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## COMPREHENSIVE DESIGN PLAN

**CDP-0303**

Application	General Data
<b>Project Name:</b> Kenwood Village  <b>Location:</b> On the south side of White House Road approximately 1,410 feet east of its intersection with Ritchie Marlboro Road.  <b>Applicant/Address:</b> White House Road Limited Partnership Suite 850 1615 M Street N.W. Washington D.C. 20036	Date Accepted: 3/17/2004
	Planning Board Action Limit: N/A
	Plan Acreage: 63.10
	Zone: R-S
	Dwelling Units: 84
	Square Footage: N/A
	Planning Area: 78
	Tier: Developing
	Council District: 06
	Municipality: N/A
	200-Scale Base Map: 203SE09

Purpose of Application	Notice Dates
Single-family residential subdivision	Adjoining Property Owners Previous Parties of Record Registered Associations: 2/9/2004 (CB-12-2003)
	Sign(s) Posted on Site: 1/25/2005

Staff Recommendation		Staff Reviewer: Grover, Ruth	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

February 20, 2005

## **MEMORANDUM**

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Ruth Grover, Urban Design Section, Development Review Division

SUBJECT: Comprehensive Design Plan CDP-0303 and Tree Conservation Plan I TCPI/17/04  
Kenwood Village

## **PUBLIC HEARING**

In accordance with the Comprehensive Design Plan provisions of Section 27-520 of the Prince George's County Code, a public hearing is scheduled before the Prince George's County Planning Board on March 3, 2005. The purpose of this hearing is to consider the Comprehensive Design Plan for Kenwood Village, CDP-0303.

## **INTRODUCTION**

The Development Review Division of the Prince George's County Planning Department has coordinated a review of the subject application with all offices having any planning activities that might be affected by the proposed development. This staff report documents that process and presents findings and a recommendation to be acted upon by the Prince George's County Planning Board.

## **RECOMMENDATION SUMMARY**

The staff recommends **APPROVAL** of the Comprehensive Design Plan, with the conditions listed in the Recommendation section of this report.

## **COMPREHENSIVE DESIGN ZONES**

The Comprehensive Design Plan (CDP) phase of the three-phase Comprehensive Design Zone (CDZ) process requires the submittal of a plan that establishes the general location, distribution, and sizes of buildings and roads. The plan includes several drawings and a text, which includes the schedule for development of all or portions of the proposal and standards for height, open space, public improvements and other design features. The regulations for any of the CDZs are at the same time more flexible and more rigid than are those of other zones in Prince George's County. The zones are more flexible in terms of permitted uses, residential densities, and building intensities. They are more rigid because some of the commitments made by a developer carry the force and effect of law upon approval by the Planning Board.

The principal difference between CDZs and conventional zones is that the CDZ includes a list of public benefit features and density or intensity increment factors. If a development proposes to include a public benefit feature in a development, the Planning Board, at this stage of the process, may grant an increment factor that increases the dwelling unit density or building intensity. The value of the public benefit feature or density-intensity increment proposal determines the size of the increase. A public benefit feature is an item that will improve the environment or lessen the public cost of a development. The intent is to create a development, through the granting of incremental density increases that will result in a better quality residential, commercial and industrial environment.

## EVALUATION CRITERIA

This CDP was reviewed and evaluated for compliance with the following criteria:

- (a) Conformance with Basic Plan A-9802-C and A-9803-C.
- (b) The requirements of Section 27-521 of the Zoning Ordinance and the requirements of the Zoning Ordinance in the R-S Zone.
- (c) The requirements of the Prince George's County Woodland Conservation Ordinance.
- (d) Referral comments.

## FINDINGS

Based upon the analysis of the subject application, the Urban Design Review Section recommends the following findings:

1. **Request:** The CDP proposes 84 single-family detached units on approximately 63.10 acres in the R-S Zone. Of the 63.10 acres, 13.5 acres are within the 100-year flood plain. Approximately 14.1 acres of land are to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) to provide part of the land area for a master planned 25-acre Neighborhood Park.
2. **Location:** The subject property is in the R-S Zone and is located on the south side of White House Road, approximately 1,410 feet east of its intersection with Ritchie Marlboro Road.
3. **Surroundings:** The site abuts an undeveloped parcel zoned R-E to the east, a parcel zoned R-E developed with single-family residences to the west, and agricultural land zoned R-A to the south. Largo Woods and Presidential Heights residential subdivisions are located to the north across White House Road. The site contains a variety of environmental features including streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils and severe slopes, making the property a challenge to develop.
4. **Design Features:** The CDP proposes 84 single-family detached units. The CDP indicates open space to be dedicated to M-NCPPC on the far westerly end and extending along a widened White House Road. Several areas of single-family detached homes are indicated on the majority of the remainder of the site. The majority of the lots are indicated to have a minimum lot size of 6,000 square feet; however, a small residential pod in the center of the southerly side of the site indicates a minimum lot size as 10,000 square feet. A single main road services the site accessing White House Road on the easterly side of the site and terminating in a circle or cul-de-sac in the

extreme southwesterly corner of the site. An entry feature is provided on the main access road, approximately 200 feet interior to the site off White House Road. A buffer with a fence runs along the southerly boundary of the site adjacent to the larger lot single-family detached area, then in an easterly direction, and then north along the subject property's easterly boundary. A short connection to the Chesapeake Beach Rail trail is provided from the traffic circle/cul-de-sac in the southwesterly corner of the subdivision. Views into the open space are provided at two points on the proposed plan: one at the entrance to the subdivision along White House Road and another along the main road in the proposed subdivision on the other side of the proposed main road from the area containing the larger lot single-family dwellings. An existing stream is indicated on the plan, along with its required primary management area boundary.

5. **Previous Approvals:** The property was previously zoned Residential Estate (R-E) based on the guidance of the 1973 Subregion VI Master Plan. In November of 1992, the County Council for Prince George's County, Maryland, sitting as the District Council, approved Zoning Ordinance Amendment No. 50-1992 (Basic Plan A-9802-C) and Zoning Ordinance Amendment No. 51-1992 (Basic Plan A-9803-C) thereby rezoning the subject property from the Residential-Estate (R-E) Zone to Residential Suburban (R-S) Zone subject to conditions with the following land types and quantities:

Land Use Quantities:

Gross Area (A-9802 approximately 47.2 acres and A-9803 approximately 15.7 acres)	Approximately 62.9 acres
Floodplain (1/2 of total floodplain)	Approximately 10.2 acres
Net Area	Approximately 57.9 acres
Density Range (1.6 to 2.18 dwelling units/acre)	92 to 126 dwelling units

Land Use Types:

Single-family Detached Dwellings  
Open Space, Public and Private Recreational Facilities  
Permitted Accessory Uses

6. **Development Data—Kenwood Village**

Zone	R-S
Gross Tract Area	63.1 acres
Area within the 100-year floodplain	13.5
Net tract area	56.35
Density Range (1.6 to 2.18 du/ac)	90-122 dwelling units

7. **Public Benefit Features and Density Increment Factors:** The basic plan condition set forth by the Zoning Ordinance was for the density range to be between 1.6 and 2.18 dwelling units per acre. The net CDZ area for the subject tract is 56.4 acres allowing for a base density of 90 units and a maximum of 122 units. Existing environmental conditions and the applicant's design for the subdivision have resulted in the inclusion of only 84 units, six below the base density. Therefore, although included in the applicant's Comprehensive Design Plan, there is no need to count public benefit features in order to increase density over the base density allowed for the development. However, staff would note that the applicant has included the following public benefit features in the development.

- Open Space Dedication
- Enhancement of Existing Physical Features
- Pedestrian Connection(s) outside the right-of-way
- Recreational Development.

**Findings Required by Section 27-521 of the Zoning Ordinance (Findings 4-12 below)**

**4. The Comprehensive Design Plan is in conformance with the approved Basic Plan.**

Comment: Both Basic Plan A-9802-C and A-9803-C were approved subject to the same 14 conditions. Each condition is listed below with staff's comment following

**1. No direct access to any residential lots shall be permitted from White House Road or Harry S Truman Drive.**

Comment: Lots on the Comprehensive Design Plan are internally accessed. None of the lots indicated on the Comprehensive Design Plan are accessed from White House Road or Harry S Truman Drive.

**2. The applicant/developer, his heirs, successors and/or assignees, shall dedicate a 120-foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S Truman Drive).**

Comment: This condition requires dedication for the A-39 facility. With regard to this condition, a number of findings must be made:

- a. The plan does not indicate an area for dedication of A-39. The natural extension of A-39 southward from Harry S Truman Drive is proposed for development.
- b. Basic Plan A-9803 was approved in November 1992. However, the Melwood-Westphalia Master Plan was approved in April 1994 with an amendment that deleted A-39 through the subject property. The amendment recommends that "other road system alternatives are to be evaluated," but to date no alternative recommendations have been approved.
- c. Ongoing discussions with DPW&T have indicated general support for keeping the A-39 facility along Ritchie Marlboro Road. This strategy poses a potential issue in creating a connection for the A-66 facility.
- d. In response to that issue, the applicant has performed a conceptual study of A-66 and its possible connection to A-39 and A-36. There are two factors that contribute to a reduced potential for a full A-66 facility north of D'Arcy Road:
  - (1) The master plan recommended A-66 based upon average daily traffic (ADT) volumes of 28,000. This facility was intended to serve industrial properties along the Capital Beltway between MD 4 and Ritchie Marlboro Road. It was also intended to provide another means for traffic within the Presidential Corporate Center and other areas to the north and northwest to access the Capital Beltway.

- (2) The master plan assumed that access onto MD 4 would be gained only at Suitland Parkway and at Dower House Road. However, the Final Environmental Impact Study for MD 4 includes an interchange at Westphalia Road. This provides capacity for up to 750 vehicles per hour that would not need to use A-66 to access the Capital Beltway at Ritchie Marlboro Road. This would result in a reduction of approximately 9,000 ADT along A-66.
- (3) The applicant's analysis also noted that two large properties along the Capital Beltway have been subjected to fill operations. The fill operations would reduce the suitability of these sites for development and would further reduce traffic along the A-66 facility.
- (4) The applicant's projected volume of 19,000 along A-66 would not justify a full arterial facility north of D'Arcy Road, and a collector facility could connect to existing Ritchie Marlboro Road, south of White House Road.

The plan does not reflect the A-39 facility. The briefest explanation is that the subsequent master plan removed the portion of A-39 traversing the subject property from the plan. There is further evidence provided that the function of A-39 will be provided by other facilities without otherwise deteriorating the master plan.

If succeeding analyses that may be conducted in association with upcoming master plans or sector plans indicate a need to show a facility through the subject site, this should be reflected at the time of subdivision.

- 3. **The applicant/developer, his heirs, successors and/or assignees, shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer, his heirs, successors and/or assignees, shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per the Department of Public Works and Transportation's requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S Truman Drive extended (A-38).**

Comment: This condition requires dedication for the A-36 facility, and also requires the construction of a half-section of A-36 along the frontage and construction of an eastbound left-turn lane along White House Road at Harry S Truman Drive. Dedication will be verified at the time of preliminary plan. Construction within the right-of-way is enforced by DPW&T under Subtitle 23 of the County Code.

- 4. **The location and width of the internal trails proposed shall be evaluated and determined by the Trails Coordinator prior to Phase II approval.**

Comment: The Trails Coordinator has reviewed and finds acceptable the general location and width of the internal trails. However, further and more detailed review of trail location and design should take place at the time of the approval of the preliminary plan and specific design plan. A condition to this effect has been included in the recommended conditions below.

5. **At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.**

Comment: A condition requiring that prior to signature approval a note shall be added to the Comprehensive Design Plan stating that at no time prior to construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment has been included in the recommended conditions below.

6. **There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Planning Board.**

Comment: There has been no grading or cutting of trees on this site based on a review of the most recent aerial photography available.

7. **The minimum lot size shall be 6,000 square feet in Development Envelopes A through D and 10,000 square feet in Development Envelope E.**

Comment: Staff has reviewed the subject Comprehensive Design Plan and found the minimum lot size in Development Envelopes A through D to be 6,000 square feet and 10,000 square feet in Development Envelope E.

8. **The 50-foot buffers along the east and south boundaries are labeled as non-disturbance buffers and shall include a six-foot high black vinyl clad chain link fence extending to the east side of Harry S Truman Drive.**

Comment: This fence and the associated buffer are referenced on the Comprehensive Design Plan and the Type I Tree Conservation Plan. The fence is to be placed along the abutting property lines for the properties to the east and south.

9. **A Type I Tree Conservation Plan (TCP) in accordance with the County Woodland Conservation and Tree Conservation Program is required for review by the Natural Resources Division to be approved by the Planning Board prior to CDP approval. Woodland Conservation of 25 percent of the net tract is recommended.**

Comment: A revised Type I Tree Conservation Plan, TCPI/17/04, date-stamped as received by the Environmental Planning Section on October 15, 2004, was reviewed and was found to provide the 25 percent Woodland Conservation Threshold required by this condition. Phase II shall show consistency with the Patuxent River Policy Plan in the buffering of streams.

10. **Phase II shall show consistency with the Patuxent River Policy Plan in buffering streams.**

Comment: Although this condition was conceptually addressed during the review of this application, it will be addressed in detail during the review of the Preliminary Plan of Subdivision for this site.

11. **Approval of existing conditions 100-year floodplain and stormwater management concept plan by the County Department of Environmental Resources (DER), prior**

**to the approval of a preliminary plan of subdivision, unless determined by DER prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50 foot buffers between the floodplain and lot lines; stormwater management ponds shall provide 2-10-100 year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.**

Comment: Although this condition is conceptually addressed by this application, the specific information noted by this condition will be required as part of the submittal with the Preliminary Plan of Subdivision to ensure compliance with this condition.

- 12. The applicant shall submit a 100-year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision. The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.**

Comment: This condition will be addressed during the review of the Preliminary Plan of Subdivision.

- 13. The minimum 50-foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100 year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 or greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening to be approved by the Urban Design Section.**

Comment: Based on the information submitted with this phase of the development, the required buffers noted by this condition are being provided for the streams with the exception of the two stream crossings that are required to provide access to this property. Because a stream is located along the entire northern property boundary and two other streams bisect the property into thirds, some stream impacts are necessary for any development to occur. The impacts as shown appear to meet the intent of the applicable ordinances, but shall be minimized to the fullest extent possible and further justified during each subsequent phase of the development process including the Preliminary Plan of Subdivision and the Specific Design Plan.

A 50-foot nondisturbance buffer has been shown along the east boundary and a portion of the southern boundary. Although this buffer is not part of the adjacent lots, many of these lots will have rear yard areas of less than 40 feet. Because of the relatively small lots and usable rear yard areas, there are concerns that if this buffer is used as a Woodland Conservation Area that future impacts to the woodlands would be likely.

Recommended Condition: If any portion of the 50-foot buffer required by Condition 13 of the A-9802 or A-9803 approvals is to be used for woodland conservation, all reforestation shall be done with larger caliper trees and permanent fencing shall be provided. In addition, this area will be required to be placed in a permanent nondisturbance easement.



14. **The applicant shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Soil Conservation District and the Natural Resources Division prior to Specific Design Plan approval.**

Comment: This condition is not required to be addressed at this time, but should be addressed as early in the development process as possible to minimize potential conflicts during later phases of the development process. This condition will be addressed at time of Preliminary Plan of Subdivision review so that lots are not established that cannot be built upon.

Staff has also reviewed the project with respect to the required considerations of Basic Plan A-9803 and A09802-C and offers the following comment. Each consideration is listed below in bold type with staff's comments following.

1. **The character and visual image of White House Road shall be protected and maintained through preservation of the undisturbed buffer along both sides of the adjacent stream. The buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.**

Comment: A review of the proposed design reveals that the character and visual image of White House Road has been protected through preservation of an undisturbed buffer along both sides of the stream that runs parallel to it. A recommended condition below ensures that details of buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.

2. **The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.**

Comment: Compatibility has been maintained by placing the larger lots (minimum size 10,000 square feet) on the southerly side of the subdivision where the subject site abuts land zoned R-A and utilized for agriculture. The smaller single-family detached lots (minimum lot size—6,000 square feet) are located near the easterly boundary of the site where the zoning is R-E and would allow for denser residential development and a 50-foot buffer separates the site from the adjacent parcel. A condition below ensures that design techniques such as berms and additional screen plantings, will be utilized prior to Specific Design plan approval to maintain compatibility with the surrounding neighborhood with an emphasis on the boundaries of the subject site.

3. **The depths of all lots adjacent to Harry S Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.**

Comment: Since Harry S Truman Drive is no longer going to extend into the site as previously planned, depth of lots adjacent to Harry S Truman Drive need not be considered. However, the depth of lots adjacent to White House Road must be evaluated as part of the Specific Design Plan approval process to ensure that they will be adequately insulated so as to provide visual and sound screening. A condition below ensures that staff will address these issues at the time of specific design plan approval,

although the unit closest to White House Road sits a full 250 feet back from the road and staff would not expect noise or views of White House Road to negatively affect future residents of the subdivision.

4. **The dwellings in all Development Envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. Landscape Manual buffering requirements shall apply to any dwellings whose rears face Harry S Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented as required by the *Landscape Manual*.**

Comment: The units front on the primary streets, with the rears of dwellings oriented toward the interior of the envelopes to the greatest extent possible. Since Harry S Truman Drive is not being extended into the site, *Landscape Manual* buffering requirements need not be considered with respect to dwellings whose rears face Harry S Truman Drive. The Environmental Planning Section has ensured that preservation of existing trees was the preferred buffering technique. In their memorandum, they state that recommended conditions ensure that preservation of existing trees be the preferred buffering technique to be supplemented as required by the *Landscape Manual*.

#### Recommended Conditions

1. Prior to approval of the Specific Design Plan for the project:
  - a. The urban design section, as designee for the Planning Board, shall approve the buffer design for the buffer running on both sides of the stream that parallels White House Road.
  - b. The urban design section, as designee for the Planning Board, shall approve a design for the subdivision sensitive to issues of compatibility with the surrounding neighborhood, especially at the periphery of the site. Design techniques such as, berming and augmenting screen plantings and adjusting lot sizes prior to specific design plan approval shall be utilized.
2. At the time of Specific Design Plan approval, staff will consider issues of lot depth with respect to possible noise or visual impacts from the adjacent White House Road.

5. **The Comprehensive Design Plan would result in a development with a better environment than could be achieved under standard regulations.**

Comment: The subject Comprehensive Design Plan would result in the development of a better environment than could be achieved under standard regulations because it will provide more open space, enhance existing physical features, offer more environmental protection, provide pedestrian connections, offer private recreational facilities on-site, as well as dedicate recreational facilities off-site, and provide connection to an off-site trail.

6. **Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities and amenities.**

Comment: Approval of the Comprehensive Design Plan is warranted by design that is sensitive to the existing environmental features on the site that include streams, wetlands, 100-year floodplain (20.4 acres), areas of steep slopes with highly erodible soils and severe slopes. In addition, the CDP proposes to dedicate approximately 14.1 acres of land to The Maryland-National Capital Park and Planning Commission (M-NCPPC) to provide part of the land area for a master planned 25-acre Neighborhood Park. The Comprehensive Design Plan indicates additional dedication along White House Road. Development of the remaining portion of the site will be with single-family detached homes (primarily 6,000 square foot lots with a small residential pod of 10,000 square foot lots). Circulation is provided by a single main road that services the site accessing White House Road on the easterly side of the site and terminating in a circle or cul-de-sac in the extreme southwesterly corner of the site. An entry feature and views into the preserved open space are provided on the main access road. A short connection to the Chesapeake Beach Rail trail is provided from the traffic circle/cul-de-sac in the southwesterly corner of the subdivision. Trails connect the two cul-de-sacs to a centrally located recreational area adjacent to one of the four stormwater management ponds, all of which are to be designed so as to become a visual and/or recreational amenity to the area.

**7. The proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings.**

Comment: The existing land use and zoning in the immediate surroundings include residential, agricultural and recreational land use and residential estate (R-E) and residential-agriculture(R-A) zoning. Facilities will include a planned neighborhood park and a trailhead connecting to the Chesapeake Beach Rail Trail. The proposed development including residential and recreation land use and the preservation of open space and sensitive environmental features is compatible with the existing land use, zoning and facilities in the immediate surroundings.

**8. Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:**

**a. Amounts of building coverage and open space**

Comment: Residential, recreational and open space land uses and facilities will be well balanced in terms of building coverage and open spaces by the retention of environmentally sensitive land on site, by varying the lot sizes to include some larger lots and by providing a substantial land area for recreational use (trails, passive and active recreational areas) on the site.

**b. Building setbacks from streets and abutting land uses**

Comment: Building set backs included in the CDP for the lots include:

Front/Rear: 25 feet  
Side (adjacent to lot): 7.5 feet  
Side (adjacent to street): 25 feet

Staff would suggest that the side yard setback for the 10,000 square foot lots be eight feet and the smaller lots be six feet.

**9. Each staged unit of the development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability.**

Comment: Proposed phasing for the project includes:

- Infrastructure installation (water, sewer, roads, stormwater ponds, etc.) and grading will be accomplished in a single phase.
- Construction of the units will commence close to the main entrance and then extend down the spine road into the subdivision.

Staff would suggest that the recreational facilities contemplated by the subject plan be installed prior to the issuance of the forty-second building permit for the subject project. A condition providing for same has been included in the recommended conditions below.

**10. The staging of the development will not be an unreasonable burden on available public facilities.**

Comment: As per referral comments received April 7, 2004, from the Historic Preservation and Public Facilities Planning Section of the Countywide Planning Division, the staging of development will not be an unreasonable burden on available public facilities. More particularly, fire engine, ambulance and paramedic service are all within specified travel times and the project has adequate police, library and school facilities. In addition, the Transportation Planning Section in their comments dated February 22, 2005 stated that the proposed development will not be an unreasonable burden on transportation facilities which are existing, under construction or for which 100 percent construction is contained in the county CIP or the state CTP. The Transportation Planning Section recommended approval subject to two conditions that have been included in the recommended conditions below.

**11. The Plan incorporates the applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance.**

Comment: Staff has reviewed the subject project for compliance with the applicable design guidelines set forth in Section 27-274 of the Zoning Ordinance and finds it to be in general compliance.

**12. The Plan is in conformance with an approved Type I Tree Conservation Plan.**

Comment: In their comments dated October 26, 2004, the Environmental Planning Section stated that a revised Type I Tree Conservation Plan TCPI/17/04...was reviewed and found to provide the 25 percent Woodland Threshold required. TCPI/17/04 is recommended for approval by the Environmental Planning Section.

8 **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—In comments dated March 31, 2004, the Historic Planning Preservation Section stated that the proposed project would have no effect on historic resources.
- b. **Archeology**—Staff review of the Maryland Historical Trust’s archeological site files and *The Prince George’s County Historic Sites and Districts Plan* indicates that there are or may be prehistoric and/or historic archeological resources in the area of proposed development. Development activities may have an adverse effect on these archeological resources. In an e-mail, the Historic Preservation Section noted that the site has been part of the large antebellum landholdings (known as Westphalia and the White House Place) of the Beall family. In addition, prehistoric sites have been located in similar settings. The Planning Board has issued a directive that the possible existence of slave quarters and slave graves, as well as archeological evidence of the presence of Native American peoples, must be considered in the review of development applications, and that potential means for preservation of these resources should be considered. Conditions 26a & b have been included in the recommendation section of this report to address this issue.
- c. **Community Planning**—In a memorandum dated May 12, 2004, the Community Planning Division stated that the application is not inconsistent with the 2002 *General Plan* Development Pattern policies for the Developing Tier and that the application is in conformance with the land use recommendations of the 1994 Melwood-Westphalia Master Plan provided that the Transportation Section also determines that this proposal complies with the recommendations in the master plan for planned improvements along White House Road and Ritchie Marlboro Road.
- d. **Transportation**—The applicant has submitted a traffic study dated October 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The study has been referred to the appropriate operating agencies, and comments from the County Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached.

#### **Growth Policy—Service Level Standards**

The subject property is located within the developing tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

**Unsignalized intersections:** The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

### Staff Analysis of Traffic Impacts

The applicant has prepared a traffic impact study in support of the application using new counts taken in October 2003. Given that the traffic counts were current at the time of submittal of this application, findings based on this study can be made in accordance with the guidelines. It should be noted that prior to proceeding with development, the applicant will be required to submit a new traffic study at the time that a preliminary plan of subdivision is reviewed. This revised study must utilize up-to-date traffic counts and an up-to-date assessment of approved development. However, with the development of the subject property, the traffic consultant has determined that adequate transportation facilities in the area can be attained. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

White House Road/Brown Station Road (signalized)  
 White House Road/Ritchie Marlboro Road (signalized)  
 White House Road/Harry S Truman Drive (unsignalized)  
 White House Road/site access (unsignalized)

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
White House Road/Brown Station Road	744	913	A	A
White House Road/Ritchie Marlboro Road	965	534	A	A
White House Road/Harry S Truman Drive	35.0*	60.6*	--	--
White House Road/site access	future			
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The list of nearby developments is extensive but does not include the Clagett Property. This was approved as a subdivision for 1,058 lots in September 2004, long after the submitted traffic study was done. There are no funded capital improvements in the area, so the resulting transportation network is the same as was assumed under existing traffic. Given these assumptions, and considering the impact of Clagett Property (as shown in the traffic study submitted in support of subdivision 4-04080), the following background traffic conditions were determined:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
White House Road/Brown Station Road	825	989	A	A
White House Road/Ritchie Marlboro Road	1,258	988	C	A
White House Road/Harry S Truman Drive	78.4*	487.2*	--	--
White House Road/site access	future			

\*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.

The site is analyzed in the traffic study as a residential development of 94 residences. The resulting site trip generation would be 70 AM peak-hour trips (14 in, 56 out) and 85 PM peak-hour trips (56 in, 29 out). With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
White House Road/Brown Station Road	827	995	A	A
White House Road/Ritchie Marlboro Road	1,280	1,013	C	B
White House Road/Harry S Truman Drive	144.5*	947.9*	--	--
White House Road/site access	14.7*	14.1*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The traffic analysis identifies inadequacies at the unsignalized intersection of White House Road and Harry S Truman Drive during both peak hours. At this location, staff has determined that the minimum delay for any movement exceeds 50.0 seconds in at least one peak hour. 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 if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. In these circumstances, the traffic study recommends that a signal warrant study be conducted; however, this determination is hedged by noting that a nearby site performed a signal warrant study in 2002 and a signal was not determined to be warranted at that time. Given that the analysis is three years old, however, warrants should be reexamined.

SHA and DPW&T both reviewed the traffic study. DPW&T noted that the applicant must perform a traffic signal warrant study at White House Road and Harry S Truman Drive, and it was noted that the new analysis was needed due to the change in traffic patterns after the opening of the I-95/Ritchie Marlboro Road interchange. SHA had no comments on the study.

#### Plan Comments

The circulation plan shows potential right-of-way widths along the internal streets. In general, it is recommended that a wider right-of-way (i.e., 60 feet versus 50 feet) be used

at a point where average daily traffic volumes exceed 500 vehicles. For the subject plan, the point of transition should be determined with the approval of the final lotting pattern at the time of subdivision.

Based on the preceding findings, the Transportation Planning Section concludes that the proposed development will not be an unreasonable burden on transportation facilities that are existing, under construction, or for which 100 percent construction funding is contained in the county CIP or the state CTP. Therefore, the transportation staff believes that the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met if the application is approved with the following conditions:

1. **White House Road at Harry S Truman Drive:** Prior to the approval of the specific design plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by DPW&T.
  2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.
- e. **Trails**—The senior trails planner of the Transportation Planning Section, in a memorandum dated May 18, 2004, stated that the adopted and approved Melwood-Westphalia Master Plan recommends a multiuse trail along the entire length of the former Chesapeake Beach Railroad right-of-way, immediately adjacent and to the south of the subject site. The applicant is proposing such a connection on land dedicated to M-NCPPC to this planned trail. The senior trails planner of the Transportation Planning Section also noted that the adopted and approved Largo-Lottsford Master Plan only recommends a master plan trail along the north side of White House Road, not along the subject property's frontage on the southerly side of White House Road. Additionally, noting that sidewalks and trails exist in many of the communities developed just to the north of the subject site, they recommended a sidewalk along at least one side of all internal roads, per the concurrence of the Department of Public Works and Transportation. Specific conditions recommended by the senior trails planner have been incorporated in the recommended conditions below.
- f. **Parks**—In a memorandum dated February 14, 2005, the Park Planning and Development Division of the Department of Parks and Recreation stated that the master plan and sectional map amendment for Melwood-Westphalia, Planning Areas 77 and 78, designates a 25-acre neighborhood park at southeast of the intersection of Ritchie Marlboro Road and White House Road. In addition to its role as a neighborhood park, the master plan recommends trailhead facilities at this location for the Chesapeake Beach Railroad Trail. The Chesapeake Beach Railroad Trail will be a major hiker/biker link to the public park system in the area when it is completed. Further, Zoning Ordinances 50-



1992 and 51-1992 Exhibit J-113, show that the western portion of the site (14.1 acres) to be dedicated to M-NCPPC to provide part of a master-planned, 25-acre neighborhood park. The subject comprehensive design plan shows the 14.1 acres of parkland dedication on the western portion of the site. In addition to the 14.1 acres forming part of a neighborhood park, the applicable master plan would have trailhead facilities located there for the Chesapeake Beach Railroad Trail, providing a major hiker/biker link to the public park system. Additionally, they stated that *Park and Recreation Facilities Guidelines* require that at least one 60-foot-wide vehicular access be provided to the recreational area, whereas the plan shows only a 50-foot access. To compensate for this deficiency, the applicant proposes and the Department of Parks and Recreation finds acceptable an off-site dedication of 5,003 square feet along the former Chesapeake Beach Railroad right-of-way to extend the existing parkland on the east to Ritchie-Marlboro Road and will provide land for the master planned trail construction and vehicular access to the planned neighborhood park and trailhead.

The applicant proposes to construct a stormwater management pond on dedicated parkland and the applicant places 7.7 acres of tree conservation on dedicated parkland. DPR staff met with applicant and developed a mutually acceptable mitigation package, which includes the following.

- The stormwater management facility on dedicated parkland will be constructed in accordance with the county's Department of Environmental Resources (DER) and M-NCPPC Department of Parks and Recreation standards. The stormwater management facility will be a wet pond. The stormwater management facilities will be designed to promote the pond as a recreational amenity. The pedestrian trail system will be provided around the pond with seating areas. Attractive landscaping will be installed around the pond.
- The stormwater management facility will be maintained jointly by the county (functional aspects) and MNCPPC, Department of Parks and Recreation (aesthetic aspects) through a multiuse maintenance agreement.
- The applicant will grade the portion of the dedicated parkland as shown on attached DPR Exhibit A for the future development of the park and use of the parkland as an open play field.
- The applicant may utilize 7.7 acres of dedicated parkland for the woodland conservation requirements of the proposed development and parkland grading.
- The applicant shall construct an eight-foot-wide asphalt trail from the end of Street A to the park and around the pond.
- The applicant shall install landscaping around the pond per approved by DPR plans.

At the time of Preliminary Plan of Subdivision, in accordance with Section 24-134 of the Prince George's County Subdivision Regulations, the applicant requires the mandatory dedication of 3± acres of parkland suitable for active and passive recreation, or the payment of a fee-in-lieu, or the provision of recreational facilities. To address these requirements, the applicant proposes private recreational facilities, such as multiage

playground, a passive recreational area, and a trail system on homeowner association land as shown on submitted comprehensive design plan.

In summary, staff believes that the dedication of 14.1 acres on site and 0.1 acre off site of parkland with provisions for parkland improvements plus private recreational facilities on the homeowner's association land as discussed above will satisfy the requirements of the Zoning Ordinance 50-1992 and 51-1992, the requirements and recommendations of the approved master plan and sectional map amendment for Melwood-Westphalia, Planning Area 77 and 78, the requirements of the R-S Zone, and the Subdivision Ordinance as they pertain to public parks and recreation facilities. Conditions 13–24 have been included in the recommendation section of this report to address the Department of Parks and Recreation concerns.

- g. **Public Facilities**—In a memorandum dated April 7, 2004, the Public Facilities Planning Section of the Countywide Planning Division stated that fire engine, ambulance and paramedic service travel times are all within the standards of the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities* and in conformance with the *Approved Public Safety Master Plan* (1990). Additionally, they noted that existing police and library facilities would be adequate to serve the proposed use. Lastly, they made a finding that the proposed project meets the adequate public facilities policies for schools contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.
- h. **Environmental Planning**— This 63.1 acre site in the R-S Zone is located on the south side of White House Road approximately 0.2 mile east of Ritchie Road. A review of the available information indicates that streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils, and severe slopes are found to occur within the limits of this application. White House Road and Master Plan Road A-39 have been identified as transportation-related noise generators that will affect the layout of this application. The soils found to occur according to the Prince George's County Soil Survey include Adelphia silt loam, Collington fine sandy loam; and mixed alluvial land. The Adelphia and mixed alluvial land have limitations that could potentially affect the layout of this application. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled, "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads located adjacent to this property. This property is located in the Southwest Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.
  - 1. A detailed forest stand delineation (FSD) date-stamped as received by the Environmental Planning Section on May 26, 2004, was found to address the requirements for a detailed FSD. The entire net tract area of this property has existing forest cover and 77 percent of the floodplain has existing forest cover. The woodlands on this property, although categorized into ten forest stands by the FSD, can be further grouped into three distinct forest types, including upland mature forest, early succession upland forest, and immature bottomland forest. The upland mature forest and immature bottomland forest stands have the highest retention priority, while the early succession upland forest have the lowest retention priority.

Discussion: No further information is required with respect to the FSD.

2. Section 24-101(b)(10) of the Subdivision Ordinance defines the Patuxent River Primary Management Area (PMA) as including streams, a 50-foot stream buffer, the 100-year floodplain, adjacent wetlands, a 25-foot wetland buffer, adjacent slopes in excess of 25 percent, and adjacent slopes between 15 and 25 percent with highly erodible soils (soils having a K-factor greater than 0.35). The plans as submitted show each of the components of the PMA and the ultimate limit of the PMA.

Recommended Conditions:

- a. The Preliminary Plan of Subdivision application shall include a wetland study that addresses the presence of the streams and wetlands on this site.
- b. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area except areas of approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. 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.”

3. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
4. The proposed impacts to the Patuxent River Primary Management Area have not been fully evaluated in conjunction with this application. The impacts as shown appear to have been minimized based on the generalized information provided with this application. The proposed impacts are associated with the proposed infrastructure on this site including road construction for access and stormwater management outfalls. It must be noted that during the review of the Preliminary Plan of Subdivision impacts for infrastructure necessary to support the proposed development are generally supported while impacts associated with the creation of building lots are generally not supported.

A letter of justification addressing all proposed PMA impacts shall be submitted with the Preliminary Plan of Subdivision application. The letter shall address each individual area of impact and shall quantify the proposed impacts to the Patuxent River Primary Management Area.

Recommended Condition: All subsequent plan submittals for this property, including the Preliminary Plan of Subdivision and the Specific Design Plan shall

further minimize the extent and number of PMA impacts proposed as each phase of the development process utilizes increasingly detailed information. Impacts solely associated with the creation of lots will not be allowed.

5. A copy of the Stormwater Management Concept Plan was not submitted with this application. Although a copy of the Stormwater Management Concept Plan was not submitted, the conceptual site layout shown on the TCPI meets the basic requirements for this Comprehensive Design Plan. No additional information is required at this time. However, prior to the review of the Preliminary Plan of Subdivision, a copy of the Stormwater Management Concept Plan approval will be required to ensure consistency between the revised TCPI and the Stormwater Management Concept Plan.

Recommended Condition: A copy of the approved Stormwater Management Concept Plan and approval letter shall be submitted with the Preliminary Plan of Subdivision application.

6. This property is located along the south side of White House Road (A-36) a master plan arterial roadway that has been identified as a transportation-related noise generator. In addition, the Harry S Truman Drive (A-39) extension, also a transportation-related noise generator located between White House Road and Ritchie Road, bisects this property. The Comprehensive Design Plan and Type I Tree Conservation Plans submitted fail to show A-39 on the plans and also fail to reflect any significant improvements to A-36. At the time of Preliminary Plan of Subdivision submittal, a Phase I noise study addressing the potential adverse noise impacts associated with both master plan roadways shall be submitted to the Environmental Planning Section

Recommended Conditions: The Preliminary Plan of Subdivision submittal package shall include a Phase I noise study addressing potential adverse noise impacts associated with existing and widened White House Road (A-36) along the northern property boundary and proposed Harry S Truman Drive (A-39) that bisects this property. If the alignment of proposed A-39 is not required to be addressed by the M-NCPPC Transportation Planning Section during the review of the Preliminary Plan of Subdivision, the Phase I noise study will not be required to address A-39.

- i. **The Department of Public Works and Transportation**—In a memorandum dated August 16, 2004, the Department of Public Works and Transportation stated that a full-width two-inch overlay for all county roadway frontages, conformance with the Department of Public Works and Transportation's street tree and street lighting standards, and sidewalks along all roadways within the property limits in accordance with Sections 23-105 and 23-136 of the county Road Ordinance would be required. Further, they stated that all storm drainage systems and facilities are to be designed in accordance with the Department of Public Works and Transportation's and the Department of Environmental Resources' requirements. Noting that the property bisects the future right-of-way for Master Planned A-39 (arterial roadway) and that concurrence from the Maryland-National Capital Park and Planning Commission and the Department of Public Works and Transportation following a formal request from the applicant would be necessary, they stated that a soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation for public streets, would be required. The

Department of Public Works and Transportation's requirements will be met separately through their own permitting process.

9. **The Prince George's Woodland Conservation Ordinance**—This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. This 63.1-acre site has a net tract area of 49.6 acres and a woodland conservation threshold (WCT) of 25 percent or 12.4 acres. There is also a replacement requirement of 8.4 acres, which includes the ¼:1 replacement requirement for clearing 33.3 acres of woodlands above the WCT and 0.1 acre for clearing woodlands in the 100-year floodplain. The 20.8-acre requirement is proposed to be satisfied by 15.0 acres of on-site preservation in priority retention areas within and adjacent to the Patuxent River Primary Management Area (PMA) and 5.8 acres of off-site mitigation. The WCT for the site is being met through the on-site preservation. The Type I Tree Conservation Plan, TCPI/17/04, is recommended for approval subject to the several conditions.

## RECOMMENDATION

Based upon the preceding evaluation, the Urban Design Review Section recommends that the Planning Board adopt the findings of this report and APPROVE Comprehensive Design Plan CDP-0303, and Type I Tree Conservation Plan TCPI/17/04 for Kenwood Village subject to the following conditions:

1. Prior to the approval of the Specific Design Plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by DPW&T.
2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.
3. If any portion of the 50-foot buffer required by Condition 13 of the A-9802 or A-9803 approvals is to be used for woodland conservation, all reforestation shall be done with larger caliper trees and permanent fencing shall be provided. In addition, this area shall be placed in a permanent nondisturbance easement.
4. The Preliminary Plan of Subdivision submittal shall include a detailed soils study that demonstrates that this site is geologically suitable for the proposed development.
5. Prior to certificate of approval for the Comprehensive Design Plan, the existing tree lines on TCPI/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.
6. A revised Type I Tree Conservation Plan, TCPI/17/04, shall be submitted as part of the Preliminary Plan of Subdivision application. The revised TCPI shall include the following information in addition to the information typically found on a Type I Tree Conservation Plan:

- a. A refined limit of disturbance and conceptual grading proposed for the site.
  - b. All proposed PMA impacts.
  - c. All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to this property.
  - d. A table of proposed off-site infrastructure improvements associated with this application.
  - e. Label each Woodland Conservation Area with a distinct identifier, the type of woodland conservation being provided, and the acreage.
7. The Preliminary Plan of Subdivision application shall include a wetland study that addresses the presence of the streams and wetlands on this site.
  8. All subsequent plan submittals for this property, including the Preliminary Plan of Subdivision and the Specific Design Plan, shall further minimize the extent and number of PMA impacts proposed as each phase of the development process utilizes increasingly detailed information. Impacts solely associated with the creation of lots will not be allowed.
  9. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area except areas of approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. 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.”
  10. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
  11. A copy of the approved Stormwater Management Concept Plan and approval letter shall be submitted with the Preliminary Plan of Subdivision application.
  12. The Preliminary Plan of Subdivision submittal package shall include a Phase I noise study addressing potential adverse noise impacts associated with existing and widened White House Road (A-36) along the northern property boundary.
  13. The applicant shall convey to the M-NCPPC, 14.1 acres of open space as designated on attached Exhibit A. The land to be conveyed shall be subject to the conditions of the attached Exhibit C.
  14. The applicant shall dedicate 5,003 square feet off-site as shown on attached Exhibit B. The applicant shall provide a deed and metes and bounds description of the dedicated land prior to Final Plat of Subdivision to DPR for review and approval. The land to be conveyed shall be subject to the conditions of the attached Exhibit C.

15. The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A to and around the storm water management pond to be built on dedicated parkland.
16. The applicant shall grade the portion of the parkland for the open play field as shown on DPR Exhibit A.
17. The applicant shall construct a storm water management pond on dedicated parkland in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall be provided with seating areas. Attractive landscaping shall be provided around the pond.
18. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.
19. Prior to submission of the specific design plan (SDP), the applicant shall submit to DPR for its review and approval a conceptual site plan for the improvements to be constructed on dedicated parkland by the applicant.
20. Construction drawings for the park improvements shall be approved by DPR staff and not be unreasonably withheld prior to signature approval of the SDP.
21. Prior to issuance of the building permits for 50 percent of the lots, the applicant shall complete the improvements on dedicated parkland.
22. Prior to a submission of a final plat of subdivision, the applicant shall enter into a public Recreational Facilities Agreement (RFA) for the construction of the trail and pond improvements and grading for open play field on park property. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.
23. The applicant shall submit a performance bond, letter of credit or other suitable financial guarantee, for the construction of the park improvements, in an amount to be determined by the DPR, within at least two weeks prior to applying for grading permit.
24. Prior to conveyance of 14.1 acres to M-NCPPC, which includes a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreement between the applicant, the County Department of Environmental Resources, and M-NCPPC, Department of Parks and Recreation for the construction, operation and maintenance of the stormwater management facility on parkland.
25. Prior to submitting a Preliminary Plan of Subdivision, the applicant shall identify archaeological resources in the project area by conducting Phase I archaeological investigations.

A qualified archeologist shall conduct all investigations and follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994). These investigations shall be presented in a draft report following the same guidelines. The report shall follow the *American Antiquity* or *Society for Historical Archeology* style guide, and cite whether a submittal

is a draft report or final report on the cover and inside cover page of the document, along with the relevant development case numbers.

Following approval of the draft report, four copies of the final report shall be submitted to M-NCPPC Historic Preservation staff. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations will be required.

The design of a Phase I archeological methodology shall be appropriate to identify prehistoric and historic sites, including slave dwellings and burials. Documentary research shall include an examination of known prehistoric and historic archeological sites in the surrounding area, their physical locations as related to known structures, and their cultural interrelationships. The field investigations shall include a pedestrian survey to locate attributes such as surface depressions, fieldstones, and vegetation common to historic structures and burial/ cemetery environs and shovel test excavations placed at a minimum of 20-meter or 50-foot intervals.

26. If it is determined that potentially significant archaeological resources exist in the project area, prior to Planning Board approval of a preliminary plan of subdivision, the applicant shall provide a plan for:
  - a. Evaluating the resource at the Phase II level, or
  - b. Avoiding and preserving the resource in place.

The plan for Phase II work shall be approved by M-NCPPC staff prior to any further work.

27. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot wide, asphalt trail connection from the subject site to the planned master plan trail along the Chesapeake Beach Railroad right-of-way, per the concurrence of the Department of Parks and Recreation.
28. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.
29. The 50-foot buffers along the east and south boundaries shall be labeled as nondisturbance buffers and that a six-foot high black vinyl clad chain link fence shall be indicated on the plans.
30. Prior to the approval of the Preliminary Plan of Subdivision and any specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.
31. The required side yard setback in Development Envelopes A through D shall be six feet and the required side yard setback in Development Envelope E shall be eight feet.
32. At the time of Preliminary Plan of Subdivision, adequate lot depth with respect to possible noise or visual impacts from the adjacent White House Road shall be reviewed.
33. Prior to approval of the specific design plan for the project, the following design issues shall be analyzed and provided to the extent feasible:
  - a. A buffer design for the buffer running on both sides of the stream that parallels White House Road.



- b. Appropriate measures to ensure compatibility with the surrounding neighborhood, especially at the periphery of the site, including design techniques such as, berming and augmenting screen plantings.