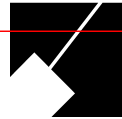


Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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

4-02081

Application	General Data
Project Name:	Date Accepted 09/18/02
THE WILLOWS	Planning Board Action Limit 02/13/03
Location:	Tax Map & Grid 113/F-03
Northwest quadrant of Fort Foote Road and Oxon Hill Road.	Plan Acreage 8.19
Applicant/Address:	Zone R-R
Chesapeake Custom Homes	Lots 12
6196 Oxon Hill Road	Parcels 0
Oxon Hill, MD 20745	Planning Area 80
	Council District 08
	Municipality N/A
	200-Scale Base Map 212SE01

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners (CB-15-1998) N/A
This case was continued from the November 21, 2002, Planning Board hearing at the request of the applicant. The case was continued to December 12, 2002.	Previous Parties of Record (CB-13-1994) N/A
	Sign(s) Posted on Site 11/05/02
	Variance(s): Adjoining Property Owners N/A
Staff Recommendation	Staff Reviewer: Whitney Chellis
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 4-02081
The Willows, Lots 1 - 12

OVERVIEW

The subject property is found on Tax Map 113 in Grid F-3 and known as Parcels 19 and 113, never having been the subject of a record plat of subdivision. The subject property is zoned R-R and is 8.19 acres. The applicant is proposing to subdivide the property into 12 single-family dwelling unit lots in conformance with the zoning standards for conventional development in the R-R Zone. The minimum lot size in the R-R Zone is 20,000 square feet. The applicant is proposing lots that range in lot size from 20,000 to 37,277 square feet. The lot width at the front building line on Lots 5 and 7 should be demonstrated on the preliminary plan to ensure conformance to the minimum standard.

The property has frontage on Oxon Hill Road to the east and Fort Foote Road to the south. The applicant is proposing to dedicate and construct an internal public right-of-way that will terminate in a cul-de-sac. The property is currently improved with a single-family dwelling unit and two accessory structures, which are to remain. The existing dwelling is located on Lot 8 in the northeast corner of the property with direct vehicular access onto Oxon Hill Road. Lots 1 and 2 are proposed with frontage on Fort Foote Road, with direct vehicular access. Lot 3 has frontage on both the internal public street and Fort Foote Road. Staff recommends that access to Lot 3 be via the proposed internal public street. Lot 12 is a "through" lot with frontage on Oxon Hill Road, Fort Foote Road and the proposed internal public street. Lots 9, 10 and 11 have frontage on the internal public street and Oxon Hill Road. Staff is recommending that access to Lots 9-12 be via the internal public street and that access to Oxon Hill Road from these lots be denied.

At the November 21, 2002 Planning Board hearing concerns were raised regarding circulation, safety, and queuing of vehicles at the intersection of Oxon Hill Road and Fort Foote Road. The applicant proposes access to this site via Fort Foote Road. Concerns were also raised regarding the buffering of this development from the abutting commercial shopping center to the north. The applicant requested a continuance to further evaluate and address these concerns. The Planning Board granted the request for a continuance.

Subsequent to the November 21, 2002 Planning Board hearing, the applicant provided two sketch plans proposing alternative access to the site. Exhibit A proposes a cul-de-sac street entering from Oxon Hill Road and Exhibit B proposes a "through" street fronting on both Oxon Hill Road and Fort Foote Road. The original application proposed access via Fort Foote Road only. Evaluation of these proposals are found in the Transportation Section of this report, Finding # 6. After careful consideration of the additional information provided staff has not proposed a change to the original access proposed to this site via Fort Foote Road.

Staff would note that access to Oxon Hill Road would impact proposed tree conservation areas and extensive grading may be necessary to provide direct access to Oxon Hill Road from the subject property. As

directed by the Planning Board at the November 21, 2002 hearing, Condition 9 has been added to address buffering concerns of the community.

SETTING

The subject property is located in the northwest quadrant of the intersection of Oxon Hill Road and Fort Foote Road in the Fort Foote Community. The Fort Foote Plaza is located north of the proposed subdivision in the Commercial Shopping Center Zone (C-S-C). To the west is the Broad Creek Estates subdivision in the R-80 Zone. The Oxon Hill Middle School is located west of the site on the north side of Fort Foote Road.

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)	Residential	Residential
Acreage	8.19	8.19
Lots	1	12
Dwelling Units:		
Detached	1	12

2. **Environmental**—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. A Tree Conservation Plan (TCP) and Forest Stand Delineation have been submitted. The Environmental Planning Section recommends approval of TCPI/7/02.

The Type I Tree Conservation Plan proposes clearing 3.69 acres of the existing 5.83 acres of woodland. The amount of woodland conservation required for this project has been correctly calculated as 2.56 acres. The plan also proposes preserving 2.14 acres of woodland on-site and using a fee-in-lieu for 0.42 acre to meet the requirements of the Woodland Conservation Ordinance. The plan shows minimum 40-foot cleared areas in the rear yards and 25-foot cleared areas on the side yards for all lots containing woodland conservation areas.

The soils found to occur on this property according to the *Prince George's County Soil Survey* include the Beltsville, Aura, and Chillum series. The Beltsville and Aura soils have a K factor of 0.43 and are considered highly erodible. The Aura soils also have limitations for home foundations on steep slopes. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

A review of the information available indicates that streams, wetlands, Marlboro clay, and 100-year floodplains are not found to occur on this property. Steep and severe slopes are located on this

property. The site is located in the Broad Creek watershed, which is a tributary to the Potomac River. 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. The site is in the Developing Tier according to the adopted *General Plan*.

3. **Community Planning**—The subject property is located within the limits of *The 1981 Master Plan for Subregion VII* in Planning Area 80 in the Fort Foote community. The 2002 *General Plan* locates this property in the Developing Tier. The master plan land use recommendation for the property is for Low Suburban Residential. The 1984 *SMA for Subregion VII* retained this property in the R-R Zone.

The proposed subdivision is consistent with the master plan land use recommendation for Low Suburban residential development in this area

4. **Parks and Recreation**—In accordance with Section 24-134(a)(3)(C) of the Subdivision Regulations, Lot 8 is exempt from the requirements of mandatory dedication of parkland because it is improved with a legally existing single-family dwelling. However, in accordance with Section 24-134(a) of the Subdivision Regulations, Lots 1–7 and 9–12 are subject to the requirements for the mandatory dedication of parkland. The Park Planning and Development Division recommend the payment of a fee-in-lieu 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 that Fort Foote Road be designated as a Class III bikeway with appropriate signage. Because Fort Foote Road is a county right-of-way, the applicant should provide a financial contribution to the Department of Public Works and Transportation (DPW&T) for the placement of this signage. A note should be placed on the final plat for payment to be received prior to the issuance of the first building permit. If road improvements are required for Fort Foote Road, 7- to 10-foot-wide asphalt shoulders are recommended in conjunction with the placement of bikeway signage.

In accordance with the *Adopted and Approved Subregion VII Master Plan* and the 1985 *Equestrian Addendum*, the applicant should construct an eight-foot wide, asphalt, hiker-biker trail along the entire length of the subject property's road frontage of Oxon Hill Road.

6. **Transportation**—The application is a proposal for a residential subdivision of 12 lots. With one residence existing, the net proposed development of 11 residences would generate 8 AM and 10 PM peak hour vehicle trip as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

No traffic study was requested of the applicant, but recent traffic counts provided in support of an adjacent subdivision were reviewed.

The site is 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.

The site was analyzed using the following trip distribution:

Oxon Hill Road from the north:	60%
Old Fort Road from the east:	20%
Livingston Road from the south:	5%
Livingston Road from the north:	15%

The traffic generated by the proposed preliminary plan would impact the intersections of Oxon Hill Road/Fort Foote Road and Oxon Hill Road/Livingston Road/Old Fort Road. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition on the transportation system.

The existing conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Oxon Hill Road/Fort Foote Road (south intersection)	814	760	A	A
Oxon Hill Road/Livingston Road/Old Fort Road	1,133	1,040	B	B

Four nearby developments were included in background traffic, along with an annual rate of through traffic growth of 1.4 percent. The following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Oxon Hill Road/Fort Foote Road (south intersection)	811	877	A	A
Oxon Hill Road/Livingston Road/Old Fort Road	1,388	1,259	D	C

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Oxon Hill Road/Fort Foote Road (south intersection)	817	883	A	A
Oxon Hill Road/Livingston Road/Old Fort Road	1,390	1,262	D	C

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined Level-of-Service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system. Under total future traffic as developed using the *Guidelines*, adding the impact of the proposed development, both critical intersections were found to be operating with service levels of LOS D or better.

At the Planning Board hearing on November 21, 2002 several transportation-related issues were raised. The issues raised at the Planning Board hearing included the following:

1. The counts used to analyze the application might not be representative of current conditions.
2. Queuing of traffic approaching Oxon Hill Road along Fort Foote Road may block the public street accessing the subdivision, creating an unsafe situation for vehicles attempting to cross two lanes of westbound traffic.
3. The possible reconfiguration of the site access onto Oxon Hill Road.

With regard to the counts, staff observed traffic at the Oxon Hill Road/Fort Foote Road intersection on December 3, 2002. Based on counts taken by staff, traffic along Oxon Hill Road has increased approximately eight percent since the original counts were taken in 2000. Traffic using Fort Foote Road was actually less than that observed in 2000. In consideration of these counts, staff believes that the level-of-service results reported in the October 2, 2002 memorandum are reasonable.

On the same date, staff observed AM peak hour queuing along Fort Foote Road. Notwithstanding that hourly observed counts were less than those observed in 2000, traffic during the heaviest 15-

minute period did match the 2000 counts. The average queue observed was 5.10 vehicles, the 90th percentile queue (i.e. 90 percent of the occurrences were equal to or less than) was 10 vehicles, and the maximum queue was 13 vehicles. In all circumstances, any vehicles queued along Fort Foote Road were able to clear the Oxon Hill Road intersection during the initial signal cycle. A 10-vehicle queue would be approximately 275 feet in length, and would extend up to the Stony Hill Drive intersection but not past it. The maximum 13-vehicle queue would be approximately 350 feet in length, and would extend past the proposed entrance to the subject subdivision.

Given that the originally proposed cul-de-sac entrance onto Fort Foote Road would serve only 9 lots producing up to 8 hourly trips, staff does not believe that the location of the street into the site is a safety concern. It is clear that vehicles exiting the site may have to wait up to two or three minutes for traffic to clear before negotiating a left turn during the morning peak hour, particularly on the rare occasions when queuing extends back to the site. Given that queues of this length only occur approximately four times per hour during the busiest AM peak hour (and rarely if ever during other times), staff does not oppose the site's access onto Fort Foote Road as shown on the plan. Staff would have much greater concern if the street access were two or three times busier.

Despite the above finding, primary site access onto Oxon Hill Road would be acceptable, from strictly a transportation standpoint, as well as access onto Fort Foote Road. The Oxon Hill Road/Fort Foote Road signal would provide some gaps in the traffic that could be utilized by traffic turning left out of the site. There is no similar signal west of the site along Fort Foote Road that would provide similar gaps in traffic.

In summary, therefore, staff believes that access to the site from either Oxon Hill Road or Fort Foote Road (or both) is approvable. Although traffic issues would cause the transportation staff to favor access to Oxon Hill Road, there is not sufficient evidence to require that access to the site be redirected. This finding is based on staff's analyses and observations along with a limited discussion with staff of the county Department of Public Works and Transportation (DPW&T). DPW&T may verbally provide more detailed comments or a more definitive recommendation over the coming week.

Dedication along Oxon Hill Road, a master plan collector, is acceptable as shown. 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 Subdivision Regulations if the application is approved.

7. **Schools**—The Historic Preservation 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 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

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	11 sfd	11 sfd	11 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	2.64	0.66	1.32
Actual Enrollment	4549	4959	9317
Completion Enrollment	122	43	172
Wait Enrollment	10	15	30
Cumulative Enrollment	77.76	27.42	54.84
Total Enrollment	4761.40	5045.08	9575.16
State Rated Capacity	4512	5114	8767
Percent Capacity	105.53%	98.65%	109.22%
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 school 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.

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:
- The existing fire engine service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service travel time of 3.06 minutes, which is within the 5.25-minute travel time guideline.
 - The existing ambulance service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service travel time of 3.06 minutes, which is within the 6.25-minute travel time guideline.
 - The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service travel time of 3.06 minutes, which is within the 7.25-minute travel time guideline.

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*.

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

9. **Police Facilities**—The proposed development is within the service area for District IV-Oxon Hill Police Station. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed The Willows development. This police facility will adequately serve the population generated by the proposed subdivision.
10. **Health Department**—The Health Department has reviewed the preliminary plan and notes that the existing abandoned septic tank serving the existing dwelling should be located on the preliminary plan and pumped out and backfilled prior to approval of the final plat of subdivision.
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, #4540-2002-00, 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 demonstrate the front building line on Lots 5 and 7.
 - b. To indicate denied access to Oxon Hill Road from Lots 9–12.
 - c. To locate the existing abandoned septic tank that served the existing dwelling.
2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, #4540-2002-00.
3. 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 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.
4. The abandoned septic system shall be pumped and backfilled in accordance with COMAR 26.04.04 and witnessed by a representative of the Health Department prior to final plat approval.
5. 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(s) along Fort Foote Road, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first

building permit. If the Department of Public Works & Transportation determines that signage is not appropriate, this condition shall be void.

6. At the time of final plat approval, the applicant shall dedicate right-of-way along Oxon Hill Road of 40 feet from the center line of the existing pavement, as shown on the submitted plan.
7. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/07/02). The following note shall be placed on the Final Plat of Subdivision:

■Development is subject to restriction shown on the approved Type I Tree Conservation Plan (TCPI/07/02), 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 and Subtitle 25.”
8. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
9. Permits for the construction of dwelling units on lots that abut Parcel A to the north shall include a 6-foot board-on-board fence along the rear property line abutting Parcel A. This requirement is not meant to be an additional requirement over that which is required by the Landscape Manual. Alternative Compliance shall not be granted from the requirement of providing a 6-foot board-on-board fence along this property line.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/07/02