of the Subdivision Regulations. Since they do not at this time, staff cannot determine the actual environmental impacts.

#### Review of Variation Requests

A set of variation requests, A through G, dated January 17, 2002 was reviewed with the initial application. A revised set of variation requests, A through M, was received on April 8, 2002. An additional variation request for Lot 64, Block D, was received on May 13, but cannot be considered because it does not meet the minimum 30-day requirement set by Section 24-113(b) of the Subdivision Regulations. The Environmental Planning Section cannot adequately review the variation requests for the proposed impacts because the plans do not clearly show all of the buffers required by Section 24-130 of the Subdivision Regulations. Additionally, the revised variation request dated April 5, 2002, illustrates impacts A, B, C, D, E, F, G, H, I, J, K, L, and M on an early version of the Preliminary Plan of Subdivision which has been superceded by plans later submitted for review. Additionally, the most recent versions of the Preliminary Plan of Subdivision and the Type I Tree Conservation Plan show impacts to areas for which no variation requests have been received. The Environmental Planning Section cannot support any of the variation requests. The major soils comprising the upland areas belong to the highly erodible Beltsville and Leonardtown series, while the steep slopes predominantly support the sandy and very highly erodible

Aura series. Much of the upland soils characteristically contain perched water above an impermeable silt layer. As such, more restrictive building foundation design considerations, such as walk-out basements, above ground basements, or slabs on grade, are warranted. The prevalent soils found in the low-lying areas consist of alluvial material associated with the Bibb series, as well as the more pedogenically developed Elkton, Othello and Fallsington soils. Two site visits were conducted during the summer of 1994. Excluding the steep slopes and adjacent stream valleys, much of the property has been in agricultural use. Best management practices for the intensive farming activities were not apparent during the field visits. Further, top soil was notably absent in some fields where compaction within the plow layer appeared to be high. As a result, it can be inferred that erosion rates have been greatly enhanced by the current traditional agricultural practices. This information is provided for the applicant's information. No further action is needed at this time.

Marlboro clays and associated outcrops have been noted on the property. No information has been submitted as part of this application. Additionally, severe slope areas adjacent to streams may be unstable. Marlboro Clay is estimated to occur from 45 feet to 60 feet mean sea level. Because of the local topography, slope failure associated with Marlboro Clay is not expected to be a significant issue. However, foundations and road base considerations may be an issue with regard to Marlboro Clay. Although Marlboro Clay is not a factor in slope stability, erosion by the streams on the site has produced some areas with severe slopes and the potential for slope failure.

A field visit was made on January 25, 2002, to examine the slopes along the stream valleys. An old slope failure is located on the west side of the stream at the rear of lot 18, Block D. A problem area is on the west side of the stream at the rear of lot 20, Block D. A small failing area is located on the west side of the stream at the rear of lots 23-24, Block C. Problem areas are located on the east side



of the stream on Parcel H. Problem areas are located on the west side of the stream on lots 29, 30, 32, and 35 Block C. [Note: these lot and block numbers correspond to the original set of plans offered for review.] The potential for more small-scale slope failure is high. Section 24-131 of the Subdivision regulations restricts the subdivision of land found to be unsafe for development.

A slope stability study for a portion of the site was received April 24, 2002. The study includes a map with 13 cross-sections and the calculations used to estimate a 1.5 safety factor line. The study does not include several areas indicated in the Environmental Planning Section memorandum dated January 29, 2002. The Preliminary Plan of Subdivision does not show the estimated 1.5 safety factor line.

At this point, staff cannot support the application because it does not adequately illustrate the areas of unsafe land in relationship to the lotting pattern or potential house locations.

A Conceptual Stormdrain Plan was not submitted with the application. The stormwater management concept proposed appears to include the use of a rural road section which effectively reduces the need for pond volume. Low-impact development techniques should be explored, however, staff recognize that the extensive areas with unsuitable soils and severe slopes may preclude their use. This information is provided for the applicant's information. No further action is needed at this time.

Livingston Road is identified as a historic thoroughfare in the Subregion V Master Plan.

Applications on or adjacent to Scenic and Historic Roads are reviewed for conformance with ■Design Guidelines and Standards for Scenic and Historic Roads•prepared by the Prince George's County Department of Public Works and Transportation.

A visual inventory and description of proposed treatments of the view to the site from the Livingston Road was accepted for review on April 22, 2002. The treatments proposed along Livingston Road meet the ■Design Guidelines and Standards for Scenic and Historic Roads.● This information is provided for the applicant's information. No further action is needed at this time.

The Preliminary Plan shows a 65 dBA (Ldn) noise contour from the centerline of MD 210 based upon a study prepared by the applicant. The Environmental Planning Section has reviewed the study and agrees with the conclusion that none of the proposed houses will be impacted by noise from Indian Head Highway. This information is provided for the applicant's information. No further action is needed at this time.

The Chesapeake Bay Critical Area (CBCA) line has been appropriately depicted on the Preliminary Plan. A Chesapeake Bay Critical Area Plan, CP-02003, was reviewed by the Subdivision Review Committee on April 26, 2000. No impacts are proposed to the CBCA portion of the property. The entire area is proposed to be dedicated to M-NCPPC.

2. Community Planning●The 2000 *Interim General Plan* places this property in the Developing Tier. The 1993 *Master Plan for Subregion V* recommends the property for neo-traditional village development. Alternatively, the master plan text (p.100) states:

Although these two projects propose much higher development densities than normally envisioned for Rural Living Areas, the designation of the new "villages" should complement that of the historic area and will function as a transition from suburban areas along the MD

223 highway corridor to the rural living areas farther south and east. If development of these projects according to "village" concepts proves infeasible, the land use policies and lower development densities recommended for Semirural areas should again become the guide for development of these areas. Contemporary, small-lot residential subdivisions are not considered appropriate.

The 1993 *Sectional Map Amendment for Subregion V* classified this property in the V-M, Village-Medium Zone via CDZ Amendment #4 in CR-60-1993. Previously, this property had been classified in the R-A Zone by the 1979 Accokeek-Piscataway-Tippett SMA. A Comprehensive Design Plan, CDP-9401, and a preliminary plan of subdivision, 4-95131, were approved in 1996 and Specific Design Plan SDP-9801 was approved in 1998. Approximately 800 residential units and a limited amount of local commercial development in a traditional village design would be allowed according to the regulations of the V-M Village-Medium Zone for this property.

The 1993 *Master Plan for Subregion V* concepts for Rural Living Areas recommends residential densities up to 0.5 dwelling units per acre. According the plan text (p.46):

The primary design concept for land use in rural areas is to maintain large parcels of undeveloped land to preserve rural character. Residential subdivisions dividing large parcels into equal minimum sized house lots are not encouraged, but cannot be prohibited. When residential development does occur, techniques that maintain large areas of woodland, meadow, or cultivated fields should be considered.

With respect to the ■Semirural Living Area■ classification, such as that alternatively pertaining to the subject property, the master plan text states (p.47):

These are areas where a mixture of semirural, large-lot residential or rural hamlet lifestyles may evolve with or without the use of public sewer services that already exist around and through the area». When public sewer is utilized, the design of residential development in accordance with rural living concepts should be required. On larger properties, especially, there are opportunities to preserve rural characteristics along with residential development if appropriate regulations can be formulated to allow low-density cluster/open space or rural «hamlet» designs.

To date, regulations that would allow open space or rural cluster (hamlet) subdivisions have not been adopted. Lot size variations permitted in the R-A Zone per Section 27-442 of the zoning regulations, as can be utilized for this application, allow some flexibility in subdivision design, although not to the degree recommended by the master plan to achieve rural living area design concepts.

3. Parks and Recreation■ In accordance with Section 24-135 of the Subdivision Regulations, this proposal is exempt from the requirements for mandatory park dedication because all lots are greater than one acre in size.
4. Trails■ In accordance with the *Adopted and Approved Subregion V Master Plan*, 4-95131, and CDP-9401, the applicant should be required to provide a trail along Livingston Road, a designated master plan trail route. Depending on the nature of the road improvements required along Livingston Road, one of the following three master plan trail options (or other option found acceptable to the

Department of Public Works and Transportation and the Trails Coordinator to account for the historic nature of the road) shall be required of the applicant, his heirs, successors, and/or assigns:

- Option A: If Livingston Road is to remain an open section, then 7- to 10-foot-wide shoulders shall be built along the subject property's frontage of both sides of the Livingston Road. Livingston Road shall also be designated as a Class III bikeway with appropriate signage. As Livingston Road is a county R-O-W, the applicant shall provide a financial contribution of \$420 for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
- Option B: If Livingston Road is to be an urban, closed section roadway, a Class II multiuse trail shall be constructed outside of the R-O-W along the subject property's entire frontage of the west side of Livingston Road.
- Option C: If no road improvements are required, a Class II multiuse trail shall be constructed outside of the R-O-W along the subject property's entire frontage of the west side of Livingston Road.

Standard sidewalks are recommended along one side of all internal roads. When sidewalks, trails and/or paths intersect with roadways or parking lots, they should connect to the street with the appropriate size of access ramps. All sidewalks, trails, and paths should be handicapped-accessible where feasible. All sidewalks, trails, and paths should be free of street trees and above-ground utilities.

No master plan trail facilities are recommended along Berry Road. However, a standard sidewalk is recommended along the subject property's entire frontage to accommodate pedestrian movement.

The master plan also recommends that the land along Piscataway Creek be included in the planned Piscataway Creek Stream Valley Park with a master plan trail. However the Department of Parks and Recreation is not recommending dedication for the subject application. No master plan trail recommendations are made regarding this proposal.

5. Transportation●The property was originally reviewed under preliminary plan 4-95131 with a much greater density. The applicant prepared a new traffic impact study dated December, 2001. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation and Public Facilities Planning Division, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (April 1989). The study has been referred to the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA), and comments from both agencies are included in the file.

#### Staff Analysis of Traffic Impacts

The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

- ✱ MD 210 and Livingston/Swan Creek Road (signalized)

- ✧ Livingston Road and Old Fort Road South (four-way stop)
- ✧ Livingston Road and Floral Park Road (unsignalized)
- ✧ Livingston/Farmington/Berry Roads (four-way stop)
- ✧ MD 223 and Floral Park Road (unsignalized)
- ✧ Livingston Road and site access (unsignalized)
- ✧ Berry Road and site access (unsignalized)

This is a lesser study scope than was done in 1995 for this property. The current application is much less dense about one-quarter the residential development originally proposed and all who reviewed the scope were in general agreement. The existing conditions as established in the traffic study are summarized below:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210 and Livingston/Swan Creek Road	1282	1524	C	E
Livingston Road and Old Fort Road South	9.5*	11.6*	--	--
Livingston Road and Floral Park Road	11.8*	43.5*	--	--
Livingston/Farmington/Berry Roads	15.1*	44.7*	--	--
MD 223 and Floral Park Road	14.3*	12.0*	--	--
Livingston Road and site access	future		--	--
Berry Road and site access	future		--	--

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection.

According to the *Guidelines*, an average 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 background traffic conditions (existing plus growth in through traffic plus traffic generated by background developments) presented in the traffic study are acceptable as shown. It is key that a relocation of Piscataway Road through the Greens at Piscataway development is assumed to be in place for background traffic, with a roundabout at the Piscataway/Livingston intersection. It is staff's understanding that this facility is in advanced discussion with SHA; therefore, it is acceptable for the improvement to be part of the background situation.

Background traffic conditions are summarized below:

BACKGROUND CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210 and Livingston/Swan Creek Road	1838	1717	F	F
Livingston Road and Old Fort Road South	80.4*	208.8*	--	--
Livingston Road and Floral Park Road - roundabout	volume/capacity: AM 0.83; PM 0.84			
Livingston/Farmington/Berry Roads	19.1*	101.5*	--	--
MD 223 and Floral Park Road	33.5*	42.9*	--	--



Livingston Road and site access	future	--	--
Berry Road and site access	future	--	--
<p>*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.</p> <p>According to the <i>Guidelines</i>, an average 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.</p>			

The application is a plan for a residential subdivision consisting of 181 lots. The proposed development would generate 136 AM (27 in, 109 out) and 163 PM (109 in, 54 out) peak-hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The trip distribution utilized in the traffic study is acceptable. Total traffic under future conditions is summarized below:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 210 and Livingston/Swan Creek Road	1906	1717	F	F
Livingston Road and Old Fort Road South	123.1*	273.3*	--	--
Livingston Road and Floral Park Road - roundabout	volume/capacity: AM - 0.91; PM - 0.86			
Livingston/Farmington/Berry Roads	20.0*	117.5*	--	--
MD 223 and Floral Park Road	35.8*	48.8*	--	--
Livingston Road and site access	22.1*	31.2*	--	--

Berry Road and site access	9.3*	10.2*	--	--
<p>*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.</p> <p>According to the <i>Guidelines</i>, an average 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.</p>				

A number of transportation improvements have been identified in the traffic study which would correct the transportation inadequacies which are noted above. These improvements are summarized below:

A. MD 210 and Livingston/Swan Creek Road

1. Westbound free right-turn lane along Livingston Road
2. Fourth southbound shared right/through lane along MD 210 from 500 feet north to 2,800 feet south of Swan Creek Road
3. Second northbound left-turn lane

B. Livingston Road and Floral Park Road

1. Install a roundabout, provided it is approved to be built by Greens at Piscataway

C. Livingston Road and Farmington/Berry Road

1. Exclusive right-turn lane on southbound Livingston Road

With the improvements listed above, total traffic conditions at the six intersections proposed for improvement are as follow:

TOTAL TRAFFIC CONDITIONS with IMPROVEMENTS				
Intersection	Critical Lane		Level of Service	
	Volume (AM & PM)		(LOS, AM & PM)	
MD 210 and Livingston/Swan Creek Road	1485	1414	E	D
Livingston Road and Old Fort Road South	123.1*	273.3*	--	--
Livingston Road and Floral Park Road - roundabout	volume/capacity: AM - 0.91; PM - 0.86			
Livingston/Farmington/Berry Roads	21.2*	97.4*	--	--
MD 223 and Floral Park Road	35.8*	48.8*	--	--
Livingston Road and site access	22.1*	31.2*	--	--
Berry Road and site access	9.3*	10.2*	--	--
<p>*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.</p> <p>According to the <i>Guidelines</i>, an average 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.</p>				

Staff notes that the table above indicates that two unsignalized intersections, the Livingston/Old Fort Road South and the Livingston/Farmington/Berry intersections, still operate unacceptably as

unsignalized intersections. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined vehicle delay in any movement exceeding 50.0 seconds as an unacceptable operating condition at unsignalized intersections. Both intersections operate unacceptably during at least one peak hour with the development of the subject property. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. Therefore, a traffic signal warrant study should be prepared by this applicant at each location in response to the inadequacy noted. This should occur prior to the time of building permit (or prior to Detailed Site Plan review, if a site plan is required for other reasons). If such a study is done, and the applicant is responsible for signal installation, these intersections will operate adequately under future traffic.

With signal warrant studies at two locations, the table above indicates that all intersections in the study area, with the exception of the MD 210/Livingston/Swan Creek intersection, operate at LOS D during both peak hours with the improvements recommended by the transportation staff. In the case of MD 210/Livingston/Swan Creek, the applicant has recommended improvements to the service level at the intersection. This intersection is eligible for mitigation under the fourth criterion in the *Guidelines for Mitigation Action* (approved as CR-29-1994). The applicant recommends the three improvements described earlier to mitigate the impact of the applicant's development in accordance with the provisions of Sec. 24-124(a)(6). The impact of the mitigation actions at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 210/Livingston/Swan Creek:				
Background Conditions	F/1838	F/1717		
Total Traffic Conditions	F/1906	F/1717	+68	+0
Total Traffic Conditions w/Mitigation	E/1485	D/1414	-421	-303

As the CLV at MD 210/Livingston/Swan Creek is between 1,450 and 1,813 during the PM peak hour, the proposed action must mitigate at least 150 percent of the trips generated by the subject property during the PM peak hour, according to the *Guidelines*. Also, as the CLV is greater than 1,813 during the AM peak hour, the proposed action must mitigate at least 100 percent of the trips generated by the subject property during the AM peak hour. The above table indicates that the proposed action would mitigate at least 100 percent of site-generated trips during the AM peak hour, and provides adequate operations during the PM peak hour. **Therefore, the proposed mitigation at MD 210 and Livingston/Swan Creek meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.**

DPW&T and SHA comments are attached. DPW&T was concerned that the roundabout might be at the wrong intersection. However, since the extension of Piscataway Road across the Greens of Piscataway property is proposed to become a state highway, transportation staff deferred to SHA concerning the location or potential location of roundabouts, and SHA did not raise any objections.

SHA comments were more substantial. SHA suggested that the mitigation at the MD 210/Livingston/Swan Creek intersection take the following form:

A. MD 210 and Livingston/Swan Creek Road

1. Westbound free right-turn lane along Livingston Road
2. Addition of a through lane along westbound Livingston Road
3. Eastbound free right-turn along along Swan Creek Road
4. Conversion of existing eastbound through lane along Swan Creek Road to a shared through/left-turn lane
5. Widening of westbound Swan Creek Road west of the intersection to accommodate the second through lane

Staff reviewed the improvements suggested by SHA, and determined that the proposed improvements to eastbound Swan

Creek Road were not useful in mitigating the site impact. By recommending the first, second, and fifth items above, staff obtains the following table showing the impact of SHA's recommended mitigation actions:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 210/Livingston/Swan Creek:				
Background Conditions	F/1838	F/1717		
Total Traffic Conditions	F/1906	F/1717	+68	+0
Total Traffic Conditions w/Mitigation	E/1494	D/1642	-412	-75

As the CLV at MD 210/Livingston/Swan Creek is between 1,450 and 1,813 during the PM peak hour, the proposed action must mitigate at least 150 percent of the trips generated by the subject property during the PM peak hour, according to the *Guidelines*. Also, as the CLV is greater than 1,813 during the AM peak hour, the proposed action must mitigate at least 100 percent of the trips generated by the subject property during the AM peak hour. The above table indicates that the proposed action would mitigate at least 100 percent of site-generated trips during the AM peak hour, and at least 150 percent of site-generated trips during the PM peak hour (the site has virtually no PM peak-hour impact because there is virtually no impact upon the critical movements in the intersection). **Therefore, SHA's proposed mitigation at MD 210 and Livingston/Swan Creek**

**meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Ordinance in considering traffic impacts.**

SHA has endorsed the above set of improvements over those in the traffic study as mitigation. For that reason, the transportation staff is inclined to accept SHA's recommendation over that of the applicant. The Planning Board cannot approve a mitigation action without the support of the responsible operating agency (or agencies).

#### Site Access and Layout Issues

Livingston Road is a Master Plan arterial with right-of-way of 120 feet. Berry Road is a master plan collector with a right-of-way of 80 feet, or 40 feet from the center line. The plan reflects adequate dedication along both facilities. Frontage improvements along both facilities shall be determined by DPW&T.

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

6. Schools The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public school 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 6	181 sfd	0.24	43.44	4549	122	10	12.96	4737.40	4512	105.00%	n/a
Middle School Cluster 3	181 sfd	0.06	10.86	4959	43	15	3.24	5031.10	5114	98.38%	n/a
High School Cluster 3	181 sfd	0.12	21.72	9317	172	30	6.48	9547.20	8767	108.90%	Surrattsville addn.

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

The affected high school cluster percent capacity is greater than 105 percent. The Surrattsville addition is the funded school in the affected high school cluster, therefore, this subdivision can be approved with 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.
  - a. The existing fire engine at Accokeek Fire Station, Company 24, located at 16111 Livingston Road, has a service response time of 5.62 minutes, which is beyond the 5.25- minute response time guideline.
  - b. The existing ambulance at Accokeek Fire Station, Company 24, has a service response time of 6.25 minutes, which is within the 6.25 minutes response time guideline for Block A Lots 1-7; Block B Lots 1-11, Lot 17 and Lots 51-63; Block C Lots 1-6; Block D Lots 61-71. All other lots are beyond.

- c. The existing paramedic unit at Allentown Road Fire Station, Company 47, located at 10900 Old Fort Washington Road, has a service response time of 7.25 minutes, which is within the 7.25-minute response time guideline for Block A Lots 1-7; Block B Lots 1-11, Lot 17 and Lots 51-63; Block C Lots 1-6; Block D Lots 61-71. All other lots are beyond.

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*. The fire department requires that all residential structures be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws. Since this is a matter of law, no condition is necessary.

8. Police Facilities ● The proposed development is within the service area for District III-Landover. In accordance with Section 24-122.1(c) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing county police facilities will be adequate to serve the proposed St. James Property development. This police facility will adequately serve the population generated by the proposed subdivision.

9. Health Department ● The Health Department noted that several wells and septic systems appeared on the property. These must be pumped, backfilled and sealed in accordance with COMAR 26.04.04. In addition, the Health Department noted that the soils on the property have high or perched water tables. Basements will experience water problems unless the lots are properly engineered.

The Health Department also raised the issue of noise from Berry Road due to extensive truck traffic. A noise study was requested. Instead of submitting a noise study, the applicant submitted its own

letter stating that the truck traffic is illegal. Unfortunately, this does not address the issue. If this truck traffic is illegal and stopped, the noise study should indicate that the problem is solved. In any event, a noise study verification of the 65 dBA line is necessary.

10. Stormwater Management•The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan has been submitted, but not yet approved. To ensure that development of this site does not result in on-site or downstream flooding, 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 preliminary plan depicts the 10-foot-wide public utility easement along all public streets. This easement will be included on the final plats.
12. Historic Site•Part of the property adjoins St. James Hill (Historic Site #84-1). St. James Hill is a three-part, multiperiod house. The central block is a two-and-one-half-story, side-gabled brick structure, with the principal facade laid in Flemish bond and fronted by a two-story pedimented portico. This central block was built in the 1830s as the home of Dr. Benedict J. Semmes, who served in the U.S. Congress. It is attached at right angles to an early one-and-one-half-story, gable-roof frame building. In the 20<sup>th</sup> century, the portico was added to the central block, and a balancing wing was constructed. The result is an unusual joining of architectural elements and a prominent local landmark.

Lots C-54, C-55 and C-64, as proposed, will adjoin the south and east boundaries of the Historic Site. Wherever a developing property adjoins a Historic Site, the Prince George's County *Landscape Manual* (pages 57-61) requires that a 40-foot (D) bufferyard be planted along the common boundaries, and any houses to be built on the developing property must be set back an additional 10 feet from those boundaries. The preliminary plan shows no buffers along these adjoining boundaries, but the land along these boundaries is presently heavily wooded, and the required buffers can easily be retained. The applicant should ensure (through retention of existing tree stands or additional planting) that the required bufferyard is maintained.

The principal buildings of the Historic Site are located at a considerable distance (between 700 and 1,100 feet) from the property boundaries. Therefore, a Detailed Site Plan should not be necessary for the houses to be built on lots along those boundaries.

Livingston Road, which will divide the two sections of the proposed development, is identified as a Historic Road in the *Subregion V Master Plan*. Because of this designation, staff asked at the Subdivision Review Committee meeting that the applicants submit an inventory of historic and scenic features in accordance with the Prince George's County DPWT *Design Guidelines and Standards for Scenic and Historic Roads*, 1994. To date this information has not been submitted.

13. Accokeek Development Review District Commission (ADRDC) The ADRDC supports the application, but raises several concerns. These include impacts on the transportation system and schools. These issues are fully addressed in the appropriate findings in this report. The letter from the ADRDC is attached to this report.

## RECOMMENDATION

DISAPPROVAL, based on inadequate information.

STAFF RECOMMENDS DISAPPROVAL OF TYPE I TREE CONSERVATION PLAN, TCP I/66/95-01.