

This report never went to final.  
It was replaced by 4-03095-Disapproval.



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-03095

Application	General Data
<b>Project Name:</b> <b>WAVERLY FARMS</b>  <b>Location:</b> East side of Duvall Road and north of Croom Airport Road.  <b>Applicant/Address:</b> Waverly, LLC. 9905 Croom Road Upper Marlboro, MD 20772	Date Accepted: 10/02/03
	Planning Board Action Limit: 12/10/03
	Plan Acreage: 55.0
	Zone: O-S
	Lots: 10
	Election District: 04
	Planning Area: 82B
	Tier: RURAL
	Council District: 09
	Municipality: N/A
	200-Scale Base Map: 211SE14

Purpose of Application	Notice Dates
<b>RESIDENTIAL</b>	Adjoining Property Owners: (CB-15-1998) N/A
	Previous Parties of Record: (CB-13-1997) N/A
	Sign(s) Posted on Site: 02/11/04

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 4-03095  
Waverly Farms Lots 1-10

OVERVIEW

The subject property is located on Tax Map 120, Grid B-2, and is known as Parcel 19. The property is approximately 55 acres, zoned Open Space (O-S) and is improved with three existing barns. The barns must be razed or relocated, or the applicant should provide adequate information for a determination that the location of the barns conform to the setback regulations for accessory structures in the O-S Zone.

The applicant is proposing to subdivide the property into ten lots for the construction of single-family dwellings. The applicant is proposing to utilize the varying lot size provision of the Zoning Ordinance, which provides for the following in the O-S Zone:

- a. **The minimum lot size for 60 percent of the lots is 5 acres;**

Comment: Of the 10 lots proposed, 7 meet or exceed five acres, or 70 percent.

- b. **One (1) two-acre lot is permitted for each 50 acres of tract area;**

Comment: The site is 55 acres; one 2.43-acre lot is proposed.

- c. **All remaining lots must be 3 acres;**

Comment: The remaining two lots are each over four acres.

- d. **All lots created shall be restricted to single-family dwellings or agricultural uses; and**

Comment: The lots are proposed for the construction of single-family dwelling units.

- e. **No portion of the subdivided tract shall be resubdivided unless under certain circumstance.**

Comment: A new preliminary plan of subdivision would be required to divide the property further ensuring conformance to this condition.

The applicant's proposal conforms to varying lot size standards.

The property is located in water and sewer category 6, requiring the use of individual well and septic recovery systems. The applicant has not obtained approval from the Health Department for the use of private sewer systems on all of the proposed lots. Section 24-104 of the Subdivision Regulations establishes that one of the purposes of the subdivision process is to provide adequate water and sewer facilities. The Health Department has indicated that the proposed septic recovery fields on Lots 2 and 3 are located within the required setback from a stream [and?] must be relocated. In addition, the recovery field for Lot 1 is in jeopardy because of its proximity to the primary management area (PMA) environmental feature. The Health Department has requested additional information for Lot 1 but believes that an approval for Lot 1 is forthcoming. No such approval is forthcoming for Lots 2 and 3, based on Health Department comments.

The usable area of Lot 3 is extremely restricted by the septic recovery field location and the extensive environmental features on site, primarily because of this and only exacerbated by the lack of approval from the Health Department for adequate sewer facilities, staff recommends that Lot 1 be deleted and the land area combined with the abutting lots. [run-on sentence] Staff also recommends the deletion of Lot 2 because of the lack of the Health Department approval, and staff recommends that Lots 2 and 3 be combined with Lot 1.

If the applicant cannot secure approval of the septic recovery field for Lot 1, prior to final plat, Lots 1, 2 and 3 should be combined with Lot 5, resulting in a seven-lot subdivision. In either event staff has determined that the lot size averaging provision will be satisfied.

## SETTING

The subject property is located on the east side of Duvall Road, east of its intersection with Croom Airport Road. The property abutting to the east is known as the Patuxent River Park, owned by M-NCPPC and zoned R-O-S. The property to the south is zoned O-S and developed with single-family dwellings. The property to the west across Duvall Road is zoned O-S. The Waverly Historic Site is located directly across from proposed Lots 6 and 8. The property to the north is zoned O-S and is farmland. The surrounding community is rural in character with several existing agricultural farms.

## 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	O-S	O-S
Use(s)	Residential	Residential
Acreage	55 acres	55 acres
Lots	0	10
Parcels	1	0

Dwelling Units:

Detached	0	10
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2. **Environmental—**

**Water and Sewer Categories**

The water and sewer service categories are W-6 and S-6 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003.

3. **Community Planning—**The subject property is located within the limits of the 1993 approved master plan for the Subregion VI study area, Planning Area 82B in the Croom community. The master plan land use recommendation for the property is for Low Rural at up to .2 acre per dwelling unit. The preliminary plan proposes .18 dwelling units per acre, therefore the proposal is consistent with the land use recommendations of the master plan.

The 2002 General Plan locates the property in the Rural Tier. The goal of the Rural Conservation chapter of the Subregion VI Plan is to preserve the rural character of the Subregion VI study area. Of particular concern are views from the area's roads. To help accomplish this, the plan includes guidelines for setbacks, woodland retention, and landscaping. The 2002 General Plan's Rural Tier goals include to "maintain rural character." The General Plan recommends that rural design guidelines be adopted that would include "setbacks, buffering, tree retention, fencing screening and building bulk standards."

The woodland retention and proposed house pad areas shown on the proposed subdivision should

minimize impacts on the views from Duvall Road, a designated historic road in the Historic Sites and District Plan. In order to ensure the rural character of Duval Road and adequate protection of Historic Site 82B-9, located across Duval Lane from Lots 6 and 8 (as discussed further in Finding 12 of this report), staff recommends the review and approval of a Limited Detailed Site Plan (LDSP) prior to grading permits.

4. **Parks and Recreation**—In accordance with Section 24-134(a) of the subdivision regulations, the proposed preliminary plan is exempt from the requirement of the mandatory dedication of parkland because all of the proposed lots exceed one acre.

However, the master plan for Subregion V designates the area along the Swan Point Creek stream valley, abutting to the east, as being designated for parkland. The main purpose of the proposed parkland is the protection of the tributaries of the Patuxent River. The site contains 2.67 acres of floodplain abutting the Swan Point Creek stream valley that will be placed in a floodplain easement in accordance with Section 24-129(b) of the Subdivision Regulations. The easement will provide the protection envisioned by the master plan, supplanting the need for the dedication of the floodplain to M-NCPPC.

5. **Trails**—The adopted and approved Subregion VI master plan recommends a hiking/equestrian trail in the vicinity of the subject site. An existing equestrian crossing sign is located on Duvall Road indicating the presence of equestrian travel in this area. However, a site visit has revealed that the existing equestrian trail is located on the north side of Swan Point Creek and is off of the subject site. Therefore, there are no master plan trail recommendations for the subject application.

6. **Transportation**—The application is a proposal for a residential subdivision of ten lots. The

proposed development would generate 8 AM and 9 PM peak-hour vehicle trips as determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” The subject property is located within the rural tier, as defined in the approved 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) C, with signalized intersections operating at a critical lane volume (CLV) of 1,300 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.

No traffic data was requested of the applicant, but recent traffic counts along area roadway links were reviewed and deemed to be appropriate for use in this application.

The traffic generated by the proposed preliminary plan would impact the intersection of Croom Airport Road and Duvall Road. This intersection is unsignalized. The Prince George's County Planning Board, in the “Guidelines for the Analysis of the Traffic Impact of Development Proposals” has vehicle delay exceeding 50.0 seconds in any movement as an unacceptable operating condition at unsignalized intersections.



Under existing, background, and total conditions, the intersection would operate with an average vehicle delay of fewer than 15 seconds for any movement during either peak hour. Under total future traffic as developed using the guidelines, adding the impact of the proposed development, the critical intersection was found to be operating with minimal delay. Therefore, the staff has determined that the critical intersection operates acceptably.

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 this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following.

#### **Finding**

#### **Impact on Affected Public School Clusters**

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 2	High School Cluster 2
Dwelling Units	10 sfd	10 sfd	10 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	2.40	0.60	1.20
Actual Enrollment	5416	4896	9660

Completion Enrollment	281	197	393
Wait Enrollment	604	225	451
Cumulative Enrollment	50.16	54.12	108.24
Total Enrollment	6353.56	5372.72	10613.44
State Rated Capacity	5364	4638	8770
Percent Capacity	118.45	115.84	121.02
Funded School	N/A	N/A	N/A

Source: Prince George's County Planning Department, M-NCPPC, July 2003

These figures are correct on the day this memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution of approval will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount of:

\$7,000 per dwelling if a building is located between I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003

and CB-31-2003 and CR-23-2003.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue facilities and concluded the following:

- a. The existing fire engine service at Marlboro Fire Station, Company 45, located at 7710 Croom Road has a service travel time of 7.19 minutes, which is beyond the 5.25-minute travel time guideline.
- b. The existing ambulance service at Marlboro Fire Station, Company 45, located at 7710 Croom Road has a service travel time of 7.19 minutes, which is beyond the 6.25-minute travel time guideline.
- c. The existing paramedic service Marlboro Fire Station, Company 20, located at 14815 Pratt Street has a service travel time of 13.66 minutes, which is beyond the 7.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system should be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate. Since this is a matter of existing law, no condition is necessary.

The above findings are in conformance with the standards and guidelines contained in the *Approved*

*Public Safety Master Plan* (1990) and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

The Historic Preservation and Public Facilities Planning Section has concluded that the entire development is beyond the recommended response times from the existing facilities that provide ambulance service. This finding is based on using the existing road network and existing stations to reach the development and provide service.

The planned Croom/Naylor station will provide the first due ambulance service to the proposed development. The cost for the facility is \$1,275,000 and ambulance \$131,000. In order to mitigate the ambulance response time deficiencies, the applicant should participate in providing a fair-share contribution toward the construction of the Croom/Naylor emergency ambulance services facility.

The fee amount is based upon the construction cost of the facility (\$1,275,000) and ambulance cost (\$131,000), divided by the total amount of population and employees within the service area in 2006 (3,541). The service area includes those areas that will be served by the planned facility. The fair share for the ten units proposed that are all beyond ambulance response time standards is as follows:

Ambulance Fee

2006 service area population is 3,541

$1,406,000 / 3541 = \$397.06$  per resident/employee

$\$397.06 \times 3.0$  (planning area household size) = \$1,191 per dwelling  $\times 10 = \$11,191$ .

9. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. The Planning Board’s current test for police adequacy is based on a standard for square

footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, the staff concludes that the existing county police facilities will be adequate to serve the proposed Waverly Farm development.

10. **Health Department**—The Health Department has not approved the septic recovery filed for Lot 1, which is located within the required setbacks from the environmental feature on that lot. However, the Health Department believes the appropriate setbacks could be accommodated without retesting the lot. The Health Department has stated that the septic recovery fields serving Lots 2 and 3 are located within the 100-foot required setback from the centerline of the stream located on those lots. The Health Department has stated that these lots must be retested. Therefore, the Health Department cannot recommend approval of Lots 2 and 3.
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, # 23186-2002-00, 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.
12. **Historic**—The proposed subdivision is located east across Duvall Road from Prince George's County Historic Site 82B-9, known as Waverly, which is listed in the National Register of Historic Places. Waverly is an excellent example of an Italianate-style frame farmhouse in near-original condition. Constructed circa 1855, it stands on rolling farmland between Croom and Mount Calvert; on the grounds are two contemporary outbuildings that reflect the Italianate details of the dwelling.

Waverly embodies the distinctive characteristics of the Italianate Victorian style of architecture. It is distinguished by its board-and-batten siding, its deeply overhanging eaves punctuated by bold jig-sawn cornice brackets, and fine interior trim.

The complex of buildings at Waverly is an outstanding and unique landmark in Prince George's County, located at an elevation slightly above the developing property. Waverly was listed in the National Register in 1987. Lots 6 and 8 that front on Duvall Road may be visible from the Historic Site and, therefore, should be carefully planned. Care should be taken to adhere to the guidelines established in the adopted and approved master plan for Subregion VI, Historic Preservation Guidelines.

Because the proposed site of the house on Lot 6 is on a high point of land, review of the siting, massing and rooflines of this house should be required by the Planning Board to ensure that the land use or new construction does not detract from the architectural characteristics and environmental setting of the historic site. Sensitive and innovative site design techniques, such as careful siting, variation in orientation, roof shape, building materials, screening, landscaping, berming, and open space should be incorporated into the proposal to minimize any adverse impacts to the resource. The review should include a section drawing showing topography and sightlines from Historic Site 82B-9 to the proposed structure on Lot 6, and architectural elevation drawings showing dimensions and rooflines of the proposed house on Lot 6.

As indicated, the proposed preliminary plan is located on the east side of Duvall Road that has been identified in the 1992 *Prince George's County Historic Sites and Districts Plan* as a historic road. It remains a remnant of the old road leading from Charles Town (Mount Calvert) to Nottingham, and has been in use at least from 1739. Retentions of the rural character of Duval Road can be

accomplished by providing a landscape easement and buffering along the east side of Duvall Road, as well as sufficient setback of the new houses from the road. Adequate plantings could soften and nearly eliminate the view of new construction from the Historic Site.

## 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 provide a note that the existing barns located on the site shall be removed or relocated in conformance with the Zoning Ordinance prior to final plat.
  - b. To combine Lots 1 and 2 with Lot 3.
2. Prior to final plat, the applicant shall demonstrate the Health Departments approval of the location of the septic recovery field for Lot 1. If the applicant is unable to provide this approval, the area of Lot 1 shall be included in Lot 5, resulting in a seven-lot subdivision.
3. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
4. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan # 23186-2002-00.

5. Prior to the approval of grading permits, the Planning Board or its designee shall approve a Limited Detailed Site Plan (LDSP) to ensure the retention and improvement of the rural character of Duvall Road, a designated historic road. The LDSP shall ensure that the proposed land use and new construction does not detract from the architectural characteristics and environmental setting of Historic Site 82B-9, located across Duvall Road from Lots 6 and 8.
6. The applicant, his heirs, successors and/or assignees shall provide a fee to Prince George's County, which shall serve as a fair share contribution toward the construction of the Croom/Naylor station and the acquisition of an ambulance. The fee shall be paid prior to the issuance of the first building permit. The fee amount is based upon the construction cost of the station (\$1,275,000) and the purchase price of an ambulance (\$131,000), divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (3,541). The fair-share fee is \$1,191 per dwelling, which equates to a total of \$11,910 for the 10-lot development.

STAFF RECOMMENDS APPROVAL OF TREE CONSERVATION PLAN TCPI/31/02.