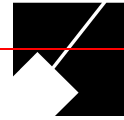


Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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.mncppc.org/pgco/planning/plan.htm

PRELIMINARY PLAN

4-02053

Application	General Data
Project Name: NOAH GLEN Location: North end of Noah Road and west of Copperville Way. Applicant/Address: PDC Land Development, LLC. 1451 Twin Rivers Road, Suite #240 Columbia, MD 21044	Date Accepted 06/19/02
	Planning Board Action Limit 12/06/02
	Tax Map & Grid 106/B-01
	Plan Acreage 17.22
	Zone R-R
	Lots 26
	Outlots 3
	Planning Area 76B
	Council District 08
	Municipality N/A
	200-Scale Base Map 209SE04

Purpose of Application		Notice Dates	
RESIDENTIAL SUBDIVISION		Adjoining Property Owners (CB-15-1998)	N/A
		Previous Parties of Record (CB-13-1994)	N/A
		Sign(s) Posted on Site	11/06/02
		Variance(s): Adjoining Property Owners	N/A
Staff Recommendation		Staff Reviewer: Whitney Chellis	
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 4-02053
Noah Glen, Lots 1-26, and Outlots 1, 2 and 3

OVERVIEW

The proposed subdivision consists of approximately 17.22 acres of land and is zoned R-R. The property is known as Parcel 6 and is found on Tax Map 106, in Grid B-1. The applicant is proposing to subdivide the property into 26 lots and 3 outlots for the development of single-family dwelling units. Development is proposed in accordance with the lot standards for conventional development in the R-R Zone. The applicant is proposing lots ranging in size from 20,005 to 22,083 square feet. The minimum lot size in the R-R Zone for conventional development is 20,000 square feet.

The applicant originally proposed access to this site via Henson Valley Way to the west, an existing 60-foot right-of-way, and Noah Glen Drive to the south. An extension of Henson Valley Way is proposed to terminate along the west property line abutting Parcel 5. The extension of Henson Valley Way may eventually serve development of the abutting property to the west.

This case was previously scheduled before the Planning Board on September 19, 2002. However, prior to the hearing it was brought to staff's attention that the proposed access to Noah Glen Drive was not as presented. The preliminary plan had incorrectly indicated that Noah Glen Drive was an existing 50-foot-wide right-of-way abutting the south property line. In fact it is a 30-foot wide right-of-way. Noah Glen Drive does not have appropriate right-of-way to support additional development. With the removal of Noah Glen Drive as additional access to this site, the sole vehicular access would be via Henson Valley Way to the east. Transportation staff noted that this alteration in the proposed development could adversely effect the trip distribution. Staff and the applicant requested additional time to evaluate this issue, and the Planning Board continued the case to November 21, 2002.

Subsequent to the September 19, 2002, hearing, the applicant has submitted a revised plan that removes the proposed extension onto Noah Glen Drive. This revision to the preliminary plan has caused a minor reconfiguration to the lot layout originally submitted and has allowed the applicant to increase the number of lots proposed from 25 to 26.

This site has a previously approved preliminary plan of subdivision, also known as Noah Glen. The Planning Board approved Preliminary Plan 4-96067 for 23 lots and 1 parcel for the construction of single-family dwelling units on January 9, 1997, PGCPB Resolution #96-374. The previous approval subsequently expired prior to the approval of final plats of subdivision. The subject application, except for the Noah Glen Drive connection, is essentially the same layout as approved under the previous application.

The property is subject to a 1.88-acre, 110-foot-wide PEPCO right-of-way. The easement, recorded at Liber 628, Folio 116, was created in 1942 and grants PEPCO the right to perpetually use this portion of the site for transmission line purposes. The easement is identified as Parcel 475 and is shown on Tax Map 106. The easement also grants PEPCO the right to cut and remove trees that are within 50 feet of "any wire

strung on” a pole line erected by PEPCO. The property owner at the time that the easement was granted reserved the right to use the land for ingress, egress and agricultural purposes.

The applicant has proposed two outlots on the portion of this property located northwest of the PEPCO right-of-way. These outlots have been designed to meet the minimum standards for development in the R-R Zone. However, these lots do not have street frontage and have no access as proposed. Access to these lots could be provided across the PEPCO right-of-way to Henson Valley Court, an internal street in the proposed subdivision. Notwithstanding this, the applicant proposes the development of Parcel 5 to the west. Due to the outlot designation and the lack of access, these outlots would require the review and approval of a preliminary plan of subdivision. These outlots were not included in the 26 lots evaluated for adequacy of public facilities for this subdivision.

The stormwater management facility required to support the development of this property is shown on Lots 23, 24 and 25. The applicant is proposing to relocate the stormwater management facility onto Parcel 5 to the south at a future date. The off-site stormwater management pond on Parcel 5 would be constructed to accommodate the subject property (4-02053), as well as portions of proposed future development of Parcel 5. If that stormwater management pond is constructed and operating, the applicant proposes to construct dwelling units on Lots 23, 24 and 25. These three lots have been evaluated for adequacy of public facilities with the subject application and would not require a new preliminary plan to construct dwelling units as proposed.

If construction of the stormwater management facility has not occurred by the time the applicant files final plats that include Lots 23, 24 and 25, the three lots will be shown as one parcel on a final plat to be utilized for stormwater management. The applicant may, once the off-site pond is constructed and operating, file a final plat for Lots 23, 24 and 25, while the preliminary plan of subdivision (4-02053) remains valid.

The stormwater management facility (Lots 23, 24 and 25) shall remain in the ownership of the applicant until the off-site facility is constructed. If the off-site facility is not constructed and the property owner wishes to relinquish its responsibility for the maintenance of the stormwater management facility, the property owner must transfer the property with the maintenance responsibility to the Department of Environmental Resources (DER). If DER refuses to accept the property, it will be the applicant’s responsibility to create and install a homeowners association for the entire subdivision and convey to the HOA the land on which the stormwater management facility is located.

SETTING

The property is located at the north end of Noah Drive, approximately 1,700 linear feet from its intersection with Webster Lane. To the south and east of the site are single-family dwelling units in the Joshua Woods and Noah Gardens subdivisions zoned R-R and the Stonegate subdivision zoned R-80. Undeveloped land in the R-R Zone is located north and west of the site.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Vacant	Residential
Acreage	17.22	17.22
Lots	0	25
Outlots	0	3
Dwelling Units:		
Detached	0	26

2. **Environmental**— This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet; there are more than 10,000 square feet of existing woodland on-site; and a Type I Tree Conservation Plan, TCPI/39/96, was approved in conjunction with Preliminary Plan of Subdivision 4-96067. TCPI/39/96 as previously approved is consistent with Preliminary Plan of Subdivision 4-02053. The Woodland Conservation requirements for this property include a Woodland Conservation Threshold of 20 percent, or 3.44 acres, and replacement requirements of 2.97 acres, for a total requirement of 6.41 acres. This requirement is proposed to be satisfied by 4.19 acres of on-site preservation and 2.22 acres of off-site mitigation at a site yet to be determined. TCPI/39/96-01 is recommended for approval.

A review of the available information indicates that no streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. No adverse noise impacts have been found to impact this property. The soils found to occur according to the Prince George’s County Soil Survey include Sassafras fine sandy loam and Sassafras gravelly loam, which have no significant limitations other than in areas of severe slopes. According to available information, Marlboro clays are not found to occur in the vicinity of this property.

The sewer and water service categories are S-3 and W-3. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, publication titled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the Henson Creek watershed of the Potomac River basin and in the Developing Tier as reflected in the adopted Biennial Growth Policy Plan.

3. **Community Planning**—The subject property is located within the limits of the 1981 *Master Plan for Subregion VII*, in Planning Area 76B in the Oxon Hill community. The 2002 *General Plan* locates this property in the Developing Tier. The master plan land use recommendation for this site is for Low Suburban Residential at a density of up to 2.6 dwelling units per acre. The 1984 *Subregion VII SMA* classified the subject property in the R-R Zone.

The proposed residential subdivision, located in the Oxon Hill community, is in conformance with the land use policy of the 1981 *Subregion VII Master Plan*.

4. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the Department of Parks and Recreation recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location.
5. **Trails**—The 1985 Equestrian Addendum to the Adopted and Approved *Countywide Trails Plan* recommends an equestrian trail along the PEPCO right-of-way, which runs through the subject site. Additional discussions with PEPCO regarding the feasibility of these types of trails are necessary. There are no master plan trail recommendations for the subject site. However, standard sidewalks are recommended along both sides of all internal roads, consistent with the adjacent Stonegate subdivision.
6. **Transportation**—Staff initially did not require the applicant to submit traffic counts. However, the applicant proposed a revision to the layout of the subdivision by removing a stub street along the west property line. Because of this revision, staff did request and applicant provided current peak hour traffic counts for the unsignalized intersection of Cherryfield Road/Roberts Drive with Brinkley Road and the signalized intersection of Temple Hill Road and Brinkley Road.

The plan initially indicated access from the proposed subdivision to both Noah Drive that stubs to the proposed property from the south and Henson Valley Way (a primary residential street). It was determined that existing Noah Drive was not constructed to residential street standards of 50 feet of dedicated right-of way and 26 feet roadway width as shown on the preliminary plan originally submitted. Because Noah Drive is a substandard roadway with limited right-of way, the applicant has eliminated the proposed access to this roadway. It is important to note that the traffic generated by the proposed subdivision will gain access to Brinkley Road via Henson Valley Way, Copperville Way and Cherryfield Road.

The subject application is proposing a development consisting of 26 residential lots and 2 outlots. The proposed development would generate 20 AM and 24 PM peak hour trips as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The traffic generated by the proposed plan would impact the unsignalized intersection of Cherryfield Road/Roberts Drive with Brinkley Road and the signalized intersection of Brinkley Road with Temple Hill Road. The Prince George's County Planning Board in the guidelines states that vehicle delay not exceeding 50 seconds for any movement at unsignalized intersections will be considered as an acceptable operating condition. For the signalized intersections, the operating conditions are defined in terms of the calculated Critical Lane Volume (CLV), and an intersection will be considered as operating adequately (Level-of-Service D or better within the Developing Tier) if CLV does not exceed 1,450.

The Intersection of Brinkley Road with Temple Hill Road is programmed for improvement with 100 percent construction funding within the next six years in the current and approved Prince George's County Capital Improvement Program (CIP). The subject property is located within the Developing Tier as defined in the *General Plan for Prince George's County*.

Under the total future traffic (including the existing, background and site-generated) as developed using the guidelines, the intersection of Cherryfield Road/Roberts Drive with Brinkley Road, when

analyzed under unsignalized intersection procedures, would operate with an average delay of 30.1 seconds. Under total future traffic the signalized intersection of Brinkley Road and Temple Hill Road and with the existing lane configurations would operate at LOS D (CLV = 1,348) and LOS E (CLV = 1,474) during the AM and PM peak hours, respectively. But, with the funded improvements as stated in the CIP, the intersection would be operating at acceptable Level-of-Service D (CLV= 1,310) and LOS D (CLV= 1,440) during the AM and PM peak hour, respectively.

Based upon the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed development as required by Section 24-124 of the Subdivision Regulations.

7. **Schools**—The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school 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) and concluded the following, These findings are subject to change in accordance with the provisions of CR-23-2001 and CR-38-2002.

Finding

Impact on Affected Public School Clusters

Impact on Affected Public School Clusters			
	Affected School Clusters #		
	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	25 sfd	25 sfd	25 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	6.00	1.50	3.00
Actual Enrollment	4,549	4,959	9,317
Completion Enrollment	122	43	172
Wait Enrollment	10	15	30
Cumulative Enrollment	63.66	22.92	47.02
Total Enrollment	4,750.66	5,041.42	9,569.02
State Rated Capacity	4,512	5,114	8,767
Percent Capacity	105.60%	98.66%	109.23%
Funded School	N/A	N/A	Surrattsville addn.

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

The affected elementary and high school cluster percent capacities are greater than 105 percent. There is no funded school in the affected elementary cluster. The Surrattsville addition is the funded school in the affected high school cluster. Therefore, this subdivision can be approved with a six-year waiting period.

Based on this information, staff finds that the subdivision may be approved subject to conditions, in accordance with Section 24-122.02 of the Subdivision Regulations.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
- a. The existing fire engine service at Allentown Road Fire Station, Company 32, located at 8709 Allentown Road, has a service response time of 4.55 minutes, which is within the 5.25-minute response time guideline.
 - b. The existing ambulance service at Allentown Road Fire Station, Company 32, located at 8709 Allentown Road, has a service response time of 4.55 minutes, which is within the 6.25-minute response time guideline.
 - c. The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service response time of 10.12 minutes. This existing paramedic service is beyond the recommended response time guideline. The nearest fire station, Allentown Road, Company 32, is located at 8709 Allentown Road, which is 4.55 minutes from the development. This facility would be within the recommended response time for paramedic service.

The above 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*.

9. **Police Facilities**—The proposed development is within the service area for Police District IV- Oxon Hill. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Noah Glen development. This police facility will adequately serve the population generated by the proposed subdivision
10. **Health Department**—The Health Department had no comments to offer regarding this application.
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, # 968010240-01, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
- a. To add the language, “[a]nd been constructed,” to the note on the plan regarding the stormwater management facility located on Lots 24, 25 and 26.
 - b. To consolidate the coversheet and preliminary plan into one sheet, removing the need for a coversheet.

- c. To provide the square footage of Outlot 3.
 - d. To provide the approval date of the conceptual stormwater management plan
2. The applicant shall provide a note on the preliminary plan prior to signature approval stating that the applicant shall retain ownership and maintain the required stormwater management pond until an off-site pond is constructed and operating to support the proposed development. If the off-site facility is not constructed and the property owner wishes to relinquish their responsibility for the maintenance of the stormwater management facility, the property owner must transfer the property with the maintenance responsibility to the Department of Environmental Resources (DER). If DER refuses to accept the property, it will be the applicant's responsibility to create and install a homeowners association for the entire subdivision and convey to the HOA the land on which the stormwater management facility is located.
 3. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/39/96-01). The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/39/96-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”
 4. Prior to approval of the Final Plat of subdivision, the applicant, his heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication
 5. 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 6 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.
 6. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
 7. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan shall be revised to correct the labels for the two Woodland Conservation Areas on Lots 10 through 20 to accurately reflect the acreage for each area individually.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCPI/36/96-01