



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

Preliminary Plan 4-04018

Application		General Data	
Project Name: ARCHER'S GLEN II Location: South side of Bald Eagle School Road, approximately 4,000 feet from the intersection of Baden Westwood Road. Applicant/Address: Washington Management Development Company 2812 Chesterfield Place, N.W. Washington D.C. 20008		Date Accepted:	02/18/04
		Planning Board Action Limit:	07/06/04
		Plan Acreage:	95.05
		Zone:	O-S
		Lots:	19
		Election District:	04
		Planning Area:	87
		Tier:	Developing
		Council District:	09
		Municipality:	N/A
		200-Scale Base Map:	221SE14
Purpose of Application		Notice Dates	
Residential Subdivision		Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)	01/15/04
		Sign(s) Posted on Site:	05/28/04
Staff Recommendation		Staff Reviewer: Del Balzo	
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 4-04018
Archer's Glen II, Lots 1–19
(Also known as Bennington Farm)

OVERVIEW

The subject property consists of approximately 95.05 acres of land in the O-S Zone. It is undeveloped and generally wooded. One single-family house exists on land already deeded from the property by family conveyance. The applicant proposes to divide the property into 19 lots for development with single-family detached homes using the Varying Lot Size Technique standards provided for in Section 27-442(b) of the Zoning Ordinance. These standards provide for greater flexibility in the minimum lot size without allowing an increase in the allowable density of the zone. The applicant proposes lots ranging in size from approximately 2.5 acres to more than 6.5 acres. All lots will have access to an internal street, either directly or via private access easements. One lot will have driveway access to Bald Eagle School Road. The property will also have access from an internal connection to Archer's Glen I.

SETTING

The property is located on the east side of Bald Eagle School Road, south of its intersection with Westwood Road and approximately 4,000 feet north of its intersection with Baden-Westwood Road. The property abuts Archer's Glen I to the south. The area is generally characterized by single-family detached and agricultural uses in the O-S Zone.

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
Uses	Vacant	Single-family detached dwellings
Acreage	95.05	95.05
Lots	0	19
Parcels	1	0
Detached Dwelling Units	0	19

2. **Environmental**—The site contains wooded areas and areas that are currently being farmed. There are streams, wetlands, 100-year floodplains and their associated buffers on the property. A large tributary generally follows the northern property line of the site, with smaller tributaries crossing the site and flowing into the large stream from the south. Extensive areas of severe and steep slopes exist, many of which are adjacent to streams. The soils found on this property

include Beltsville silt loam, Matapeake silt loam, Mixed alluvial land, Sandy land steep, Sassafras gravelly sandy loam, and Westphalia-Evesboro complex. Some of these soils have limitations with respect to impeded drainage or seasonally high water tables while others have limitations with respect to steep slopes and erodibility. 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 lot. A limited amount of forest interior dwelling species (FIDS) habitat is located on-site, but it is not significant in size or contiguous with other identified FIDS habitats along the stream valley corridor. There are no designated scenic and historic roads located adjacent to the property or in the vicinity of the property. No adverse noise impacts from transportation are anticipated related to this proposal. The property is located in the Patuxent River watershed and is located in the Rural Tier as reflected in the adopted General Plan.

Woodland Conservation

A Detailed Forest Stand Delineation (FSD) was submitted with this application. The map and text require revisions and additional information in order to meet all requirements. The total site area stated on the FSD plan is 95.05; the site area stated in the text is 96.75. The amount of existing woodlands and the area of Stand 1 as stated on the plan do not match areas given in the text. The steep slopes on highly erodible soils on the FSD do not match the steep slopes on highly erodible soils shown on the TCPI or the preliminary plan. Revisions are required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the area of existing woodland is greater than 10,000 square feet and the area of the property is greater than 40,000 square feet. A Type I Tree Conservation Plan (TCPI/13/04) was submitted concurrent with the preliminary plan application as required.

The revised Tree Conservation Plan (TCPI/13/04) has been reviewed. The correct Woodland Conservation Threshold for this site cannot be confirmed until the gross tract area and net tract areas of the property are confirmed. An approved 100-year floodplain study should be submitted to confirm the acreage of the 100-year floodplain used to calculate the correct net tract area and to determine the correct woodland conservation requirements.

Assuming that the subject property is 95.05 acres in size, as stated in the FSD text, the woodland conservation threshold is 47.31 (50 percent of the Net Tract). Replacement acreage required due to the removal of 16.09 acres by clearing would result in a total woodland conservation requirement of 51.33 acres. The revised TCPI proposes to meet the requirement on-site with 47.70 acres of on-site preservation and 4.68 acres of on-site reforestation, for a total of 52.38 acres of woodland conservation provided, exceeding requirements.

The delineation of the Patuxent River Primary Management Area (PMA) cannot be confirmed because the TCPI, preliminary plan, and FSD do not consistently identify severe slopes and highly erodible soils on steep slopes. A complete and/or correct delineation is necessary to make a finding that priority woodland has been retained to the extent possible.

In general, it appears that preservation has been focused in the environmentally sensitive areas of the site, and the afforestation is proposed in contiguous, large blocks and in infill locations. After the PMA has been correctly delineated, an adjustment of afforestation areas may be necessary to include these areas of higher priority.

Specimen trees have been identified on the plan, and a specimen tree table has been provided. The TCPI appears to indicate that specimen trees on Lot 2 will be removed due to grading, although this has not been correctly identified in the specimen tree table. A lot-by-lot woodland conservation table has been provided. There is no note on the plan regarding the presence of rare, threatened or endangered species on the site. A limit of disturbance has now been provided, and conceptual grading has been shown. Minor revisions are required.

Patuxent River Primary Management Area

Section 24-130 of the Subdivision Ordinance requires that the Patuxent River Primary Management Area (PMA) be clearly shown and that the PMA be preserved to the fullest extent possible. The PMA is comprised of streams, a 50-foot stream buffer, adjacent wetlands, a 25-foot wetland buffer, adjacent 100-year floodplains, adjacent areas of slopes in excess of 25 percent, adjacent areas of slopes between 15 and 25 percent on highly erodible soils, and areas of special wildlife habitat. These features have been shown, but because the slope delineation is inconsistent, the maximum extent of the PMA cannot be confirmed. Prior to signature approval of the preliminary plan, the preliminary plan and TCPI need to be revised to show the maximum extent of the PMA.

The Subdivision Regulations require that the PMA be preserved to the fullest extent possible. Impacts to the PMA are generally supported only for the construction of necessary public roads and utilities. Impacts for the creation of lots and/or grading for lots are generally not supported. After the PMA is fully and correctly delineated, the TCPI and preliminary plan shall be revised to minimize impacts to the fullest extent possible. Prior to signature approval of the preliminary plan, the preliminary plan and TCPI need to be revised to minimize impacts to the PMA to the fullest extent possible.

The site contains significant natural features, which are required to be protected under Section 24-129 and/or Section 24-130 of the Subdivision Ordinance. At time of final plat, the area that includes the delineated Patuxent Primary Management Area should be described by bearings and distances and shall be placed in a conservation easement. An appropriate note should be placed on the plat.

The site contains streams or wetland areas that are regulated by federal and state requirements. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant needs to submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

Bald Eagle School Road

The preliminary plan proposes the placement of Lot 1, a 5.04-acre lot, along the frontage of Bald Eagle School Road. The subject property is located in the Rural Tier, where the preservation of rural character is encouraged. Rural Tier Policy 2 of the General Plan states: "Design future development to retain and enhance rural character."

To retain the rural character of the viewshed along Bald Eagle School Road, it is desirable that a vegetative buffer be provided of the proposed dwelling combined with the establishment of a building restriction line along Bald Eagle School Road. Prior to signature approval of the preliminary plan, a building restriction line on Lot 1, 100 feet behind the Bald Eagle Road right-of-way and its associated public utility easement, should be established.

Soils

The Beltsville, Matapeake, Mixed alluvial, Sandy land, Sassafras and Westphalia-Evesboro soil series have limitations that could affect the development of this property including high water tables, impeded drainage, slope, slow permeability, and stability. The Department of Environmental Resources may require a soils study addressing the soil limitations with respect to the construction of homes.

Water and Sewer Categories

The property is in Water Category W-6 and Sewer Category S-6; it will be served by private well and septic systems.

3. **Community Planning**—The property is in Planning Area 87A/Westwood. It is located in the Rural Tier as defined by the 2002 General Plan. The vision for the Rural Tier is the protection of large amounts of land for woodland wildlife habitat, recreation and agriculture pursuits, and preservation of the rural character and vistas that now exist. A goal of the Rural Tier is to allow large lot, estate residences. This application is not inconsistent with guidelines for development in the Rural Tier as defined in the General Plan.

The 1993 Subregion VI Study Area Master Plan recommends residential land use at the Low Rural density of 0.2 average dwelling units per acre. The 1994 Sectional Map Amendment for the Subregion VI Study Area retained the subject property in the O-S Zone. This application conforms to the Low Rural residential land use characteristics recommended in the master plan. There are no master plan issues associated with this application.

4. **Parks and Recreation**—The proposed subdivision is exempt from the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations because all lots are greater than one acre in size.
5. **Trails**—The adopted and approved Subregion VI Master Plan designates Bald Eagle School Road as a Class III Bikeway and recommends appropriate signage. In cases along county rights-of-way, the Planning Board has typically required the applicant to provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. Staff recommends the payment be required in this case.
6. **Transportation**—The traffic generated by the proposed preliminary plan would impact the intersection of Bald Eagle School Road and Croom Road (MD 382). This intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program:

The subject property is located within the Rural 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) 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.

The Bald Eagle School Road–Croom Road intersection, when analyzed with existing traffic, was found to be operating with a delay of 9.6 seconds per car during the AM peak hour and 9.3 seconds per car during the PM peak hour. Both delays are well below the 50-second threshold. When the subject intersection was analyzed under total traffic conditions, the delays were computed as 9.7 seconds per car and 9.5 seconds per car during the AM and PM peak hours, respectively.

Given these findings, adequate access roads and transportation facilities will exist as required by Section 24-124 of the Prince George's County Code 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.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 3	High School Cluster 3
Dwelling Units	19 sfd	19 sfd	19 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	4.56	1.14	2.28
Actual Enrollment	5,334	4,689	8,654
Completion Enrollment	351.84	86.22	158.07
Cumulative Enrollment	178.80	25.38	50.76
Total Enrollment	5,869.20	4,801.74	8,865.11
State Rated Capacity	5,384	5,114	7,752
Percent Capacity	109.01	93.89	114.36

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

These figures were correct on the day the referral memorandum was written. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers that will be used in the resolution will be the ones that will 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 an 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.

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. 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.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
- a. The existing fire engine service at Baden Fire Station, Company 36, located at 16608 Brandywine Road, has a service travel time of 6.21 minutes, which is beyond the 5.25-minute travel time guideline.
 - b. The existing ambulance service at Baden Fire Station, Company 36, located at 16608 Brandywine Road, has a service travel time of 6.21 minutes, which is within the 6.25-minute travel time guideline for Lots 1-8. All other lots are beyond.
 - c. The existing paramedic service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road, has a service travel time of 12.30 minutes, which is beyond the 7.25-minute travel time guideline. The nearest fire station, Baden Company 36, is located at 16608 Brandywine Road, which is 6.21-minutes from the development. This facility would be within the recommended travel time for paramedic service.

These 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*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall 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. Because sprinkler systems are required in all residences in Prince George's County, no condition is necessary.

Staff found that 11 of the 19 lots proposed for this development are beyond the recommended response time standards from existing facilities that provide ambulance service. This finding is based on using the existing road system and existing stations. The planned Croom-Naylor facility will be the first due station that will provide ambulance service to this development. The cost of this emergency services facility ambulance is \$1,405,000.

To mitigate the paramedic and ambulance response time deficiencies, the staff recommends that the applicant participate in providing a fair-share contribution toward the construction of the Croom-Naylor Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$1,275,000) and ambulance (\$130,000), divided by the total amount of residential and employment population within the entire service area in 2006 (3,541). The service area includes those areas that will be served by the planned facility. The fair-share fee for the units, which are beyond response time standards for ambulance service only, is \$141 per person for 11 lots, which are beyond response time standards for ambulance service

Ambulance fee

- 2006 service area population is 3,541
- $1,405,000/3541=\$396.78$ per resident/employee
- $\$396.78 \times 3.0$ planning area household size= $\$1,190$ per dwelling $\times 11=\$13,090$

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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional

57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.

10. **Health Department**—The Health Department reviewed the application and noted that there are approved percolation tests for all 19 proposed lots. Ultimately, the location and configuration of the recovery fields may change slightly. This will not have a significant impact on the lotting pattern. Final design will take place prior to Health Department signature of the final plats.
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 not yet been approved. Low impact development techniques will not have an impact on the proposed lotting pattern. To ensure that development of this site does not result in on-site or downstream flooding, a stormwater management concept plan must be approved prior to signature approval of the preliminary plan. Development must be in accordance with this approved plan or any revisions thereto.
12. **Cemeteries**—This land is part of a 17th-century land grant known as Archer's Pasture, used by the Anglican clergy during the 18th century. The applicant should be aware that if burials are found during any phase of the development process, development activity must cease in accordance with state law. Because this is a likely burial site, a Phase I Archeological Study should be required prior to signature approval of the preliminary plan. Phase II and III studies may be required prior to final plat approval.
13. **Public Utility Easement**—The preliminary plan includes the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way and within each access easement. The easement will be shown on the final plat.
14. **Varying Lot Sizes**—The applicant is proposing to use varying lot sizes as permitted by the Prince George's County Zoning Ordinance. Unlike the provision for the use of lot size averaging (R-55, R-80, R-R and R-E Zones), the use of varying lot sizes in the R-A and O-S Zones does not require specific findings for approval. Only the minimum standards outlined in the Zoning Ordinance must be met.

Section 27-442(b)(Table I) of the Zoning Ordinance sets the minimum standards for varying lot sizes. In the O-S Zone, the creation of varying lot sizes is permitted as long as the total tract being subdivided is at least 50 acres in size. In this case the total tract area is 95.05 acres. Further, at least 60 percent of the lots created using varying lot sizes must meet or exceed the minimum lot size in the zone: five acres in the O-S Zone. This requirement has been met with the submitted preliminary plan: 12 of the proposed 19 lots (or 65 percent) are a minimum of five acres in this subdivision.

The Zoning Ordinance allows one 2-acre lot for every 50 acres of land in the tract. With 95.05 acres of land in the O-S tract, a maximum of one 2-acre lot is permitted. The remaining lots are required to exceed three acres. The submitted preliminary plan includes one lot between two and three acres in size, with the remaining six lots exceeding three acres. This arrangement meets the minimum standards set forth in Section 27-442(b)(Table I) of the Zoning Ordinance for the use of varying lot sizes.

Originally, the proposal included a smaller, two-acre lot along Bald Eagle School Road. Although a two-acre lot is compatible with the Rural Tier, the property is zoned O-S. To protect the rural environment, staff recommended that the applicant revise the plan to have only one five-acre lot along Bald Eagle School Road. The applicant's revised plan conforms to that recommendation.

The few smaller lots in the subdivision (less than five acres in size) are located in the interior of the subdivision.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan:
 - a. The Forest Stand Delineation text and plan shall be revised as follows:
 - (1) The total site area, quantity of existing trees, and quantity of trees in each stand shall be consistent between the FSD text and map.
 - (2) The steep slopes on highly erodible soils shall be fully and correctly delineated.
 - (3) The revised FSD shall be signed and dated by the qualified professional who prepared it.
 - b. The Type I Tree Conservation Plan shall be revised as follows:
 - (1) Provide a complete and correct delineation of the Patuxent River Primary Management Area (PMA) with all the component parts shown based on a correct delineation of severe slopes and steep slopes on highly erodible soils.
 - (2) Determine the correct gross and net tract area for the subject property.
 - (3) Revise the woodland conservation worksheet, lot-by-lot woodland conservation table, and plan as necessary to reflect the correct woodland conservation requirement.
 - (4) Revise the specimen tree chart to correctly identify the disposition of specimen trees.
 - (5) Unforested areas within the PMA shall be considered to be priority afforestation areas and shall be shown as afforestation before less important areas are used.
 - (6) Add a note to the plan addressing the presence of rare, threatened or endangered species on the site.
 - (7) Show the maximum extent of the PMA.
 - (8) Minimize impacts to the PMA to the fullest extent possible.
 - (9) Have the revised TCPI signed and dated by the qualified professional who prepared it.
 - c. The Preliminary Plan shall be revised as follows:
 - (1) To show the maximum extent of the PMA.

- (2) To minimize impacts to the PMA to the fullest extent possible.
 - (3) To delineate a building restriction line on Lot 1, 100 feet behind the Bald Eagle Road right-of-way and its associated public utility easement.
 - (4) Include the Stormwater Management Concept approval number and date.
- d. A Stormwater Management Concept Plan shall be approved by the Department of Environmental Resources and referred to the Environmental Planning Section to ensure conformance with the limits of disturbance shown on the TCPI.
2. 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/13/04) 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.”
3. A Type II Tree Conservation Plan shall be approved prior to the issuance of any permits.
4. At time of final plat, the area that includes the delineated Patuxent Primary Management Area shall be described by bearings and distances and shall be placed in a conservation easement. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
5. At time of final plat, a building restriction line shall be shown on Lot 1 100 feet behind the Bald Eagle Road right-of-way.
6. Prior to the issuance of any permits for Lot 1, the site plan shall provide a “C” bufferyard adjacent to Bald Eagle Road in accordance with the Prince George’s County *Landscape Manual*.
7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
8. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archaeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archaeological literature) for those lands determined to be subject. Prior to approval of the final plats, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines.

9. 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 Bald Eagle School 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.
10. Prior to the issuance of building permits for Lots 10–19, the applicant, his heirs, successors and/or assignees shall pay a fee of \$1,190 per dwelling unit to Prince George’s County, which shall serve as a fair share contribution toward the construction of the Croom-Naylor Station and acquisition of an ambulance unit.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN, TCPI/13/04, WITH MODIFICATIONS.