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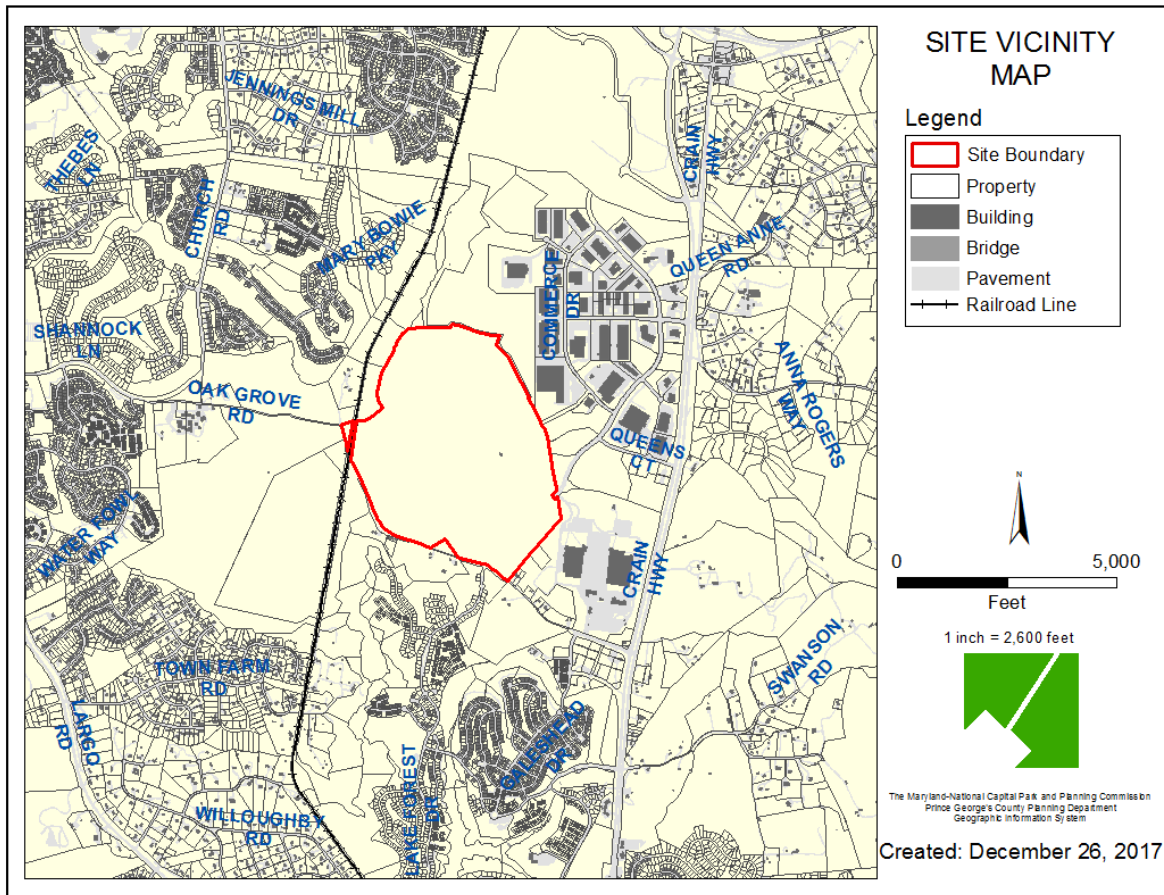
## Zoning Map Amendment

## A-9968-01

Application	General Data	
<b>Project Name:</b> Willowbrook  <b>Location:</b> On the north side of Leeland Road, approximately 3,178 feet west of the intersection of Leeland Road and US 301 (Robert Crain Highway).  <b>Applicant/Address:</b> WBLH, LLC 7164 Columbia Gateway Drive, Suite 230 Columbia, MD 21046  <b>Property Owner:</b> Same as applicant	Planning Board Hearing Date:	09/20/18
	Staff Report Date:	08/20/18
	Date Accepted:	04/16/18
	Planning Board Action Limit:	N/A
	Plan Acreage:	442.30
	Zone:	R-S/I-1/R-A
	Gross Floor Area:	N/A
	Lots:	N/A
	Parcels:	N/A
	Planning Area:	79
	Council District:	06
	Election District:	03
	Municipality:	N/A
	200-Scale Base Map:	202SE13

Purpose of Application	Notice Dates	
This case was continued from the Planning Board hearing date of July 19, 2018 to September 20, 2018.  Amend the approved basic plan to increase the number of dwelling units by 313 units, to increase the percentage of single-family attached dwelling units allowed, change the size and location of the dwelling units and revise the conditions and considerations of Basic Plan A-9968.	Informational Mailing:	12/19/17
	Acceptance Mailing:	04/11/18
	Sign Posting Deadline:	06/19/18

<b>Staff Recommendation</b>		<b>Staff Reviewer:</b> Taslima Alam <b>Phone Number:</b> 301-952-4976 <b>E-mail:</b> Taslima.Alam@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

**TECHNICAL STAFF REPORT:**

TO: The Prince George's County Planning Board

VIA: Sherri Conner, Acting Supervisor, Subdivision and Zoning Section  
Development Review Division

FROM: Taslima Alam, Senior Planner, Subdivision and Zoning Section  
Development Review Division

SUBJECT: **Zoning Map Amendment A-9968-01  
Willowbrook**

REQUEST: **Amend the approved basic plan to increase the number of dwelling units by 313 units, to increase the percentage of single-family attached dwelling units allowed, change the size and location of the dwelling units and revise the conditions and considerations of Basic Plan A-9968.**

RECOMMENDATION: **APPROVAL with conditions**

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NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date of September 20, 2018. The Planning Board also encourages all interested persons to request to become a person of record for this application.

Requests to become a person of record should be made in writing and addressed to The Maryland-National Capital Park and Planning Commission, Development Review Division, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please call 301-952-3530 for additional information.

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## FINDINGS

1. **Location and site description:** The subject property totals 442.30 acres located on the north side of Leeland Road, just east of the CSX Railroad right-of-way and approximately 3,178 feet west of US 301 (Robert Crain Way). Leeland Road is a master planned right-of-way, which abuts the site to the south and is a designated scenic road. The entire tract of land is divided into three different zones; approximately 15 acres of land is located in in Light Industrial (I-1) Zone, 0.78 acre of land is zoned Residential Agricultural (R-A) Zone and 426.52 acres of land is located in Residential Suburban Development (R-S) Zone. It should be noted that, although the site is comprised of various zones, the development and its density calculation only pertain to the R-S-zoned portion of land, which is consistent with the approval of A-9968 for Willowbrook. The property is comprised of two deed parcels recorded in Liber 35350 folio 319, which have never been the subject of a record plat and are located on Tax Map 77 in Grids A2-A4, B1-B4, C3-C4, and F3-F4 (known as Parcel 30).

The site is undeveloped, wooded and contains numerous environmental features. The site's frontage and access is from Leeland Road.

2. **History:**

**Original Basic Plan**—The site was rezoned from the R-A to the Employment and Industrial Area (E-I-A) Zone during the 1991 *Approved Bowie-Collington-Mitchellville and Vicinity Master Plan and Sectional Map Amendment*. The rezoning was contained in Zoning Map Amendment (Basic Plan) A-9829. In 2005, Zoning Map Amendment A-9968 was filed to request a rezoning of the Willowbrook property from the E-I-A Zone to R-S Zone. At that time, the approval of a new Bowie and Vicinity Master Plan and Sectional Map amendment was underway. Basic Plan A-9968 was recommended for approval by the Prince George's County Planning Board (PGCPB Resolution No. 05-178) and was transmitted to the Prince George's County District Council for incorporation into the 2006 Bowie and Vicinity Sectional Map Amendment.

The 2006 Bowie Vicinity Master Plan and SMA, was approved by Council Resolution (CR-90-2005), which was reconsidered by the Council Resolution (see CR-11-2006). The District Council then adopted CR-11-2006 on February 7, 2006, which rezoned the subject property from the E-I-A and R-A zones to the R-S Zone (CR-11-2006, Amendment 7, pages 18 and 31 through 34) subject to 13 conditions and three considerations. The applicant's statement of justification (SOJ) dated August 8, 2018, incorrectly refers to CR-90-2005 as the resolution of adoption in the Site Approval History and should be revised. Staff would note that page 31 of CR-11-2006 incorrectly indicates that it is CR-90-2005, a technical error that should be corrected.

**Comprehensive Design Plan (CDP)**—On January 4, 2007, Comprehensive Design Plan, CDP-0505 was approved by the Prince George's County Planning Board (PGCPB Resolution No. 06-273) and Type I Tree Conservation Plan (TCPI-010-06) was approved for a total of 818 residential dwelling units, which 602 were market rate (97 townhouse and 505 single-family detached units) and 216 units are in a mixed-retirement component (50 single-family detached, 56 townhomes, and 110 multifamily units), on approximately 427 acres of land with 34 conditions. The Planning Board's decision with conditions per PGCPB Resolution No. 06-273 was affirmed by the Prince Georges County District Council on April 9, 2007. The CDP conditions are not applicable to the review of this application.

**Preliminary Plan of Subdivision (PPS)**—On March 15, 2007, PPS-4-06066 and Type I Tree Conservation Plan TCPI-010-06-01 was approved by the Prince George’s County Planning Board (PGCPB Resolution No. 07-43) subject to 31 conditions. Subsequently a number extension, waiver and reconsiderations were approved by the Planning Board. The last of which, on November 9, 2017, the Planning Board approved a waiver and request for reconsideration due to mistake or inadvertence in furtherance of substantial public interest (Rules of Procedure, Section 10(e)) and further approved on March 8, 2018 (PGCPB Resolution No. 07-43(A)) the reconsideration of the conditions to construct a roundabout at the intersection of Oak Grove Road and Church Road and convert the roundabout to a four-way signal-controlled intersection. The PPS conditions are not applicable to the review of the current application, but the modification of the intersection is noted for informational purposes.

**Specific Design Plan (SDP)**—On March 30, 2017, Specific Design Plan SDP-1603 and associated Type II Tree Conservation Plan TCPII-028-2016, (PGCPB Resolution No. 17-144), for Phase One (Phase I) of the development, which proposed 183 single-family detached and 93 single-family attached market-rate lots, 43 single-family detached and 52 single-family attached mixed-retirement residential lots and single-family attached architecture by NV homes, Ryan Homes and Toll Brothers, was approved subject to 15 conditions. The SDP conditions are not applicable to the review of the current application.

3. **Neighborhood and Surrounding Uses:** The neighborhood boundary as defined in the original Basic Plan approval, A-9968 was used. The applicant did not propose any changes.
4. **Request:** The purpose of this request is to amend the Basic Plan (A-9968) approved by the Prince George’s County District Council on February 7, 2006, in accordance with Section 27-195 of the Zoning Ordinance. The amendment proposal includes the addition of 313 dwelling units. The originally approved dwelling unit range was 627-826 total dwelling units. The newly proposed dwelling unit range is 624-1,139 dwelling units. In addition, the applicant proposes the following five amendments, as set forth in the SOJ dated August 8, 2018:
  1. To revise the approved Land Use Quantities to allow a flexible variety, amount, and location of residential units throughout the Willowbrook project (comprising of single-family detached units, and potentially all types of attached single-family units permitted in the R-S Zone including, but not limited to, townhouses and carriage homes).
  2. To increase the maximum number of attached market residential units to 35% of the total residential density pursuant to Section 27-513(d)(3).
  3. To propose maximum flexibility in the amount, type and quantity of units in the Mixed Retirement Development portion of the project.
  4. To revise existing Basic Plan conditions and/or Considerations, specifically Conditions 1 and 13 and Consideration 2 and 3 (District Council Resolution CR-11-2006). Condition 1 is the development data table, Condition 13 relates to certain public benefit features. Consideration number 2 relates to types of recreational facilities and 3 relates to maintenance of 200-foot buffer between residential lots and adjacent land other than park land in the E-I-A Zone.
  5. Proposes locations for potential park/trail facility locations within the project (denoted by asterisks on the Basic Plan).

The applicant proposes to revise the approved land use quantities to reflect an increase in attached dwelling units (DUs) (15 percent increase) for the Market-Rate development (352.27 acres) from 20 percent maximum attached to 35 percent maximum attached DUs, of the total number of DUs (Section 27-513(d)(3)). The proposed change is requested by the applicant to allow flexibility to meet residential market housing demands by allowing single-family-detached and single-family attached dwellings, including carriage homes (large lot attached, three units in a stick) and other types of permitted single-family attached units, within the project pursuant to Section 27-513(d)(3) of the Zoning Ordinance. This section permits applicant to increase the maximum number of single-family attached residential units from 20 percent to 35 percent of the total residential density within the R-S and R-L Zones, pursuant to the adoption of the Prince George's County Council Bill CB-91-2016. The applicant also requests flexibility to locate attached units throughout the site, a change from the original approval, which limited attached DUs to the southeast portion of the site. This integration will require careful site planning to ensure that the relationships between dwellings preserve the privacy and improve the streetscape to promote the best relationships from one dwelling to another and the open space.

The mixed-retirement development (28 acres) with 224 DUs remains unchanged from the originally approved basic plan. However, the basic plan limited the mixed-retirement dwelling unit type mix to 14 percent single-family detached, 25 percent single-family attached, and 61 percent multifamily. The applicant is proposing to remove the percentage mix required with the basic plan to allow greater flexibility.

The original basic plan did not provide any overlap in the different housing types. The amendment proposed will allow some overlap in the housing types which staff believes will allow for a better integration of ownership interests. This integration will require careful site planning to ensure that the relationship between dwellings preserve the privacy and improves the streetscape to promote the best relationships from one dwelling to another and the open space. However, the original Basic Plan SOJ stated that a "basic design criteria" included the "protection of the surrounding property owners by placing the larger lots on the outer boundary line." The plan now proposes a possible mix that would include attached dwelling along the outer boundary of the site. Staff recommends that this original SOJ continue to be applied at the time of CDP.

The Zoning Ordinance was amended in 2016 to increase the maximum number of single-family attached residential units from 20 percent to 35 percent of the total residential density within the R-S Zone, for market rate housing. This restriction is not applicable to mixed retirement development in the R-S Zone. While the density of the mixed-retirement of 224 DUs remains the same, the applicant is requesting an amendment to the mix of dwelling unit type restrictions from the original basic plan approval. The increase in DUs is requested for the market rate dwellings from a density of 1.6-1.7 DU/acre (maximum of 602 DU), to 1.6-2.6 DU/acre (maximum of 915 DU), an increase of 313 DUs or a 51 percent increase in the market rate DUs. An overall increase from a maximum of 826 DUs to 1,139 DUs is proposed.

Accommodating the new proposal will also require revision to the original basic plan limitations, conditions, and considerations (A-9968) to allow greater flexibility at the time of future reviews. The original basic plan (A-9968) was approved simultaneously with the Bowie Master Plan and SMA (CR-11-2006), which contained certain limitations for the Willowbrook development. The limitations were specific to the density limitations and percentage limit for the market rate development units. The approval included five limitation conditions, 13 conditions of approval and three comprehensive design plan considerations. The applicant is requesting an amendment to Limitation 1 (development data table), Condition 13 (listing of certain public benefit features), and amendments to Consideration 2 (relating to types of recreational facilities) and

Consideration 3 (which required a 200-foot buffer). The applicant proposes to carry forward the remaining limitations, conditions, and considerations listed in the originally approved Basic Plan (A-9968). However, a number of responses to conditions and considerations were provided in the applicant's SOJ dated August 8, 2018 and will be addressed for clarification. The conditions are discussed in the Subsection 8 of this report.

The applicant's requested amendments are recommended for approval, in part, with conditions and additional considerations as discussed in detail below.

## 5. **General Plan, Master Plan and Sectional Map Amendment (SMA) Recommendations**

**General Plan:** This application is located in the Plan 2035 Established Communities. The vision for the Established Communities is to develop context-sensitive infill and low- to medium-density development. The *Plan Prince George's 2035 Approved General Plan* (Plan 2035), recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries and schools), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.

**Master Plan:** The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning areas 71, A, 71B, 74A and 74B* recommends Residential Low future land use, which is defined in the Land Use Map as areas "intended for suburban neighborhoods with single-family houses on lots ranging from 6,500 square feet to one acre in size and retirement or planned residential development." Furthermore, the Environmental Infrastructure Section of the master plan contains certain goals, policies and strategies. The proposed amendment to the basic plan conforms to the densities specified by the R-S Zone for market rate (1.6-2.6 DU/acre) and mixed retirement (8 DU/acre) development and conforms to the residential low (3.5 DU/acre) land use recommendation of the master plan.

6. **Development Proposal:** The applicant has filed this basic plan amendment and included an SOJ dated March 28, 2018 with exhibits. A revised SOJ dated June 6, 2018, with a supplemental response e-mail dated June 8, 2018 (Antonetti to Alam), which addressed Zoning Ordinance requirements, depended on the original exhibits filed dated March 28, 2018. The applicant filed an additional supplemental SOJ dated May 8, 2018 to address specific staff comments. The applicant further revised the SOJ on August 8, 2018 to add a fifth purpose to the request. The August 8, 2018 SOJ together with the exhibits (March 28, 2018), supplemental response email (June 8, 2018) and supplemental SOJ (May 8, 2018) are used for the analysis of this amendment.

The SOJ (dated August 8, 2018) requests five amendments to the Basic Plan which are noted below followed by staff discussion and recommendation:

1. To revise the approved Land Use Quantities to allow a flexible variety, amount, and location of residential units throughout the Willowbrook project (comprising of single-family detached units, and potentially all types of attached single-family units permitted in the R-S Zone including, but not limited to, townhouses and carriage homes).
2. To increase the maximum number of attached market residential units to 35% of the total residential density pursuant to Section 27-513(d)(3).

The applicant is requesting to increase the total dwelling units allowed by 313. The approved basic plan allows for a maximum of 20 percent attached dwelling units. The applicant is requesting the maximum of 35 percent attached dwelling units consistent

with that allowed in the Zoning Ordinance. The applicant requests to increase the Market Rate density range from 1.6-1.7 dwelling units per acre (current approved range) to 1.6 to 2.6 dwelling units per acre through this basic plan amendment. Specifically, the instant basic plan amendment seeks to revise the percentages of attached dwelling units for market rate development and increase the overall densities. The basic plan as submitted by the applicant does not provide lot size information, which is not specifically required at this time. For information purposes, the approval of the CDP included active adult dwellings (attached dwellings arranged in groups of three units which are similar to carriage style homes) on large lots as part of the Mixed Retirement portion of the development, along with multifamily and single-family detached dwellings. There was also a large lot component approved for single-family detached dwelling units, as well as townhouses, for the Market Rate portion of the development. Townhouses in general allow for 6 to 12 units in a row with lot sizes that range from the standard townhouse lot in the R-T Zone of 1,800 square feet. The applicant is proposing to include carriage homes within the maximum allowable attached dwelling units (35 percent). Staff recommends that the carriage homes make up a percentage of the attached dwellings for both the Mixed Retirement and Market Rate developments and that a variety of lot sizes be provided including a large lot and a small lot for single-family dwelling. This variety will ensure opportunity for different housing stock for varied ownership interests.

The applicant's SOJ dated August 8, 2018 states that the Basic Plan amendment proposes "a variety of single-family detached and single-family attached product types that will have a differing variety of price points to serve the housing needs for all income groups within the County." Staff recommends conditions and considerations, which will support this justification. **Staff recommends approval of the increase for 313 additional dwelling units subject to additional conditions.**

3. To propose maximum flexibility in the amount, type and quantity of units in the Mixed Retirement Development portion of the project.

The original basic plan (A-9968) limited the Mixed Retirement Development to approximately 14 percent single-family detached, 25 percent single-family attached and 61 percent multifamily dwelling units. The Mixed Retirement Development portion of the project includes a density range of 2.5-8.0 du/acre within a 28-acre portion of the community totaling 24 dwelling units. The applicant is not requesting an increase in the total number of dwelling units for the Mixed Retirement portion of the site. The amendment requests the removal of the percentage requirements for the dwelling unit types. Staff recommends approval of this amendment but with ranges that will ensure that a mix is provided including single-family detached and attached, which will include townhouses and carriage homes.

4. To revise certain limitation, conditions and/or considerations, specifically the applicant is requesting an amendment to Limitation 1 (development data table), Condition 13 (listing of certain public benefit features) and amendments to Consideration 2 (relating to types of recreational facilities) and 3 (which required a 200-foot buffer).

#### **Limitation 1 Amendment**

The following development table compares the approved basic plan and the applicant's proposal. The applicant's SOJ dated August 8, 2018, shows that the updated NRI approved on January 11, 2007, differs slightly from the original Basic Plan data in regard to the gross acreage



and floodplain values. The updated values are provided in the proposed column in the table below.

	<b>APPROVED</b>	<b>PROPOSED</b>
Zone(s)	R-S	R-S
Total Acreage	427	426.52
Land in 100-year floodplain	89.7	92.49
Adjusted Gross Area (less half floodplain)	382	380.27
Use(s)	Vacant	Vacant
Parcels	2	2
Total Maximum Dwelling Units (DUs)	<b>826</b>	<b>1,139</b>
Market Rate	1.6-1.7 DU/acre= 566 to 602 DU 20% SFA 80% SFD	1.6-2.6 DU/acre= 563-915 DU 35% SFA 65% SFD
Mixed Retirement (28 acres)	2.2 -8.0 DU/acre= 61 to 224 DU 14% SFD 25% SFA 61% Multifamily	2.2-8.0 DU/acre= 61 to 224 DU N/A N/A N/A
Open space	20 acres	20 acres
Private active open space	10-12 acres	11 acres
Passive open space	220 acres	220 acres

The applicant has not proposed any additional improvements or dedications in exchange for the ability to increase the number of dwelling units with this basic plan amendment. The applicant is conflating the issue of density increments awarded at the time of CDP with the approval of the basic plan for the original rezoning of the property to a comprehensive design zone. The dedications identified on the basic plan were a part of the request to rezone the property and not of the later CDP approval. Although the revised basic plan reflects additional areas for park/trails facilities, these are potential public improvements for which no commitment has been made with this application.

**Public Benefit Features and Density Increment Factors:** The comprehensive design zone encourages amenities and public facilities in conjunction with density increases. Section 27-195(a)(1 )of the Zoning Ordinance, requires that the basic plan include the base, minimum, and maximum densities including the specific land use types and their general location. To receive the maximum land use densities, Section 27-514.10(b) of the Zoning Ordinance provides guidelines and criteria for calculating the density increases for the R-S Zone, which is determined at the time of approval of the CDP. The applicant has filed a list of potential public benefit features in the Supplemental SOJ dated May 8, 2018, which will be reviewed at the time of the CDP and the density requested will be evaluated based on the specific proposal at that time.

The current proposal calculates the base density as 563 units (1.6 x 352.27 acres) (see note above regarding gross and adjusted tract area), then lists the following potential density increase allowances. The supplemental SOJ proposes open space set asides but does not distinguish between the public and private open space. The analysis of the appropriate locations and

configuration of open space set asides to be credited to density increases will be further reviewed with the CDP.

Amenity/public facility	Size	Allowance	Calculation	Resultant density increments
Open space land (HOA)	251.76 acres	25% DUs	563 x 0.25	140.75 units
Existing physical features	To be determined (TBD)	2.5%	563 x 0.025	14.07
Pedestrian system	TBD	5%	563x0.05	28.15
Recreational Dev.	TBD	10%	563x0.10	56.4
Public Facilities	20 acres	30%	563x0.30	168.9
<b>Total Bonus Increment</b>				408.27 additional units

The proposed development can utilize numerous density increment factors for a potential total of 1,195 units to justify a maximum density of 1,139 DUs requested. In accordance with Section 27-514.10(b) (Regulations-Public Benefit Features and Density Increment Factors) of the Zoning Ordinance, the density increment is earned at the time of CDP. The open space in order to be considered as a basis for a public benefit feature and density increment, must be provided at a ratio of at least 3.5 acres per 100 DU or for the subject application, approximately 32 acres. The provision of 251 acres for open spaces in this application may exceed this requirement for open space. As such, the applicant is claiming the full bonus density increment 25 percent or 140.75 additional DUs. The applicant's concept is to address steep slopes susceptible to erosion within the Willowbrook project and therefore will claim a density increment of 2.5 percent or 14.1 DU. The applicant's supplemental SOJ dated May 8, 2018, further states that the site will provide substantial pedestrian facilities separated from the future and existing roadways. The applicant will use these facilities as justification for the full 5 percent or 28.2 additional units. In addition, the applicant proposes private recreational amenities within the project including playground equipment, and walkways connecting the pedestrian network to future masterplan trails. As such, the applicant is seeking the full 10 percent or 56.4 additional DU. increment. Finally, the applicant proposes to develop a public park facility totaling approximately 20 acres of land. This proposed public park will be improved with appropriate recreational amenities to allow the applicant to claim the full 30 percent or 169.2 additional DUs.

Although the facilities proposed may contribute to the density increments sought for the proposed development, there is not enough information provided at this time to demonstrate that additional public benefit features can be provided to justify the increase in density. The maximum number of DUs will be determined on the basis of public benefit features that the applicant will provide, pursuant to Section 27-514.10(b) of the Zoning Ordinance, at the time of approval of the CDP and staged with the residential development at that time. At the time of CDP, the applicant shall demonstrate that public benefit features above those previously required will be provided to justify the additional density proposed with this application. **Staff recommends approval of this amendment with considerations and conditions.**

Limitations 2–5 of CR-11-2006 are not proposed for amendment with this application and are carried forward in the Recommendation section of this report. Conditions 1–12 of CR-11-2006 are also not proposed to be amended with this application and are carried forward in the Recommendation section of this report.

### **Condition 13 Amendment**

With regards to condition number 13, the applicant correctly states in its SOJ that it obtained approval of a 25 percent public benefit density increment for dedication of open space as part of its CDP submission. Ultimately, 100 acres will be dedicated to M-NCPPC as part of the Collington Branch Stream Valley Park. Additionally, approximately 140 acres of HOA land will be provided as either open space or recreational areas for the residents of the community.

- (13) Public benefit features shown on the Basic Plan, and any future Comprehensive Design Plans, such as a church site, swimming pool, community buildings, recreation facilities, open space, etc. shall either be constructed or provided as described on the plan.**

The approved basic plan and the current proposal does not include a church site and as such the applicant proposes to remove this potential public benefit feature from the condition. However, because this condition does not require a church site, but provides a list of potential public benefit features which may be offered, **staff recommends disapproval of this amendment.**

### **Comprehensive Design Plan Considerations**

The applicant is not proposing modification to Consideration 1 of CR-11-2006 which is carried forward in the recommendation section of this report. The applicant is proposing modification to Consideration 2 and 3 as stated below.

- (2) Recreational facilities should be dispersed throughout the subdivision so as to provide nearby recreational facilities for all residents. The type of recreational facilities shall be determined at the time of Comprehensive Design Plan. They should accommodate all age residents and should include such elements as a pool, tot lots, preteen lots, tennis courts and trails, and passive recreational facilities.**

The applicant is requesting that **tennis courts** be deleted from this consideration as part of this basic plan amendment. The applicant states that Willowbrook will include a public park facility on the west side of the property that will be dedicated to M-NCPPC. In addition, private recreation facilities (which may include a tot-lot and/or pre-teen lot) will be provided on centrally located private open spaces that will be programmed as open space areas for passive and active recreation. The public and private recreational facilities that will be dispersed throughout Willowbrook will be designed to accommodate all age groups. Willowbrook, will also include additional recreational and community club house facilities and a swimming pool within its overall design. It is anticipated that the ultimate clubhouse will be adequately sized, to allow for the consolidation of the mixed retirement and active adult amenities into one building. Although conformance with these requirements was found at the time of CDP and PPS approval, further details will be provided in later development applications.

Approximately 100 acres will be dedicated to M-NCPPC as part of the Collington Branch Stream Valley Park. Further, the applicant will be constructing a 10-foot-wide master plan trail along the Collington Branch Stream Valley with six-foot-wide feeder trails provided to the development pods within Willowbrook. Pedestrian trails and/or sidewalk connections will be provided to the clubhouse on the south side of the property and to the active recreation park along the west side of the property. Approximately 140 acres of HOA land will be provided as either open space or recreational areas for the residents of the community.

The applicant states that they have met with the Department of Parks and Recreation (DPR) and prepared a plan for the public park for staff review on June 23, 2016. Further construction details will be developed after DPR provides additional comments and direction in reaction to the public park plan filed.

Staff has reviewed applicant's proposed revision to the consideration above. However, at this stage of review, staff is unable to determine if the proposed dedication of public parkland and public recreational facilities are sufficient. Therefore, staff recommends that this consideration remain unchanged and carried forward. Consideration 2 will be further reviewed at the time of CDP, PPS and SDP. At that time staff will determine whether the specified public parkland and public recreational facilities are sufficient or insufficient to satisfactorily meet the recreational needs of this community and whether the inclusion of a tennis court(s) is appropriate. **Staff recommends disapproval of this amendment.**

- (3) **A 200-foot buffer shall be maintained between the residential lots and adjacent land other than parkland that is in the E-I-A Zone. The existing woodland may be augmented by additional plantings so that the project is sufficiently protected from the impacts of the adjacent development.**

The applicant submits that this comprehensive design plan consideration can be met throughout a majority of the Willowbrook development. However, the extensive environmental site constraints that exist along the western, northern and southeastern portions of the property severely limit the land area that is available for development. Thus, this consideration should be revised to require the 200-foot buffer "where feasible." The applicant further states that no sensitive environmental features exist along the northeastern and eastern edges of the property. Providing the 200-foot buffer in these areas would drastically reduce the available building envelope on the property even further, therefore, resulting in a financial hardship for the applicant due to the loss of lots and make it extremely difficult for the applicant to achieve the proposed density levels for the property.

The applicant's SOJ explains that the Willowbrook property abuts M-NCPPC-owned parkland that is undeveloped and located in the O-S Zone to the north and property that is part of the Collington Center Employment Park located in the E-I-A Zone to the east. The E-I-A Zone is an employment zone that is much less intense than a standard Euclidian Industrial Zone. Along these perimeter properties, the rear property line of some lots in Willowbrook would be setback less than 200-feet from adjacent land. However, a fully-wooded HOA parcel will be located behind several of the lots, which will serve as a wooded buffer between the two uses. Further, the large acreage parcels in the employment park that abut Willowbrook have either woodland conservation areas or stormwater management ponds along the back of the parcels, and the adjacent M-NCPPC-owned parkland is undeveloped and fully wooded. Lastly, all of the lots in Willowbrook will be adequately buffered in accordance with the requirements of the 2010 *Prince George's County Landscape Manual*. As such, the applicant requests this consideration be deleted as part of this Basic Plan amendment.

Staff does not agree with the deletion of this consideration. This consideration will be evaluated at the time of the CDP, when the development envelopes are further refined, to ensure the most appropriate buffer is provided for sufficient protection from the impacts of the adjacent development. **Staff recommends disapproval of this requested amendment.**

5. Propose locations for potential park/trail facility locations within the project (denoted by asterisks on the Basic Plan).

The previously approved basic plan denoted an area along the western portion of the site for 20 acres of M-NCPPC-parkland dedication along with a master plan trail and feeder plan trail connections. The approved CDP further denotes three areas for community buildings/site amenities and a community pool location. The proposed basic plan continues to denote the 20-acre public park along the western boundary in addition to denoting three new potential public park areas for dedication and/or trail connections, both on- and off-site, which may contribute to the density increments sought for the proposed development. The proposed basic plan also denotes three areas for a potential clubhouse and open spaces and/or recreational areas, in order to meet the recreational needs for the proposed residents of this development. Staff is in agreement with the reflection of these areas on the proposed basic plan. However, at the time of CDP, the feasibility of the potential park/trail facility locations will be further evaluated, and a determination made that new facilities are sufficient to justify the additional density proposed with this application.

7. **Basic Plan Compliance with the Zoning Ordinance:**

**Section 27-197. Amendment of approved Basic Plan.**

- (a)(1) If an amendment of an approved Basic Plan involves a change in land area or an increase in land use density or intensity for the overall area included in the approved Basic Plan, the Plan shall be amended only in accordance with all the provisions of this Subdivision which apply to the initial approval of the Basic Plan by Zoning Map Amendment application, except as provided in this Section.**

This amendment to the approved Basic Plan does involve an increase in the overall density approved for the Willowbrook development. As stated, the original Basic Plan (A-9968) approved a dwelling range of 627–826 DUs for Willowbrook. Currently, the applicant proposes a dwelling unit range of 625–1,139 DUs. This application meets all the appropriate criteria for approval of the initial basic plan as set forth herein.

In order to meet the higher density range, the plan is proposing smaller sized single-family detached units, as well as the introduction of a higher permissible percentage (35 percent) of single-family attached units. The combination of the reduction of large estate type lots, coupled with the introduction of small single-family detached and townhouse units allows Willowbrook to develop with a residential unit count up to a maximum dwelling unit range to 624-1,139. While this proposed unit range represents an increase of 313 DUs over the initial basic plan approval, the density range is maintained within the recommended 1.6–2.6 DUs per acre allowed, pursuant to the Zoning Ordinance and as recommended by the master plan. Furthermore, the proposed amended basic plan proposes 28 acres of land to be devoted to mixed-retirement development (MRD). This is consistent with the District Council's approval of the initial Basic Plan (A-9968) in CR-11-2006. The Council Resolution approved 2.2 DUs per acre up to a maximum of 8 DUs per acre for the MRD portion of the site, which is maintained with this instant application.

Given the increased density proposed, the following section of this report demonstrates how the requirements of the approval criteria per Section 27-195(b) of the Zoning Ordinance are met. This section requires the following:

## **Section 27-195(b). Criteria for Approval**

- (1) Prior to approval of the application and Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria**

- (A) The proposed Basic Plan shall either conform to:**

- (i) The specific recommendations of a General Plan map or Area Master Plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the development, and the impact which the development may have on the environment and surrounding properties; or**
- (ii) The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, intensity or nonresidential buildings, and the location of land uses.**

The applicant addresses conformance to Section 27-195(b)(1)(A)(i) in its SOJ. The proposed basic plan conforms to the recommended Future Land Use on the Bowie and Vicinity Master Plan map. The master plan specifically addresses Willowbrook on page 17, as follows: “This plan recommends suburban intensity residential development at this location. Zoning techniques that provide for flexibility in lot layout, while protecting open space and environmentally sensitive areas, are encouraged. Residential development in the low range of the R-S (Residential-Suburban, Comprehensive Design) Zone is a suitable transition between adjacent neighborhoods. The intent is for development at this location to be more intense than the development to the west (Oak Creek) and less intense than the development to the south (Beech Tree).”

The current application proposes a dwelling unit range of 1.6 –2.6 DUs per acre as compared to the original Basic Plan A-9968, which approved the R-S Zone with the range of 1.6–1.7 DUs per acre. Based on the adjusted net acreage of 352.27, the maximum density would allow up to 915 market-rate DUs, or 313 units above what was originally approved. Including the 224 MRD dwelling units, which is unchanged from the original basic plan approval, the total number of DUs equates to 1,139 units. The revised density range continues to be consistent with the Zoning Ordinance density range for the R-S Zone. This density is also consistent with the master plan’s definition of recommended Future Land Use in the Bowie Master Plan, Residential Low: between 1 and 6.7 DUs per acre (see the full definition under “Master Plan.”).

- (B) An economic analysis submitted for a proposed retail commercial area adequately justifies an area of the size and scope shown on the Basic Plan.**

An economic analysis is not required because retail commercial uses are not proposed.

- (C) **Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans; Transportation facilities (including streets and public transit);**

The existing property is governed by a basic plan approved by the District Council in 2006. Based on that approval, the maximum density allowed is 1.6 to 1.7 DUs per acre. The current application proposes an increased density of 1.6 to 2.6 DUs per acre. If approved, this new density could allow the applicant to construct an additional 313 dwellings.

To meet the legal threshold cited above, the applicant has provided staff, with a July 2018 traffic impact study (TIS). Using data from this TIS, the following results were determined:

EXISTING CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
US 301 and Trade Zone Avenue	C/1269	C/1175
US 301 and Leeland Road	A/922	A/857
US 301 and Beechtree Parkway	E/1490	D/1352
US 301 and Village Drive	B/1093	C/1244
US 301 and MD 725	D/1348	C/1275
Leeland Road and Safeway Access	<50 seconds	<50 seconds
Leeland Road and Moores Plains Boulevard	<50 seconds	<50 seconds
Oak Grove Road and Church Road	A/766	A/606
Oak Grove Road and Whistling Drive	A/604	A/496
MD 193 and Oak Grove Road	D/0.88 v/c	B/0.81 v/c
MD 202 and MD 193	D/1366	C/1248

In evaluating the effect of background traffic, 11 background developments were identified in the TIS, including the pending Locust Hill application ( A-9975-01). A background scenario analysis based on future developments yielded the following results:

BACKGROUND CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
US 301 and Trade Zone Avenue	F/1672	E/1579
US 301 and Leeland Road	D/1323	E/1494
US 301 and Beechtree Parkway	E/1925	F/2053
US 301 and Village Drive	D/1329	F/1663
US 301 and MD 725	F/1664	F/1661
Leeland Road and Safeway Access	<50 seconds	<50 seconds
Leeland Road and Moores Plains Boulevard	<50 seconds	<50 seconds
Oak Grove Road and Church Road	C/1186	D/1310
Oak Grove Road and Whistling Drive	B/1028	A/935
MD 193 and Oak Grove Road	F/1.64 v/c	F/1.29 v/c
MD 202 and MD 193	E/1458	C/1511

In order to evaluate the traffic impact of 1,139 DUs, four scenarios involving different combinations of housing types ranging from 988–1,139 residences were explored in the TIS. The option yielding the highest trip generation was chosen for the total traffic evaluation. That option of 988 single-family units (and no other housing types) would generate 741 (148 in, 593 out) AM and 889 (578 in, 311 out) PM peak-hour trips. Based on this traffic projection, the following results were generated:



TOTAL CONDITIONS		
Intersections	AM	PM
	(LOS/CLV)	(LOS/CLV)
US 301 and Trade Zone Avenue <i>With CIP improvements</i>	F/1689 A/933	E/1588 C/1209
US 301 and Leeland Road <i>With CIP improvements</i>	D/1342 B/1019	E/1529 C/1243
US 301 and Beechtree Parkway <i>With CIP improvements</i>	F/1929 C/1152	F/2060 D/1334
US 301 and Village Drive <i>With CIP improvements</i>	D/1332 A/951	F/1676 C/1247
US 301 and MD 725 <i>With CIP improvements</i>	F/1675 C/1160	F/1684 C/1289
Leeland Road and Safeway Access	<50 seconds	<50 seconds
Leeland Road and Moores Plains Boulevard	<50 seconds	<50 seconds
Oak Grove Road and Church Road	C/1224	D/1349
Oak Grove Road and Whistling Drive	B/1060	A/969
MD 193 and Oak Grove Road <i>With 2-lane approaches on all three legs</i>	F/1.69 v/c B/0.72	F/1.32 v/c B/0.69
MD 202 and MD 193 <i>With additional improvement by Applicant</i>	E/1463 D/1362	E/1542 D/1385
Leeland Road and Willowbrook (East entrance)	>50 seconds	>50 seconds
Leeland Road and Willowbrook (West entrance)	<50 seconds	<50 seconds
Leeland Road and Locust Hill (East entrance)	<50 seconds	<50 seconds
Leeland Road and Locust Hill (East entrance)	<50 seconds	<50 seconds

The results of the TIS under total traffic conditions show that all of the intersections will operate adequately, provided that certain improvements are made. Along the US 301 corridor, all of the intersections will be improved to adequate levels of service based on a combination of construction funds that are allocated in the current adopted Prince George's County Capital Improvement Program (CIP), as well as additional funding from the development community. In February 2007, the Planning Board approved a Preliminary Plan of Subdivision (4-06066) for the subject property, Pursuant to PGCPB Resolution No.07-43, Condition 26, the subject property was required to pay \$1,550 per DU (indexed to 1989) as its share of the CIP-funded program. Staff is recommending that amount be maintained for the current application if it is ultimately approved.

Along the Leeland Road-Oak Grove Road corridor, the applicant will be required to make improvements at the following intersections:

- Oak Grove Road and MD 193 (Greenbelt Road)
- MD 202 (Largo Road) and MD 193

Depending on the dwelling type, these 313 additional units could generate as many as 235 AM peak- hour trips, 282 PM peak-hour trips and 2,817 daily trips. It must be noted that there is a similar Zoning Map Amendment application (A-9975-01, Locust Hill) that is currently going through the review process, where a similar expansion is being sought. In that case, the applicant is seeking

an increase of 125 DUs. If both applications are approved, the net increase will be 3,942 daily trips along the Oak Grove Road-Leeland Road corridor.

The current master plan that governs the property recommends Oak Grove Road-Leeland Road to be upgraded to a major collector standard. Pursuant to the Transportation Review Guidelines, Part 1, this type of road can handle average daily traffic (ADT) of up to 39,460 vehicles while maintaining level of service (LOS) D. Given the current ADT of approximately 6,000 vehicles along the Oak Grove Road-Leeland Road corridor, it is not likely that the increase in density on this site will be sufficient to lower the projected LOS that was anticipated in the master plan.

On pages 20–21 of the applicant’s SOJ, an assertion is made that MC-600 needs to be downgraded. The evidence presented to support this assertion is based on the revised TIS dated July 2018. While the methodologies utilized in this TIS are appropriate for making adequacy findings in the development review process, these methodologies are not appropriate for testing the adequacy of a countywide transportation network. Those area-wide analyses are generally undertaken by the use of computer modelling and simulation, designed to analyze many transportation links covering much larger areas than the scope of the revised TIS. Therefore, staff does not believe that sufficient evidence is provided to support the downgrade. The buildout of large developments like Beechtree, Oak Creek Club, Willowbrook, Locust Hill and the traffic from other developments beyond the scope of the current TIS could generate average daily traffic exceeding 28,000 vehicles. Even though a portion of these vehicles will use other roadways, this traffic plus existing traffic plus the added 3,942 daily trips generated by the increases sought by the subject site and Locust Hill will require a four-lane road is justified.

Staff, therefore, fully supports the MC-600 designation for the roadway, and the plan shows dedication of the correct right-of-way. Nevertheless, the decision of the cross-section to be built within the dedicated right-of-way is the ultimate responsibility of Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) and the Department of Public Works and Transportation (DPW&T). Upon dedication, the County agencies will make determinations regarding the number of lanes to be built at various stages of the proposed development.

### **Site Layout**

Regarding the potential site layout and internal street patterns, these issues will be evaluated at the time of the filing of a new CDP application.

Staff concludes that existing transportation facilities and those to be provided by the applicant will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. Furthermore, the uses proposed will not generate traffic, which would lower the level of service anticipated by the land use and circulation systems shown on the approved Area Master Plan, in accordance with Section 27-195 of Zoning Ordinance.

- (D) **Other existing or planned private and public facilities which are existing, under construction, or for which construction funds are contained in the first six (6) years of the adopted County Capital Improvement Program (such as schools, recreation areas, water and sewerage systems, libraries, and fire stations) will be adequate for the uses proposed;**

In the applicant's SOJ, the applicant concludes that all public facilities are either existing, under construction or fully-funded within the CIP, and will be adequate for residential uses proposed in this application. The CIP provides full funding (within its six-year funding window) for a new Beechtree Fire/EMS station located along Leeland Road near its intersection with US-301. The proposed development is within the service area for Police District II – Bowie, Maryland. This police facility will adequately serve the population generated by the proposed residential development at Willowbrook. Moreover, it should be noted that the residential units proposed in this development will be subject to all appropriate school and public safety surcharges imposed by the County.

Police, fire and rescue, school, water and sewer, parks, recreational and trail facilities were evaluated for the subject site and will be adequate for the proposed development as provided in the referral memorandums incorporated into this technical staff report by reference, outlined in Finding 9 below.

- (E) **Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.**

#### **Woodland Conservation**

This site is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and future development must be in conformance with an approved tree conservation plan. A Type 1 and Type 2 Tree Conservation Plan will be reviewed with future development Application

#### **Regulated Environmental Features**

According to available information, the site contains streams, floodplain, wetlands and steep slopes. Impacts to any regulated environmental features should be limited to those that are necessary for the development of the property.

Impacts to regulated environmental features must first be avoided and then minimized. If impacts to the regulated environmental features are proposed, an SOJ must be submitted in accordance with Sections 24 and 27 of the Prince George's County Code. The SOJ must address how each impact has been avoided and/ or minimized.

#### **Rare, Threatened and Endangered Species**

During the review of the previously approved application for this site, the Environmental Planning Section conducted an extensive review of the site regarding rare, threatened, and endangered species. In an updated letter dated October 13, 2017 submitted with NRI-047-06-03, the Department of Natural Resources, Natural Heritage Program, noted that rare, threatened, and

endangered (RTE) species are known to occur on the subject property. The letter specifically addressed three fish species identified as the state-listed endangered Stripeback darter (*Percina notogramma*), the state-listed threatened American brook lamprey (*Lampetra appendix*), and the state-listed threatened Glassy darter (*Etheostoma vitreum*). Also identified on the site was one RTE plant species, Coville's phacelia (*Phacelia covillei*), which is listed as endangered by the State of Maryland and is globally rare. These, along with several other RTE plant species, have been identified in Collington Branch of the Western Branch watershed in the Patuxent River basin, which runs north-south along the eastern portion of the subject site.

It should be noted that the distribution of the Stripeback darter in Maryland is limited to Western Branch, which is ranked eighth out of 84 watersheds in Maryland with respect to aquatic biological diversity and priority for conservation. Zekiah Swamp, which is partially located within Prince George's County, is ranked first. The only other known location of this species is along the James River in Virginia. Preservation and protection of the biological integrity of Western Branch is critical to the continued sustainability of this diverse and sensitive community of fish and plant species.

When a property is located within the Patuxent River watershed, certain designated features comprise the Patuxent River Primary Management Area Preservation Area (PMA). Because this site contains fish and plant species designated as threatened and/or endangered, it is very important that impacts be limited to only those areas necessary for development.

#### **Soils, Christina and Marlboro Clay**

Special requirements related to the presence of Christians and Marlboro clay on the site will be addressed at the appropriate time in the development sequence. The Department of Permitting, Inspections and Enforcement is the lead agency for geo-technical review.

The applicant believes that the Willowbrook project will be highly compatible with surrounding land uses. The existing residential projects within relevant proximity (for purposes of visual and physical compatibility with Willowbrook) would be the Oak Creek development, which is zoned R-L and L-A-C (Local Activity Center) to the north and west. Oak Creek's residential development consists of DUs with a density level of 1.0 -1.3 DU per acre. This site was approved for a total of 1,148 DUs of which 219 or 19 percent were single-family attached units. The Beechtree project is located to the southeast of the subject site, within the R-S Zone, which allowed a density range of 1.6-2.6 DUs per acre. That development was approved for 2,400 DUs of which 37 percent are single-family detached, 37 percent are single-family attached, and 36 percent are multifamily units, which were approved with an 18-hole championship golf course integrated into the residential community.

The applicant believes that based on the density analysis above, the proposed Willowbrook density (i.e. 1.6-2.6 DUs per acre) is between the approved Beech Tree and the Oak Creek densities. As such, Willowbrook will be fully compatible with surrounding land uses and is a suitable transition between the Oak Creek and Beech Tree neighborhoods. All of the density and unit types proposed in the

Willowbrook development are permitted by right in the R-S Zone. Further, the density ranges proposed (both market rate and MRD) are within the acceptable ranges allowed for in the Zoning Ordinance for the R-S Zone.

Staff believes that, while all of the density and unit types proposed in the Willowbrook development are permitted by right in the R-S Zone, are within the acceptable ranges of density allowed in the Zoning Ordinance for the R-S Zone and are in conformance with master plan land use recommendation, it should be noted that higher numbers of single-family attached units can significantly change the compatible character of the general neighborhood. While the applicant did not specify the lot sizes for the subject development, staff believes the only way to acquire 313 additional units is by significantly reducing prior approved lot sizes. As such, the development may not be compatible to adjacent and surrounding established developments. It is therefore recommended at the time of the CDP application, the development proposal be carefully reviewed and attention should be given to the design of the project to make sure the site provides various lot sizes, house types, and architectural design that is compatible with surrounding land uses in order to verify if additional 313 units as requested can be achieved.

At this time, staff finds that the subject site has extensive network of streams and wetlands that will be retained and provide natural buffering to adjacent residential development. The proposed development will preserve and enhance environmentally sensitive areas by careful placement of development envelopes within the overall project while providing water quality benefits for the sensitive Collington Branch subwatershed and provide extensive green space for the future residents of the Willowbrook development as well as adjacent existing neighbors. In doing so, it demonstrates compatibility between the land use proposed with surrounding land uses, and promote the health, safety and welfare of the residents of Prince George's County. The preservation of these areas will be carefully reviewed with subsequent approval when the design and layout become more refined.

- (2) **Notwithstanding subparagraphs (C) and (D), above, where the application anticipates a construction schedule of more than six (6) years (Section 27-179), public facilities (existing or scheduled for construction within the first six (6) years) will be adequate to serve the development proposed to occur within the first six (6) years. The Council shall also find that public facilities probably will be adequately supplied for the remainder of the project. In considering the probability of future public facilities construction, the Council may consider such things as existing plans for construction, budgetary constraints on providing public facilities, the public interest and public need for the particular development, the relationship of the development to public transportation, or any other matter that indicates that public or private funds will likely be expended for the necessary facilities.**

The applicant anticipates the construction schedule for this project to not be more than six years. The adequacy analysis provided with the subject application is based on the full density proposed. Findings of adequate public facilities will also be required at the preliminary plan of subdivision stage which will contribute to ensuring adequacy through the approval and development process.

8. **Compliance with the existing Basic Plan (A-9968) limitations, conditions and considerations:** The following identifies all five Limitations, 13 Conditions and three Considerations approved in CR-11-2006 and identifies which conditions require amendment to accommodate the proposed development. The existing conditions are shown in **boldface** type followed by the amendment requested (underlined) and justification in plain type discusses how the condition has been changed or addressed with the current application.

### Limitations

#### (1) Land Use Types and Quantities:

- **Total area (R-S Zone):** **427 acres**
- **Land in the 100-year floodplain:** **89.7 acres**
- **Adjusted gross area (427 less half the floodplain):** **382 ± acres**
- **Land devoted to mixed retirement development:** **28 acres**
- **Adjusted Gross Area (382 less 28 acres):** **354 ± acres**

#### Market Rate Development

- **354 acres @ 1.6 to 1.7 du/ac = 566 to 602 dwellings**
- **Approximately 80 percent single-family detached and 20 percent single-family attached units**

#### Mixed Retirement Development

- **28 acres @ 2.2 to 8.0 du/ac = 61 to 224 dwellings**
- **Approximately 14 percent single-family detached, 25 percent single-family attached, and 61 percent multifamily units**

#### Open Space

- **Public Active Open Space:** **20 ± acres**
- **Private Active Open Space:** **10–12 ± acres**
- **Passive Open Space:** **220 ± acres**

Conformance with the above requirements was found at the time of comprehensive design Plan (CDP) approval. The actual site area and floodplain area determined by the NRI that was updated and approved on January 11, 2007, slightly differ from data on the basic plan. The updated values are reflected below. Through this revision, the applicant is now seeking to increase its “Market Rate” product from a range of 1.6 to 1.7 DUs per acre to 1.6 to 2.6 DUs per acre through this basic plan amendment. Specifically, the instant basic plan amendment seeks to revise the percentages of market rate and mixed retirement development as provided below:

#### (1) Proposed Land Use Types and Quantities:

<u>Total area:</u>	<u>442.30 acres</u>
<u>Total in (I-1 Zone):</u>	<u>15± acres (not included in density calculation)</u>
<u>Total area (R-A Zone):</u>	<u>0.78± acre (not included in density calculation)</u>
<u>Total area (R-S Zone):</u>	<u>426.52 acres per approved NRI</u>
<u>Land in the 100-year floodplain:</u>	<u>92.49 acres</u>
<u>Adjusted gross area (426 less half of the floodplain):</u>	<u>380.27 acres</u>
<u>Land devoted to mixed-retirement development:</u>	<u>28 acres</u>
<u>Adjusted gross area (380.27 less 28 acres):</u>	<u>352.27 acres</u>

### Market-Rate Development

352.27 acres @ 1.6 to 2.6 DU/acre                      =563 to 915 dwellings\*

\*Attached dwelling units shall not exceed 35% of total number of dwelling units, (i.e. 624 to 1,139 dwelling units pursuant to Section 27-513(d)(3)).

### Mixed-Retirement Development

28 acres @ 2.2 to 8.0 DU/acre                      =61 to 224 dwellings\*

\*Mixed-retirement units may include single-family attached, single-family detached and multifamily units.

\*The 35% limitation on attached dwelling units shall not include attached mixed-retirement units pursuant to Section 27-513(d)(3).

### Open Space

Public active open space:                      20± acres

Private active open space:                      11± acres

Passive open space:                      220± acres

Staff recommends approval of this amendment with additional conditions and considerations as discussed within this technical staff report.

- (2)     **A ten-foot-wide master plan hiker/biker trail shall be located in the Collington Branch Stream Valley, and the six-foot feeder trails shall be located near the development pods.**

In the SOJ the applicant concurs with this condition. This condition is still applicable, as discussed with the Trails finding of this technical staff report, for the subject Basic Plan revision (A-9968-01) and should be carried forward. Details regarding the internal trails and sidewalks will be addressed at the time of CDP, PPS and SDP.

- (3)     **A buffer area shall be located between Leeland Road and any townhouse or multifamily development, sufficient to fully screen these units from view from the roadway, and to retain the current wooded character of the frontage.**

In the SOJ the applicant concurs with this condition but then proposes to reduce the current buffering requirements along Leeland Road, applied with SDP-1603, to a lower standard established for a Special Roadway in the Developed Tier, which would result in significantly less buffering. Therefore, staff recommends modification to this condition as follows:

A buffer area shall be located between Leeland Road and any townhouse or multifamily development, sufficient to fully screen these units from view from the roadway, and to retain the current wooded character of the frontage, consistent with the buffering for Leeland Road as shown on SDP-1603.

- (4) **A small activity recreation area shall be centrally located within the proposed development, as shown in the Basic Plan submitted in May 2005.**

In the SOJ, the applicant concurs with this condition. The applicant states that the proposed Basic Plan indicates two areas that will be programed as open spaces. Pedestrian trail and/or sidewalk connections will also be provided to the clubhouse on the south side of the property and to the active recreation park along the west side of the property.

Staff agrees with the applicant. Private recreational facilities are proposed on private HOA properties throughout the site, which are centrally located. This condition will be carried forward as no medication is requested to this condition.

- (5) **The amenities proposed for the mixed retirement development shall be listed on the face of the Comprehensive Design Plan.**

Applicant concurs with this condition. The amenities proposed for the mixed-retirement development will be provided at the time of the CDP and listed on the face of the plan. This condition will be carried forward.

**Conditions:**

- (1) **At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the applicant shall provide a traffic study that analyzes the following intersections:**

- a. **US 301/MD 725**
- b. **US 301/Village Drive**
- c. **US 301/Leeland Road**
- d. **US 301/Trade Zone Avenue**
- e. **Leeland Road/Safeway Access**
- f. **Oak Grove Road/Church Road**
- g. **Oak Grove Road/MD 193**
- h. **MD 202/MD 193**

A TIS has been submitted that includes all relevant/appropriate intersection as part of this basic plan amendment application. This condition will remain valid when the applicant files a CDP and PPS application. Staff supports the retention of this condition with its exact wording.

- (2) **At the time of preliminary plan of subdivision, the applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per DPWT standards.**

The SOJ states that the applicant will provide a dedication of one-half of the 100 feet of dedication required to build Leeland Road (MC-600). At this time, staff supports retention of this condition with the exact wording. This condition will remain valid when the applicant files a preliminary plan of subdivision application.



- (3) **At the time of preliminary plan of subdivision, the applicant shall dedicate 100± acres of parkland to M-NCPPC, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on DPR Exhibit 1.**
- (4) **The land to be conveyed to M-NCPPC shall be subject to the conditions of Exhibit B, attached to the June 21, 2005, memorandum from the Parks Department.**

Conditions 3 and 4 will be carried forward. The SOJ states that the applicant concurs with Condition 3 and will work with DPR to determine the appropriate land area needed for dedication purposes and will fully comply with DPR's standard requirements for the conveyance of land. However, it should be noted that at this time the applicant proposes dedication of public park facility with 20 acres of developable land and a master plan trail located west of the development along Collington Branch. In addition, private recreational facilities are proposed on private HOA areas throughout the site. However, it should be noted that if a determination is made at the time of CDP, based on the proposed total density, that the proposed dedication of public park land and public recreational facilities is insufficient, additional on and or off-site dedication of public park land and or public recreational facilities shall be provided to satisfactorily meet the recreational needs of this community.

- (5) **The applicant shall construct a ten-foot-wide master plan hiker/biker trail in the Collington Branch stream valley, and 6-foot wide feeder trails to the development pods.**

The applicant agrees with this condition and fully intends to construct the required master plan trail along the Collington Branch Stream Valley, and six-foot-wide feeder trails to the development pods. Staff finds this condition to be valid and recommends it be carried forward.

- (6) **A revised plan showing parkland dedication and master plan train shall be reviewed and approved by the DPR staff.**

The applicant indicates they have met with DPR and prepared a plan for the public park facility for staff review on June 23, 2016. Further review will be done at the time of subsequent plan submissions as design of the site continues to develop. Staff notes a typographical error in the current condition, which should be corrected (train to trail) with the retention of this condition.

- (7) **The applicant shall provide adequate private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

Conformance with these requirements was found at the time of CDP and PPS approval. The SOJ states that Willowbrook will include a public park facility on the west side of the property that will be dedicated to M-NCPPC. In addition, private recreation facilities will be provided on two centrally located park parcels that will be programed as open space areas for passive and active recreation. Willowbrook will include additional recreational and community club house facilities within its overall design. This condition should be carried forward, to ensure the proposed development will continue to provide adequate recreational facilities with any revised CDP or PPS application.

- (8) **The applicant shall construct recreational facilities typical for a 20-acre community park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom facilities. The list of recreational facilities shall be determined at the preliminary plan of the subdivision and specific design plan stage. The construction of park facilities shall be eligible for the award of density increments based upon the regulations of the RS Zone.**

The applicant states that they met with DPR on June 23, 2016, and DPR has determined that the details provided in the plan are sufficient to satisfy this condition. Staff, however, recommends that this condition be further evaluated at the time of PPS and SDP review and that this condition be carried forward with its exact wording.

- (9) **The submission package of the Comprehensive Design Plan shall contain a Signed Natural Resources Inventory (NRI). The NRI shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.**

Natural Resources Inventory plan (NRI-098-05-02), was approved for the subject property on January 8, 2007, and was included in the submission package for Comprehensive Design Plan (CDP-0505). Any revised CDP application will require the submittal of a valid NRI, therefore, staff recommends this condition be carried forward.

- (10) **A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the CDP application package.**

The applicant states that a geotechnical study was submitted at the time of the prior CDP application and an addendum to the original geotechnical report was submitted with the prior approved SDP. The 1.5 safety factor line and 25-foot building restriction line were reflected on those plans and all proposed lots were located outside of these zones. However, the geotechnical study shall be resubmitted at the time of any revised CDP review to verify this condition is met. Therefore, this condition will be carried forward in its exact wording.

- (11) **A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the CDP and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any application for preliminary plans.**

The applicant states this condition was addressed at the time of CDP and PPS approval, however, the detailed Habitat Protection and Management Plan will need to be submitted prior to acceptance of the revised CDP and the completed surveys and required reports will also be required as part of any application for PPS. As such, this condition will be carried forward in its exact wording.

- (12) **Prior to the signature certification of the preliminary plan of subdivision, a Phase I archeological investigation shall be conducted according to the Maryland Historical Trust (MHT) guidelines, Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1194); and a report shall be submitted in accordance to the MHT guidelines and the American Antiquity or Society of Historical Archaeology style guide. Archeological excavations shall be spaced along a regular**

**20-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.**

A phase I archeological survey was conducted for the subject property in 2005. Staff has determined that no further archeological work is necessary at this time.

- (13) Public benefit features shown on the Basic Plan, and any future Comprehensive Design Plans, such as a church site, swimming pool, community buildings, recreation facilities, open space, etc. shall either be constructed or provided as described on the plan.**

The applicant is proposing 25 percent of public benefit increments, which was also obtained at the time of its original CDP approval. Approximately 100 acres of land will be dedicated to M-NCPPC as part of the Collington Branch Stream Valley Park. In addition, 140 acres of HOA land will be provided as either open space or recreational areas for the residents of the community. The proposal does not include offering a church site for its public benefit credit. Therefore, this condition is proposed to be revised as follows:

Public benefit features shown on the Basic Plan, and any future Comprehensive Design Plans, such as a ~~church site~~, swimming pool, community buildings, recreation facilities, open space, etc. shall either be constructed or provided as described on the plan.

Staff is not in support of this revision, as discussed in the Development Proposal finding of this technical staff report.

#### **Comprehensive Design Plan Considerations:**

- (1) The natural aesthetic qualities of the site should be accentuated by a design that is in part determined by the environmental constraints of the site. Streets should not be uniformly double loaded. Single loaded streets and/or breaks between lots should be strategically placed to provide visual relief and afford views into open space.**

The amended basic plan proposes to fully preserve all regulated natural and environmental features and will minimize any impacts to the said environmental features. The site contains significant amount of open spaces. All streets except private road and alleys serving the market rate townhouses are proposed to be constructed in accordance with DPW&T standards and specification. This will be further evaluated at the time of the CDP and therefore, this consideration will be carried forward.

- (2) Recreational facilities should be dispersed throughout the subdivision so as to provide nearby recreational facilities for all residents. The type of recreational facilities shall be determined at the time of Comprehensive Design Plan. They should accommodate all age residents and should include such elements as a pool, tot lots, preteen lots, tennis courts and trails, and passive recreational facilities.**

The applicant is requesting to revise this consideration to delete tennis courts as a potential amenity. The applicant believes sufficient public and private recreational facilities as mentioned previously, will be distributed throughout the site and off-site to accommodate all age groups. However, the final recreational facility requirement need is

based on total density. At this point, exact density could not be evaluated as density increment factors will be determined at the time of CDP. To ensure a mix of recreational opportunities are provided and determined at the appropriate stage of review, staff recommends retaining this consideration.

- (3) **A 200-foot buffer shall be maintained between the residential lots and adjacent land other than parkland that is in the E-I-A Zone. The existing woodland may be augmented by additional plantings so that the project is sufficiently protected from the impacts of the adjacent development.**

The applicant states that this condition can be met throughout the majority of the site. However, the extensive environmental site constraints that exist along the western, northern, and southeastern portions of the property severely limits the land area that is available for development. Thus, this consideration should be revised to require 200-foot buffer “where feasible.” The applicant further states that although some of the lots rear property line would be set back less than 200-feet from adjacent E-I-A Zoned land, these lots will be buffered by an additional HOA parcel. In addition, the large acreage parcels in the employment park that abut Willowbrook have either woodland conservation areas or a stormwater management (SWM) pond along the back of the parcels, which abut Willowbrook.

Staff believes this consideration should be evaluated at the time of the CDP, PPS and/or SDP review and based on the layout and design of the development at that time, to ensure proposed dwelling and activity areas are sufficiently protected from the impacts of the adjacent development. For this reason, staff believes this consideration should be carried forward.

9. **Referrals:** Referral memorandums were received as follows, and are included as back-up to this technical staff report and adopted by reference herein:

Community Planning dated May 30, 2018, Irminger to Alam.

Historic Preservation dated May 4, 2018, Stabler to Alam.

Transportation dated August 3, 2018, Burton to Alam.

Trails dated May 4, 2018, Shaffer to Alam.

Environmental dated May 24, 2018, Finch to Alam.

Special Project dated August 9, 2018 Mangalvedhe to Alam

Urban Design Section, from May 10, 2018 from Grover to Alam

Department of Parks and Recreation, dated August 13, 2018 from Zyla to Alam

Department of Permitting and Inspection and Enforcement (DPIE), Giles to Alam

## CONCLUSION

Based on the analysis and findings, staff recommends APPROVAL of Basic Plan Amendment A-9968-01 subject to the following limitations, conditions and considerations as modified by underline for additions and brackets and strike through [-] as deletions:

### Limitations

#### ~~[(1) Land Use Types and Quantities:~~

- ~~Total area (R-S Zone):~~ **427 acres**
- ~~Land in the 100-year floodplain:~~ **89.7 acres**
- ~~Adjusted gross area (427 less half the floodplain):~~ **382 ± acres**
- ~~Land devoted to mixed retirement development:~~ **28 acres**
- ~~Adjusted Gross Area (382 less 28 acres):~~ **354 ± acres**

#### ~~Market Rate Development~~

- ~~354 acres @ 1.6 to 1.7 du/ac = 566 to 602 dwellings~~
- ~~Approximately 80 percent single-family detached and 20 percent single-family attached units~~

#### ~~Mixed Retirement Development~~

- ~~28 acres @ 2.2 to 8.0 du/ac = 61 to 224 dwellings~~
- ~~Approximately 14 percent single-family detached, 25 percent single-family attached, and 61 percent multifamily units~~

#### ~~Open Space~~

- ~~Public Active Open Space:~~ **20 ± acres**
- ~~Private Active Open Space:~~ **10-12 ± acres**
- ~~Passive Open Space:~~ **220 ± acres]**

#### (1) Proposed Land Use Types and Quantities:

<u>Total area:</u>	<u>442.30 acres</u>
<u>Total in (I-1 Zone):</u>	<u>15± acres (not included in density calculation</u>
<u>Total area (R-A Zone):</u>	<u>0.78± acre (not included in density calculation</u>
<u>Total area (R-S Zone):</u>	<u>426.52 acres per approved NRI</u>
<u>Land in the 100-year floodplain:</u>	<u>92.49 acres</u>
<u>Adjusted gross area (426 less half of the floodplain:</u>	<u>380.27 acres</u>
<u>Land devoted to mixed-retirement development:</u>	<u>28 acres</u>
<u>Adjusted gross area (380.27 less 28 acre:</u>	<u>352.27 acres</u>

#### Market-Rate Development

352.27 acres @ 1.6 to 2.6 DU/acre = 563 to 915 dwellings\* dwellings

\*Attached dwelling units shall not exceed 35% of total number of dwelling units, (i.e. 624 to 1,139 dwelling units pursuant to Section 27-513(d)(3).

### Mixed-Retirement Development

28 acres @ 2.2 to 8.0 DU/acre =61 to 224 dwellings\*

\*Mixed-retirement units may include single-family attached, single-family detached and multifamily units.

\*The 35% limitation on attached dwelling units shall not include attached mixed-retirement units pursuant to Section 27-513(d)(3).

### Open Space

Public active open space: 20± acres

Private active open space: 11± acres

Passive open space: 220± acres

- (2) A ten-foot-wide master plan hiker/biker trail shall be located in the Collington Branch Steam Valley, and the six-foot feeder trails shall be located near the development pods.
- (3) A buffer area shall be located between Leeland Road and any townhouse or multifamily development, sufficient to fully screen these units from view from the roadway, and to retain the current wooded character of the frontage, consistent with the buffering for Leeland Road as shown on Specific Design Plan SDP-1603.
- (4) A small activity recreation area shall be centrally located within the proposed development, as shown in the Basic Plan submitted in May 2005.
- (5) The amenities proposed for the mixed retirement development shall be listed on the face of the Comprehensive Design Plan.

### **Conditions:**

1. At the time of the submission of a Comprehensive Design Plan or Preliminary Plan of Subdivision, the applicant shall provide a traffic study that analyzes the following intersections:
  - a. US 301/MD 725
  - b. US 301/Village Drive
  - c. US 301/Leeland Road
  - d. US 301/Trade Zone Avenue
  - e. Leeland Road/Safeway Access
  - f. Oak Grove Road/Church Road
  - g. Oak Grove Road/MD 193
  - h. MD 202/MD 193
2. At the time of preliminary plan of subdivision, the applicant shall provide the dedication for one-half of the 100 feet of dedication required to build Leeland Road (MC-600) to its ultimate cross section, per the Department of Public Works and Transportation standards.
3. At the time of preliminary plan of subdivision, the applicant shall dedicate 100± acres of parkland to M-NCPPC, including the Collington Branch stream valley and 20 acres of developable land for active recreation, as shown on Department of Parks and Recreation Exhibit 1.

4. The land to be conveyed to M-NCPPC shall be subject to the conditions of Exhibit B, attached to the June 21, 2005, memorandum from the Department of Parks and Recreation.
5. The applicant shall construct a ten-foot-wide master plan hiker/biker trail in the Collington Branch Stream Valley, and six-foot wide feeder trails to the development pods.
6. A revised plan showing parkland dedication and master plan ~~train~~ trail shall be reviewed and approved by the s Department of Parks and Recreation staff.
7. The applicant shall provide adequate private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines*.
8. The applicant shall construct recreational facilities typical for a 20-acre community park, such as ball fields, a playground, tennis or basketball courts, shelters, and restroom facilities. The list of recreational facilities shall be determined at the preliminary plan of the subdivision and specific design plan stage. The construction of park facilities shall be eligible for the award of density increments based upon the regulations of the RS Zone.
9. The submission package of the comprehensive design plan shall contain a signed natural resource inventory plan. The signed NRI plan shall be used by the designers to prepare a site layout that minimizes impacts to the regulated areas of the site.
10. A geotechnical study that identifies the location and elevation of the Marlboro clay layer throughout the site shall be submitted as part of the CDP application package.
11. A protocol for surveying the locations of all rare, threatened, and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources, prior to acceptance of the CDP and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any application for preliminary plans.
12. Prior to the signature certification of the preliminary plan of subdivision, a Phase I archeological investigation shall be conducted according to the Maryland Historical Trust (MHT) guidelines, Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole 1194); and a report shall be submitted in accordance to the MHT guidelines and the American Antiquity or Society of Historical Archaeology style guide. Archeological excavations shall be spaced along a regular 20-meter or 50-foot grid and excavations should be clearly identified on a map to be submitted as part of the report.
13. Public benefit features shown on the Basic Plan, and any future Comprehensive Design Plans, such as a church site, swimming pool, community buildings, recreation facilities, open space, etc. shall either be constructed or provided as described on the plan.
14. If a determination is made at the time of comprehensive design plan, based on the proposed total density, that the proposed dedication of public parkland and public recreational facilities are insufficient, additional on and/or off dedication of public parkland and/or public recreational facilities shall be provided to satisfactorily meet the recreational needs of this community.
15. Prior to acceptance of the preliminary plan of subdivision, a revised natural resources inventory plan shall be submitted and approved.

16. At the time of comprehensive design plan, specific lot sizes for both single-family attached and detached dwelling units shall be specified to ensure the lot sizes are compatible with the surrounding Beechtree and Oak Creek development.
17. At the time of comprehensive design plan, the applicant shall demonstrate that public benefit features above those previously required will be provided to justify the additional density proposed with this application.

**Comprehensive Design Plan Considerations:**

1. The natural aesthetic qualities of the site should be accentuated by a design that is in part determined by the environmental constraints of the site. Streets should not be uniformly double loaded. Single loaded streets and/or breaks between lots should be strategically placed to provide visual relief and afford views into open space.
2. Recreational facilities should be dispersed throughout the subdivision so as to provide nearby recreational facilities for all residents. The type of recreational facilities shall be determined at the time of Comprehensive Design Plan. They should accommodate all age residents and should include such elements as a pool, tot lots, preteen lots, tennis courts and trails, and passive recreational facilities.
3. A 200-foot buffer shall be maintained between the residential lots and adjacent land other than parkland that is in the E-I-A Zone. The existing woodland may be augmented by additional plantings so that the project is sufficiently protected from the impacts of the adjacent development.
4. Ensure that the relationship between dwellings preserves privacy and improves the streetscape to promote the best relationships from one dwelling to another and the open space. For the protection of the surrounding property owners, larger lots shall be placed on the outer boundary of the development.
5. Single-family dwelling units shall have a range of lot sizes and lot standards, to ensure a variety of housing types, which shall include carriage homes and townhouses for attached dwellings and large and small lots for detached dwellings.