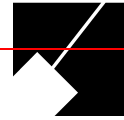


Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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.

Note: Staff reports can be accessed at www.mnccppc.org/pgco/planning/plan.htm

PRELIMINARY PLAN

4-02049

Application	General Data
Project Name:	Date Accepted 06/17/02
GLENDALE FOREST	Planning Board Action Limit 09/25/02
Location:	Tax Map & Grid 036/D-02
West side of Prospect Hill Road, approximately 1,000 feet north of Glenn Dale Boulevard.	Plan Acreage 50.84
Applicant/Address:	Zone R-R
Chesapeake Homes	Lots 70
6196 Oxon Hill Road	Parcels 2
Oxon Hill, MD 20745	Planning Area 70
	Council District 04
	Municipality N/A
	200-Scale Base Map 209&210NE10

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners N/A (CB-15-1998)
	Previous Parties of Record N/A (CB-13-1994)
	Sign(s) Posted on Site 09/03/02
	Variance(s): Adjoining N/A Property Owners
Staff Recommendation	Staff Reviewer: Del Balzo
APPROVAL	APPROVAL WITH CONDITIONS
	X
DISAPPROVAL	DISCUSSION

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-02049
Glenn Dale Forest Subdivision, Lots 1 – 70

OVERVIEW

The subject property consists of approximately 50.8 acres of land in the R-R Zone. It is currently undeveloped and partially wooded. The applicant proposes a subdivision of 70 lots for single-family homes. Proposed lots range in size from 15,000+ square feet to 47,000± square feet. Access is provided from a single street connecting to Prospect Hill Road. A large stormwater management pond is proposed on the south end of the property.

Special Exception application SE-4456 is also currently under review for this same property. The special exception application is for a 260-unit development for seniors. Eventually, the developer will need to decide which avenue to pursue. If both applications are approved, development can proceed along only one path.

SETTING

The property is located on the west side of Prospect Hill Road, just west of its intersection with Old Prospect Hill Road in Glenn Dale. To the north are railroad tracks. To the east are single-family homes in the R-R Zone. To the south is a developing church in the R-R Zone. To the west is a Home Depot in the I-1 Zone.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Development Data Summary –

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Undeveloped	Single-family detached homes
Acreage	50.84± acres	50.84± acres
Lots	0	71
Parcels	1	1
Dwelling Units:		
Detached	0	70

2. Environmental Issues and Variation Request—The site is wooded and is characterized with rolling terrain, and drains into unnamed tributaries of Folly Branch in the Patuxent River watershed. There are no streams, wetlands or 100-year floodplains identified on the subject property. The predominant soil types on the site are Rumford, Sunnyside, Christiana, and Woodstown. These soil series generally exhibit slight to moderate limitations to development due to impeded drainage, seasonally high water table, and steep slopes. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. According to the Sewer Service and Water Service maps produced by DER, the property is in categories S-3 and W-3; the property will be served by public systems. There are no known rare, threatened, or endangered species in the general region listed by the State of Maryland. Noise concerns have been identified related to this site due to a railroad which abuts the site to the north and west.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Forest Stand Delineation (FSD) was submitted as part of the application and has been found to meet the requirements of the Woodland Conservation Ordinance. The existing Virginia pine stands have been delineated. No further information is required for this review.

The revised Type I Tree Conservation Plan (TCPI/34/02) was stamped as received by the Environmental Planning Section on August 21, 2002. The minimum woodland requirement for the site is 10.17 acres. Additionally, 9.48 acres is required due to the removal of woodlands, for a total of 19.65 acres. The plan shows the requirement being met with 8.66 acres of on-site preservation, and 10.99 acres of off-site mitigation credits, for a total of 19.65 acres as required.

The following comments from the initial review have not been addressed:

- a. Areas used for woodland conservation have not been identified with a symbol and labeled stating the amount of acreage credit claimed.
- b. The TCP notes have not been revised to properly state the penalty for removal of woodlands.
- c. Significant revisions have been made to the TCPI that are not noted in the revision box.
- d. The TCPI has not been signed and dated by a qualified professional.

These revisions must be made prior to signature approval of the preliminary plan.

Noise is of concern due to the close proximity of a railroad that is located adjacent to the northern property line. The noise study recently submitted shows the location of the 65 dBA Ldn noise contour to be 130 feet from the centerline of the railroad tracks for lower levels and 320 feet from the centerline for upper levels. The lower level noise contour is not located on the rears of the proposed lots, however, the upper level noise contour impacts the proposed houses. To meet the state noise standards, mitigation for interior noise levels for the proposed homes is needed. The maximum interior noise level is 45 dBA Ldn. The noise contours must be shown on the preliminary plan and certification is needed regarding the reduction of noise levels for interior residential areas. Prior to signature approval, the 65 dBA Ldn noise contours must be added to the plan.

Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis needs to be placed on the building permits stating that building shells of

structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA Ldn or less.

Section 24-121 of the Subdivision Regulations requires a 300-foot lot depth for lots abutting a railroad right-of-way. Proposed Lots 39 through 45, and 53, do not meet this requirement. The applicant has requested a variation in accordance with Section 24-131 of the Subdivision Regulations.

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. While the requirements for granting zoning variances must be accompanied by specific findings, the requirements for granting subdivision variations are considered less onerous than the granting of zoning variances. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon the evidence presented to it in each specific case that:

- A. **That the granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property.**

Comment: The variation will allow the creation of lots with less depth than required. This will not harm public safety, health or welfare, or be injurious to other properties because it does not affect other properties or the public in general.

- 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 the variation are unique. Most of the lots adjacent to the railroad right-of-way are 300 feet deep. However, a portion of the right-of-way is actually an easement that crosses the subject property. The easement allows trains to slow and access the adjoining property, improved with a Home Depot. At this point, the trains are slower and less noisy and create less vibration. This unique situation is not found anywhere else in the area.

- 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. The 300-foot lot depth requirement is the only applicable law in this instance. Bufferyards will be required and can be accommodated on the lots.

- 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: There is a hardship on the owner if the lot depth is not allowed to be reduced. Otherwise useable land is rendered useless by the 300-foot lot depth requirement in an area where it should be eliminated given the unique circumstances surrounding this property.

3. Community Planning—The 2002 General Plan places this property in the Developing Tier. The *Approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan* (1993) recommends residential land use at a Low Suburban density. The property was retained in the R-R Zone through the approval of the *Glenn Dale SMA* in 1993.

The master plan (page 62) states that the area north and west of Prospect Hill Road will need careful site planning to minimize any impacts from adjoining uses (rail line and industrial use). Substantial buffering (including tree preservation) along the property lines adjoining the industrial zoning, the railroad line, and along the adjoining road (Prospect Hill Road) shall be included in any site development plan. Further, the development shall be oriented toward, and with access on, Prospect Hill Road.

4. Parks and Recreation—The proposal is subject to the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations. Because the size and location of land available for dedication are unsuitable for park purposes, the Department of Parks and Recreation recommends the applicant pay a fee-in-lieu of park dedication in accordance with Section 24-135.
5. Trails—The *Adopted and Approved Glenn Dale-Seabrook-Lanham & Vicinity Master Plan* designates Prospect Hill Road as a Class III bikeway and recommends appropriate signage. Because Prospect Hill Road is a county right-of-way, the applicant should provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note should be placed on the final plat that payment will be made prior to the issuance of the first building permit.

Standard sidewalks are recommended along both sides of all internal roads to accommodate pedestrians.

6. Transportation—The applicant has submitted a traffic study dated June 2002. 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*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached.

Growth Policy - Service Level Standards

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

The applicant has prepared a traffic impact study in support of the application using new counts taken in April 2002. With the development of the subject property, the traffic consultant has determined that adequate transportation facilities in the area can be attained with off-site transportation improvements which are identified in the study. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

MD 193/MD 450
MD 193/Prospect Hill Road
MD 193/MD 564
Hillmeade Road/Prospect Hill Road/Fletchertown Road (unsignalized)
Prospect Hill Road/site entrance (planned/unsignalized)

Staff would note that there is a concurrent application for the subject property. Special exception SE-4456 would involve the construction of 256 housing units for the elderly on the subject property.

The traffic study analyses were based on the elderly housing proposal, and staff's analysis of the traffic study will compare the trip rates of the two uses and show that the worst case was analyzed. The traffic study is an appropriate document on which to base findings regardless of whether the site is developed as an elderly housing complex or as a single-family residential community.

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 193/MD 450	1,062	1,098	B B
MD 193/Prospect Hill Road	1,400	1,170	D C
MD 193/MD 564	1,150	1,339	B D
Hillmeade Road/Prospect Hill Road/Fletchertown Road	18.8*	16.1*	-- --
Prospect Hill Road/site entrance	planned		-- --
*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.			

The list of nearby developments is long, and it comprises more than 20 approved projects. These projects include more than 1,800 residences and nearly 1.5 million square feet of nonresidential space. In addition to all of the approved development that has been assumed, the study includes a factor of one percent annually to account for growth in through traffic. However, the traffic study assumes no funded capital projects in the area, but the MD 450 widening would involve modifications to the MD 193/MD 450 intersection which would add capacity to the intersection. Staff's analysis takes this

improvement into consideration. Several background developments were over-assigned to the northernmost intersection, and staff has also adjusted these distributions. Given these assumptions, the following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 193/MD 450	1,211	1,213	C	C
MD 193/Prospect Hill Road	1,698	1,470	F	E
MD 193/MD 564	1,457	1,584	E	E
Hillmeade Road/Prospect Hill Road/Fletchertown Road	23.5*	18.7*	--	--
Prospect Hill Road/site entrance	planned		--	--
*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.				

As noted earlier, the site is analyzed in the traffic study as an elderly housing complex. Under this scenario, 256 elderly housing residences, with a mix of housing types, are analyzed. The Institute of Transportation Engineers' (ITE) *Trip Generation Manual* provides trip rates for elderly housing; however, the traffic study uses rates which are locally measured and are higher than the published rates. The resulting site trip generation would be 97 AM peak hour trips (25 in, 72 out) and 108 PM peak hour trips (57 in, 51 out). While staff realizes that the subdivision application involves 70 lots, with a trip generation of 53 AM (11 in, 42 out) and 63 PM (42 in, 21 out) trips, the elderly housing proposal is a worst-case scenario in consideration of traffic impact and is appropriate to consider for the purpose of subdivision approval and findings of adequacy.

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 193/MD 450	1,214	1,220	C	C
MD 193/Prospect Hill Road	1,741	1,511	F	E
MD 193/MD 564	1,470	1,608	E	F
Hillmeade Road/Prospect Hill Road/Fletchertown Road	24.3*	19.4*	--	--
Prospect Hill Road/site entrance	11.8*	11.6*	--	--
*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.				

The traffic analysis identifies severe inadequacies at two of the three signalized intersections along MD 193. The study identified improvements at these intersections which would provide adequacy:

At MD 193 and Prospect Hill Road, install a free right-turn lane from westbound Prospect Hill Road to northbound MD 193, and upgrade the shoulder of eastbound Prospect Hill Road at MD 193 to provide an exclusive right-turn lane. By indicating that the site provides a 13 percent impact to the critical lane volume at this intersection, the applicant suggests an intent to pay only 13 percent of the cost of the improvement.

At MD 193 and MD 564, install a second northbound left-turn lane from MD 193 onto westbound MD 564, and provide a second southbound left-turn lane from MD 193 onto eastbound MD 564. By indicating that the site provides a five percent impact to the critical lane volume at this intersection, the applicant suggests an intent to pay only five percent of the cost of the improvement.

SHA agreed with the findings of the traffic study. However, it should be noted that SHA indicates that M-NCPPC “condition the applicant to design and construct the improvements described” in the traffic study.

DPW&T had more issues with the traffic study as submitted. DPW&T provided five major comments:

- a. There is a need for a left-turn bypass lane at the site access along Prospect Hill Road. While the traffic study did not recommend this improvement, DPW&T does have the authority under Subtitle 23 to request improvements along the frontage of the site. This improvement will be indicated as part of the dedication condition.
- b. DPW&T noted that the bridge abutment might make an additional northbound left-turn lane very difficult to construct. However, this limitation was not noted by SHA.

- c. DPW&T disputes the method used by the applicant to determine a cost share of improvements in the area. The percentages given reflect a percentage of all background traffic, and most of these background developments clearly do not have conditions to provide improvements similar to those recommended in the study. Unless other developments have similar conditions, there are no other parties with which to share costs, thereby leaving no assurance that the required improvements will actually be constructed. Staff agrees with DPW&T's assertion that a pro-rata share should be based only on traffic generated by developments which carry the same or similar conditions.
- d. At the intersection of MD 193 and Prospect Hill Road, DPW&T believes that there is a greater need to lengthen the existing southbound left-turn lane and provide a second exclusive left-turn lane, in addition to the recommended westbound right-turn lane. Staff has reviewed the impact of the two sets of improvements, and does believe that the improvements suggested by DPW&T make more sense from the standpoint of traffic operations. With 570 vehicles per hour using the single left-turn lane, there would be queuing issues that would affect traffic operations in the through lanes of MD 193. DPW&T also states that this applicant should be fully responsible for improvements at this location.
- e. At the intersection of MD 193 and MD 564, DPW&T supports the improvements recommended and supports the applicant's participation in those improvements, subject to the discussion under the third point above.

From staff's perspective, Section 24-124 states that roads in the area must be made adequate, and payment of a pro-rata share provides no assurances that needed improvements will be constructed during any reasonable time frame. For that reason, the Transportation Planning Section does not support payment of a pro-rata share at either of the critical intersections proposed for improvements. For the record, Reid Temple AME Church (preliminary plan 4-00071) has conditions for a portion of the improvements at MD 193 and Prospect Hill Road. Staff is not immediately aware of any development which has conditions at the MD 193/MD 564 intersection, but further inspection may indicate otherwise.

With these improvements in place, the following services levels would occur:

TOTAL TRAFFIC CONDITIONS WITH IMPROVEMENTS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 193/MD 450	1,214	1,220	C	C
MD 193/Prospect Hill Road	1,448	1,395	D	D
MD 193/MD 564	1,437	1,450	D	D
Hillmeade Road/Prospect Hill Road/Fletcherstown Road	24.3*	19.4*	--	--
Prospect Hill Road/site entrance	11.8*	11.6*	--	--
*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.				

Access to the site and circulation within the site are mostly acceptable. However, the plan should be revised to show a 60-foot right-of-way along proposed Glen Dale Forest Road between Prospect Hill

Road and North/South Glen Pine Court. Traffic along this section would be excessive for use of the 50-foot standard with a 26-foot street and parking on both sides. Prospect Hill Road is a Master Plan collector facility, and the plan shows adequate dedication of 40 feet from center line along the property's frontage.

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.

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 and CR-38-2002).

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 2	61 sfd	0.24	14.64	7114	224	36	77.76	7466.40	6435	116.03%	Lake Arbor
Middle School Cluster 2	61 sfd	0.06	3.66	4397	201	189	71.10	4861.76	3648	133.27%	Ernest Everett Just
High School Cluster 2	61 sfd	0.12	7.32	12045	412	377	142.20	12983.52	10811	120.10%	Frederick Douglass addn.

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

The affected elementary, middle, and high school cluster percent capacities are greater than 105 percent. Lake Arbor is the Funded School in the affected elementary school cluster. Ernest Everett Just 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, this subdivision can be approved with a three-year waiting period in accordance with Section 24-122.02.

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 at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service response time of 2.91 minutes, which is within the 5.25-minute response time guideline.
 - b. The existing ambulance at Glenn Dale Fire Station, Company 18, has a service response time of 2.91 minutes, which is within the 6.25-minute response time guideline.
 - c. The existing paramedic at Glenn Dale Fire Station, Company 18, has a service response time of 2.91 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*. The

proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance, and paramedic service.

9. Police Facilities—The proposed development is within the service area for District II-Bowie. In accordance with Section 24-122.1(c) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County's police facilities will be adequate to serve the proposed Glendale Forest development. This police facility will adequately serve the population generated by the proposed subdivision.
10. Health Department—The Health Department notes that abandoned wells and septic must be backfilled, pumped 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 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.
12. Public Utility Easement—The proposed preliminary plan includes the required 10-foot-wide public utility easement along all public rights-of-way. This easement will be included on the final plat.
13. Cemeteries—The applicant's engineer has certified that there are no cemeteries on the subject property.
14. Lot Size Averaging—Section 24-121(a)(12) requires that the Planning Board make the following findings in permitting the use of lot size averaging:
 - A. **The subdivision design provides for better access, protects or enhances historic resource or natural features and amenities, or otherwise provides for a better environment than that which could be achieved by the exclusive use of standard lots.** The design of this subdivision respects the natural features on this property, following topographic contours well. Only 11 of the 70 lots do not meet the minimum 20,000-square-foot requirement. This reduction is necessary to accommodate the odd shape of the land, the stormwater management requirements and the location of the railroad easement.
 - B. **The subdivision design provides for an adequate transition between the proposed lot sizes and locations of lots and the lots, or lot size standards, of any adjacent residentially zoned parcels.** There is an adequate transition. Large lots abut the church to the south and the existing dwellings to the northeast.
 - C. **The subdivision design, where applicable, provides for an adequate transition between the proposed natural features of the site and any natural features of adjacent parcels.** There are few significant natural features on the site. This finding is not generally applicable.

In addition, Section 27-423 of the Prince George's County Zoning Ordinance sets the zoning requirements for lot size averaging. Specifically, in the R-R Zone

A. The maximum number of lots permitted is equal to the gross acreage divided by the largest minimum lot size in the zone (20,000 square feet). In this case, with 50.84 acres and a minimum lot size of 20,000 square feet, the maximum number of lots allowed is 110. The applicant proposes 70 lots.

B. At least 50 percent of the lots created shall equal or exceed the largest minimum lot size in the zone (20,000 square feet). As proposed, 59 of the proposed 70 lots exceed 20,000 square feet. Therefore the proposed subdivision meets the minimum zoning ordinance standards for lot size averaging.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of a bikeway sign along Prospect Hill Road, designated a Class III Bikeway. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
2. 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 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.
3. Prior to signature approval of the preliminary plan of subdivision, the Type I Tree Conservation Plan (TCPI/34/02), shall be revised as follows:
 - a. Areas used for woodland conservation shall be identified with a symbol and labeled stating the amount of acreage credit claimed.
 - b. The TCP notes shall be revised to properly state the penalty for removal of woodlands.
 - c. All revisions that have been made to the TCPI shall be noted in the revisions box with a description of the revisions, when they were made and by whom.
4. After all revisions have been made the TCPI shall be signed and dated by a qualified professional.
5. Prior to signature approval of the Preliminary Plan, the 65 dBA Ldn noise contours shall be shown on the plan.
6. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designed to reduce interior noise levels to 45 dBA Ldn or less.
7. At the time of final plat, the applicant shall pay a fee-in-lieu of mandatory park dedication.

8. Prior to signature approval of the preliminary plan, the stormwater management concept plan shall be approved by the Department of Environmental Resources. The approval number and date shall be included on the preliminary plan.
9. At the time of final plat approval, the applicant shall dedicate right-of-way along Prospect Hill Road of 40 feet from the center line of the existing pavement. Improvements within the right-of-way, including possible installation of a left-turn bypass lane along eastbound Prospect Hill Road, shall be determined by DPW&T
10. The plan shall be revised to show a 60-foot right-of-way along proposed Glen Dale Forest Road between Prospect Hill Road and North/South Glen Pine Court
11. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with the SHA/DPW&T:
 - a. MD 193 at Prospect Hill Road: Construct an acceleration lane area along northbound MD 193 in order to provide a free-flow right-turn from the westbound Prospect Hill Road approach, in accordance with SHA requirements.
 - b. MD 193 at Prospect Hill Road: Provide a second southbound left-turn lane onto eastbound Prospect Hill Road. These improvements shall include the widening of Prospect Hill Road to accept the double left turns. These improvements shall also include any signal, signage, and pavement marking modifications which are determined to be necessary.
 - c. MD 193 at MD 564: Provide dual left-turn lanes along northbound and southbound MD 193. These improvements shall include any signal, signage, and pavement marking modifications which are determined to be necessary.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCPI/34/02 AND VARIATIONS TO SECTION 24-121 OF THE SUBDIVISION REGULATIONS