

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

4-02026

Application	General Data
Project Name: ASHLEY'S CROSSING Location: West end of Collinson Court, east end of Foley Terrace, approximately 500 feet north of Allentown Road. Applicant/Address: Perlco Builders 811 Russell Avenue, #300 Gaithersburg, MD 20879	Date Accepted 04/02/02
	Planning Board Action Limit 09/20/02
	Tax Map & Grid 106/E-01
	Plan Acreage 9.3629
	Zone R-80
	Lots 28
	Outlots 2
	Planning Area 76B
	Council District 08
	Municipality N/A
	200-Scale Base Map 209SE05

Purpose of Application		Notice Dates	
<div>Residential Subdivision</div> <div>This case was continued from the June 6, 2002 hearing.</div>		Adjoining Property Owners (CB-15-1998)	N/A
		Previous Parties of Record (CB-13-1994)	N/A
		Sign(s) Posted on Site	5/20/02
		Variance(s): Adjoining Property Owners	N/A
Staff Recommendation		Staff Reviewer: Del Balzo	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-02026
Ashley's Crossing

OVERVIEW

The subject property consists of approximately 9.363 acres of land in the R-80 Zone. It is identified as Parcel 317, Tax Map 106, Grid E-1. It is undeveloped and wooded. The applicant proposes to develop the property with 28 lots for single-family dwellings in accordance with the R-80 Zone standards. Foley Terrace would be extended to meet with Collinson Court and a single cul-de-sac would serve the lots connecting to this extension.

The application was originally scheduled for public hearing on June 6, 2002. The Planning Board granted a continuance until July 11, 2002.

SETTING

The property is located west of Collinson Court, east of Foley Terrace, and approximately 500 feet north of Allentown Road in the Camp Springs area. Undeveloped land in the R-80 Zone is to the north. To the east and west are developed subdivisions of single-family detached dwellings in the R-80 Zone. To the south is a private school, also in the R-80 Zone.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues The property is entirely wooded. A review of the information available indicates that streams, wetlands, and steep and severe slopes are found to occur on this property. The site is located in the Henson Creek watershed, which is a tributary to the Potomac River. The soils found to occur on this property according to the Prince George's County Soil Survey include the Beltsville, Sassafras, Westphalia and Woodstown series. The Beltsville and Westphalia soils have a K factor of 0.43 and are considered highly erodible. The Woodstown soils are in hydrologic group C and the Sassafras soils are in hydrologic group B. All of these soils have a K factor of 0.43 and are considered highly erodible. There are no rare, threatened, or endangered species located in the vicinity of this property, based on information provided by the Maryland Department of Natural Resources' Natural Heritage Program. No historic or scenic roads are affected by this proposal. The sewer and water service categories are S-3 and W-3 and will be served by public systems.

The Forest Stand Delineation (FSD) as submitted is in need of several revisions. The Environmental Planning Section recommends approval of the FSD with the following revisions:

- a. Show the correct amount of existing woodland.

- b. Show the stream in the legend.
- c. Show the entire site as wooded.
- d. Indicate the most recent signature date as well as updated notes in the revision box.
- e. Have the plan signed and dated by a qualified professional.

This site is subject to the provisions of the Woodland Conservation Ordinance because it is larger than 40,000 square feet in size and contains more than 10,000 square feet of woodlands. The following revisions are needed to TCPI/27/02 and specifically the Woodland Conservation Worksheet.

- a. Show the correct amount of existing woodland.
- b. Show the correct amount of woodland clearing.
- c. Show the correct amount of required woodland preservation.
- d. Show the correct amount of provided woodland preservation.
- e. Eliminate the amount for fee-in-lieu and add it to the off-site mitigation requirement.
- f. Show the revisions made, by whom and when, in the revisions box.
- g. Have the plan signed and dated by a qualified professional after all changes are made.

The site contains significant natural features, which are required to be protected under Section 24-130 of the Subdivision Regulations. The Subdivision Ordinance requires the preservation of stream buffers and wetland buffers.

A Wetland Delineation Report has been reviewed and found to accurately reflect the locations of the wetlands on this property. The Maryland Department of Environment and/or the Army Corps of Engineers will make the final determination as to the exact extent of the wetlands. The plans included with the application do not show the location of the 50-foot stream buffer. The preliminary plan and TCPI must be revised to show the 50-foot stream buffer.

If wetland impacts are proposed, permits will be required, and the applicant should submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

2. Variation Request Staff of the Environmental Planning Section, the Transportation Planning Section and the Subdivision Section have reviewed the applicant's two variation requests. Variation Request **1** is to cross wetlands to connect Foley Terrace with Collinson Court. Variation Request **2** is to cross wetlands with the internal cul-de-sac to provide access to the rear or southern part of the property. Section 24-130 of the Subdivision Regulations prohibits disturbance to wetlands and buffers unless a variation is granted. The Environmental Planning Section memorandum recommended denial of the first variation request and approval of the second. The Transportation Planning Section recommends that Foley Terrace and Collinson Court be connected for circulation purposes. (See a full discussion of this issue in the Finding 6: Transportation, in this report.) Section 24-113 of the Subdivision Regulations sets forth the required findings for approval of variation requests. Staff supports both proposed impacts based on the following findings.

- a. **That the granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property.** Comment: Variation **■1.●** proposes impacts that are necessary to ensure public safety by providing additional circulation opportunities for fire and rescue vehicles. The proposed connection of Foley Terrace and Collinson Court will enable these vehicles to access properties in the immediate area faster and more efficiently. Variation **■2.●** will not be detrimental to public health, safety and welfare. It involves only a minor portion of a tip of wetlands and buffer.
 - b. **The conditions of which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties.** Comment: The conditions associated with Variation **■1.●** are unique in that this property represents a wedge between two developed properties. The road extension is necessary for circulation, but not specifically for this development. The conditions surrounding Variation **■2.●** are unique in that the property contains an isolated wetland which is unique to this area as the surrounding properties are developed with single-family homes. This property is also shaped in such a manner that it is impossible to build the full length of the road without impacting the wetland buffers. Attempts to avoid all of the supported impacts would require a further reduction to the proposed number of lots by approximately 50 percent simply because of a single road crossing.
 - c. **The variation does not constitute a violation of any other applicable law, ordinance, or regulation.** Comment: The granting of either variation request will not constitute a violation of any other law, ordinance or regulation. Federal and state permits will be required for all work in the wetlands and these other laws, ordinances and regulations will be addressed during subsequent reviews, approvals, and permitting processes.
 - d. **Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.** Comment: A particular hardship would be incurred by the applicant if Variation **■1.●** were not approved. While access is available from existing Foley Terrace, the provision of additional access for both this property and its surroundings is important for the efficient delivery of public services. With regard to Variation **■2.●**, the configuration of this property and the location of the wetland buffers creates a particular hardship with respect to the development of the entirety of the property. The wetland buffers on this property are located in the only part of the property where the proposed road can be located. Failure to grant the supported variation would reduce the development potential of this site by 50 percent or more.
3. Community Planning●The 2000 *Interim General Plan* placed the property in the Developing Tier. The 1981 *Master Plan for Subregion VII* recommends Suburban Residential land use at a density of up to 3.5 dwelling units per acre. The northern half of the property is shown

as a Conditional Reserve Area. The 1984 *Subregion VII SMA* classified the subject property in the R-80 Zone.

Guideline 8 on page 56 of Environmental Envelope Chapter of the master plan states, ■ Limited development shall be permitted in Conditional Reserve Areas based on the significant physiographic constraints and natural processes of the land. • This conditional reserve area affects the northern portion of the property only. The proposed residential subdivision is in conformance with the land use policy component of the 1981 *Subregion VII Master Plan*.

4. Parks and Recreation • The property is subject to the requirements of Section 24-134 for mandatory park dedication. Staff recommends the applicant be required to pay a fee-in-lieu of mandatory park dedication because the size and location of land available is unsuitable for park purposes.
5. Trails • There are no master plan trails issues associated with this application.
6. Transportation • No traffic study was requested of the applicant but traffic counts were requested. However, the staff located counts taken in the year 2000 to support the adequacy finding at the development's critical intersection. The findings and recommendations outlined below are based upon a review of these and other relevant 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 staff's traffic impact analysis was limited to the intersection of Allentown Road and Brinkley Road, which is signalized. The existing conditions at this intersection, according to the recent peak hour traffic counts, indicate that the intersection operates with a critical lane volume (CLV) of 1,039 and level-of-service (LOS) B during the AM peak hour and a CLV of 1,355 with LOS D during the PM peak hour. The *Guidelines* identify signalized intersections having CLVs greater than 1,450 (LOS E or F) as unacceptable.

The transportation staff was not able to identify any approved but unbuilt developments in the vicinity of the site. Staff did assume growth rates for through traffic of two percent per year over three years; this percentage exceeds actual average daily traffic growth rates. No improvements to the critical intersection are funded in the County CIP or the state CTP. The resulting background traffic conditions indicate that the intersection would operate with a CLV of 1,103 (LOS B) and a CLV of 1,438 (LOS D) during the AM and PM peak hours respectively.

The *Guidelines* indicate that the development of 28 single-family detached residences on the subject property would generate 4 inbound and 17 outbound trips during the AM peak hour, and 17 inbound and 8 outbound trips during the PM peak hour. A trip distribution of 15 percent southwest along Allentown Road, 30 percent northwest along Brinkley and Temple Hill Road, and 55 percent eastbound along Allentown Road (using the critical intersection) was assumed. An analysis of total traffic under future conditions indicates that the Allentown Road/Brinkley Road intersection would operate with a CLV of 1,108 (LOS B) and a CLV of 1,443 (LOS D) during the AM and PM peak hours respectively. Therefore, transportation facilities in the area meet the requirements for transportation adequacy.

There are two significant issues concerning the subject plan.

As proposed, Lots 7, 8, 20 and 21 of the subdivision are within the planned right-of-way for a future relocation of Allentown Road. This facility is shown on the Subregion VII Master Plan and the *Master Plan of Transportation* as A-51. Over the years, no fewer than 16 separate properties have been placed in reservation along the Allentown Road alignment between Brinkley Road and MD 210. Twelve of those have had reservations expire over the years, while 4 properties remain in reservation (each of the 4 has been in reservation for more than 20 years; while staff cannot unilaterally extend the period of reservation that long, property owners can do so as long as the facility remains on the master plan). Several of the properties on which reservation has expired have been developed with residences. Staff discussions with the Department of Public Works and Transportation (DPW&T) indicate the following:

- a. The relocation of Allentown Road is not programmed in the current *Capital Improvement Program*.
- b. There is no current desire to program this facility in the upcoming capital program.
- c. While DPW&T would generally support the placement of properties in reservation to preserve options for future roadways, unless a roadway is programmed for construction there would normally be no reasonable assurance that a purchase could be considered within the three-year reservation period.

Given the above facts and considering the recent history of reservations along Allentown Road, staff does not believe that the requirements for reservation as stated in Section 24-139 can be met. Many properties along Allentown Road Relocated have been placed in reservation over the past 20 years without a strict adherence to the letter of the requirement given in Section 24-139, and the reservation on every property so placed has lapsed. Therefore, staff does not recommend reservation for Lot 7, 8, 20, and 21 at this time. If, however, an update of the Master Plan of Transportation occurs prior to the subject lots being developed which reaffirms the appropriateness of retaining A-51 on the plan, and if the subject property is resubdivided for any reason, the planning staff will revisit the appropriateness of reservation.

The second significant issue concerns access to the subject property. The property includes access via two existing stub streets: Collinson Court and Foley Terrace. Both streets are secondary residential streets with 26-foot pavement widths within 50-foot rights-of-way. This is problematic, as neither street is of sufficient width to easily handle the entire site traffic. Staff visited the site, and provides the following observations:

1. Access from the site via Foley Terrace would utilize Wickham Drive and Summerhill Road. Neither street is a primary residential facility. The northern section of Summerhill Drive, based on the development in the area, probably serves 700-800 cars per day, which is high for a secondary residential street. Staff estimates that approximately 30 percent of site traffic (8 cars during the heaviest hour, and 80 cars daily) would use Foley Terrace if the two points of access are

retained. A total of 25 cars during the heaviest hour and 260 cars daily would overwhelm Summerhill Road and possibly Wickham Drive. Therefore, while transportation staff supports some access from the site via Foley Terrace, staff would emphasize that site access should not be solely onto Foley Terrace.

2. Access from the site via Collinson Court would utilize Edgemere Drive and Tall Oak Drive. While Edgemere Drive is a secondary street, Tall Oak Drive is a primary residential street, and the 36-foot pavement can handle slightly higher traffic volumes. The southern section of Tall Oak Drive, based on the development in the area, probably serves 1200-1300 cars per day, which is reasonable for a primary residential street. The section of Edgemere Drive near Tall Oak Drive probably serves 300 cars per day, which is also reasonable for a street of that size. Staff estimates that approximately 70 percent of site traffic (17 cars during the heaviest hour, and 180 cars daily) would use Collinson Court to Edgemere Drive if the two points of access are retained. A total of 25 cars during the heaviest hour and 260 cars daily could be accommodated on Collinson Court and Edgemere Drive, but would be slightly heavy for Tall Oak Drive. Therefore, while transportation staff supports some access from the site via Collinson Court, staff would emphasize that site access should not be solely onto Collinson Court.

In summary, staff does not support all traffic from the subject property being directed into one neighborhood or the other. Two access points will result in a reasonable distribution of traffic from the site which can safely be accommodated on area streets which exist.

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. Given the plan which is under review and the analyses which have been done, the transportation staff is recommending no conditions at this time.

7. 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 #	Dwell- ing 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	27 sfd	0.24	6.48	4549	122	10	12.96	4700.44	4512	104.18%	n/a
Middle School Cluster 3	27 sfd	0.06	1.62	4959	43	15	3.24	5021.86	5114	98.20%	n/a
High School	27 sfd	0.12	3.24	9317	172	30	6.48	9528.72	8767	108.69%	Surratts ville

Cluster 3											addn.
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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 subject to conditions, in accordance with Section 24-122.02., including a three-year waiting period.

8. 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 service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service response time of 6.21 minutes, which is beyond the 5.25- minute response time guideline.
 - b. The existing ambulance service at Clinton Fire Station, Company 25, has a service response time of 6.21 minutes, which is within the 6.25-minute response time guideline.
 - c. The existing paramedic service at Clinton Fire Station, Company 25, has a service response time of 6.21 minutes, which is within the 7.25-minute response time guideline.

These findings are in conformance with the 1990 *Adopted and Approved Public Safety Master Plan* 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 above, 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.

9. Police Facilities The proposed development is within the service area for Police District IV- Oxon Hill. In accordance with Section 24-122.1(c) of the Subdivision Regulations of Prince George's County, existing county police facilities will be adequate to serve the proposed Ashley Crossing development. This police facility will adequately serve the population generated by the proposed subdivision.
10. Health Department The Health Department reviewed the application. Any abandoned well or septic system will need to be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04.
11. 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, # 10805-2002-00, was approved with conditions on June 24, 2002, to ensure that development of this site does not result in on-site or downstream flooding. The plan is valid through June 24, 2005. Development must be in accordance with this approved plan.

12. Public Utility Easement•The preliminary plan does not include the required ten-foot-wide public utility easement. Prior to signature approval, this easement must be added along all public streets. The easement will be reflected on the final plat.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan, the Forest Stand Delineation shall be revised as follows:
 - a. Show the correct amount of existing woodland.
 - b. Show the stream in the legend.
 - c. Show the entire site as wooded.
 - d. Indicate the most recent signature date as well as updated notes in the revision box.
 - e. Have the plan signed and dated by a qualified professional.
2. Prior to signature approval of the preliminary plan, TCP I/27/02 shall be revised as follows:
 - a. Show the correct amount of existing woodland.
 - b. Show the correct amount of woodland clearing.
 - c. Show the correct amount of required woodland preservation.
 - d. Show the correct amount of provided woodland preservation.
 - e. Eliminate the amount for fee-in-lieu and add it to the off-site mitigation requirement.
 - f. Show the revisions made, by whom, and when in the revisions box.
 - g. Have the plan signed and dated by a qualified professional after all changes are made.
3. Prior to signature approval of the preliminary plan, the preliminary plan and TCP I/27/02 shall be revised to show the 50-foot stream buffer.
4. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
5. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/27/02). 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/27/02), 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.●
6. Prior to the issuance of grading permits, a Type II Tree Conservation Plan shall be approved.

7. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain wetlands, streams and buffers for which variation requests have not been approved and be reviewed by the Environmental Planning Section prior to approval. 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.■
8. No building permits shall be issued for this subdivision until the percent capacity, as adjusted pursuant to the school regulations, at all the affected school clusters is less than or equal to 105 percent or three 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.
9. Prior to signature approval, the preliminary plan shall be revised to graphically depict the ten-foot public utility easement. This easement shall be included on the final plat.
10. Development of this property shall be in conformance with the approved stormwater management plan, Concept 10805-2002-00, or any approved revisions thereto.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCP I/27/02 AND VARIATIONS TO SECTION 24-130 OF THE SUBDIVISION REGULATIONS.