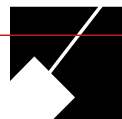


Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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

4-02075

Application	General Data
Project Name: SMITH PROPERTY Location: West side of Old Marlboro Pike at its intersection with Elm Street. Applicant/Address: Washington Homes Ben Musgrave 1802 Brightseat Road, 6 th Floor Hyattsville, MD 20785	Date Accepted 09/09/02
	Planning Board Action Limit 11/17/02
	Tax Map & Grid 101/E-01&02
	Plan Acreage 7.52
	Zone R-80
	Lots 17
	Outlot 1
	Planning Area 79
	Council District 09
	Municipality Upper Marlboro
	200-Scale Base Map 207SE12&13

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	1/15/03
			Variance(s): Adjoining Property Owners	N/A
Staff Recommendation			Staff Reviewer: Alan Hirsch	
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 4-02075
Smith Property, Lots 1–17, 4 Parcels

OVERVIEW

The subject site consists of 7.52 acres of land in the R-80 Zone. The site is known as Parcels 53, 241 and 254 on Tax Map 101, Grid E-1. The applicant proposes to subdivide the site into 17 lots pursuant to the provisions for lot size averaging. The lots range from 8,079 square feet to 10,718 square feet in size. The minimum lot size established for conventional development in the R-80 Zone is 9,500 square feet. Vehicular access to all of the lots will be from a proposed cul-de-sac street off Old Marlboro Pike that is configured to provide vehicular access to an adjacent parcel (Parcel 55) to the south. All of the proposed lots will be served by public water and sewer systems. One of the four parcels proposed is to be conveyed to the Town of Upper Marlboro. The remaining three parcels are intended for woodland preservation, stormwater management facilities and one or more of the cemeteries that exist on the site.

SETTING

The subject property is located along the west edge of Old Marlboro Pike across from its intersection with Elm Street in the Town of Upper Marlboro. With the exception of adjacent Parcel 55 (approximately five acres in size) to the south, the surrounding area is fully developed. To the west, in the R-55 Zone, are single-family detached homes and the Board of Education Sasscer Administration Building along School Lane. To the north, in the R-80 Zone, are single-family detached homes along Rectory Lane. To the west, across Old Marlboro Pike in the R-55 and R-80 Zones are Historic Site #79-19-18 (the Digges-Sasscer House) and Historic Site #79-19-1 (the Thomas J. Turner House). South of adjacent Parcel 55 is the historic site Kingston, listed in the National Register of Historic Places.

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-80	R-80
Use(s)	Residential	Residential
Acreage	7.52	7.52
Lots	0	17
Parcels	3	4
Dwelling Units:		
Detached	0	17

2. **Environmental**— The Environmental Planning Section has reviewed the subject preliminary plan of subdivision, forest stand delineation, and Type I tree conservation plan stamped as revised by the Subdivision Section on January 2, 2003. The plans as submitted do not adequately address the requirements of the Prince George's County Woodland Conservation Ordinance.

A review of available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and steep slopes with highly erodible soils are not found to occur on this property. No transportation-related noise impacts have been found to impact this property. The soil found to occur according to the Prince George's County Soil Survey include Collington fine sandy loam and Galestown gravelly loamy sand, which have no significant limitations that would affect the development of this property. There are no Marlboro clays found 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 Heritage Program publication entitled "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. Old Crain Highway, which is located approximately 300 feet south of this property, is a designated historic road. The property is located in the Western Branch watershed of the Patuxent River basin and in the Rural Tier as reflected in the adopted General Plan.

A detailed forest stand delineation (FSD) was submitted and was found to require revisions. Although much of the information missing from the original submittal has been provided with the revised FSD, there are still some revisions required by the September 23, 2002, memo that have not been addressed. Specifically, items 1.d. and 1.e. have not been addressed as required.

Plan Deficiencies: The FSD shall be revised as follows:

- d. The FSD and TCP show the woodlands as stopping at the southern property line when they actually continue in a southerly direction. Revise the FSD and TCP to show the woodland extending southward from the southern property boundary.
- e. The FSD and TCP must be signed and dated by a qualified professional.

This property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is more than 40,000 square feet and there are more than 10,000 square feet of woodland. This 7.52-acre property in the R-80 Zone has a 20 percent woodland conservation threshold (WCT) of 1.50 acres, a one-quarter- to-one replacement requirement for all woodlands cleared above the WCT and a two-to-one replacement requirement for all woodlands cleared below the WCT. Additional information and plan revisions are required prior to a recommendation for approval of TCPI/43/02.

Plan Deficiencies: The Type I tree conservation plan shall be revised as follows:

- a. Complete the TCP worksheet in its entirety. The top half of the sheet cannot remain blank.
- b. The TCP shall be signed and dated by a qualified professional.
- c. The TCPI currently has TCPII notes, not the TCPI notes that must be on a TCPI.

- d. Even though the September 23, 2002, memo from the Environmental Planning Section requested that the conceptual grading, limit of disturbance, and house pads be shown on the TCP, this information has not been included on the revised plan.
- e. The locations of the specimen trees are shown on the TCP along with their disposition. However, the trees are not specifically identified as to which tree is which.
- f. The FSD sample point locations are not shown on the plans as is required.
- g. The woodland conservation area along Old Marlboro Pike is less than the minimum 35-foot width required and it includes part of the public utility easement (PUE) within which the woodlands will likely be cleared. All woodlands in the PUE shall be shown as being cleared and reflected accordingly on the plan and worksheet.
- h. Although the calculated requirement of 3.06 acres is correct, the TCP proposes to satisfy the entire requirement with only 1.45 acres of on-site preservation. This leaves a deficit of 1.61 acres. Correct the worksheet to show how the woodland conservation requirements are being satisfied.

As revisions are made to the plans, the revision boxes on each plan sheet need to describe what revisions were made, when, and by whom. The revision blocks for the revised plans have not been completed to indicate the changes that have been made to the plans.

3. **Stormwater Management**—The subject application is proposing the use of on-site stormwater management. At the Subdivision Review Committee meeting on September 27, 2002, the applicant's engineering firm was informed that an approved conceptual stormwater management plan would need to be approved 15 days prior to the Planning Board hearing. Staff is aware that a plan has been submitted to the Department of Environmental Resources (DER), Development Services Division for their review. Additionally, staff is aware that the Town of Upper Marlboro has raised several issues and concerns regarding stormwater management. As of January 22, 2003, M-NCPPC has not received a stormwater management approval for this property.
4. **Cemeteries**—The preliminary plan that was originally submitted reflected a note (#31) that "a cemetery may be located on the property, near the eastern boundary in the vicinity of Parcel 254." While that was and is still correct, the plan failed to identify an existing cemetery located in the western portion of the site in the middle of then proposed Lot 8. Additionally, the originally proposed stormwater management facility was to be located where the possible cemetery was identified. The revised plan in file (accepted January 2, 2003) relocated the proposed stormwater management facility to the west of Parcel 254 and adjusted the lotting pattern to establish a parcel where the western most cemetery is located.
5. **Town of Upper Marlboro**—Staff have met twice with the Town Commissioners of Upper Marlboro. The latest meeting was on January 13, 2003. At that meeting, the Commissioners expressed a number of concerns including the location and nature of stormwater management, impacts to the transportation system, appropriate disposition of the cemeteries, and an easement and land that is not reflected on the plan that is purported to be owned by the town.

On January 14, 2003, the town held a public hearing on the subject application. Pursuant to a

telephone conversation on January 22, 2003, with Helen Ford, President of the Town Commissioners, the town voted to oppose the approval of the subject application based on "...a lack of sufficient information."

RECOMMENDATION

DISAPPROVAL, based on a lack of sufficient information regarding woodland preservation and adequate stormwater management.