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COMPREHENSIVE DESIGN PLAN

CDP-9901

Application	General Data
Project Name FOREST HILLS Location On both sides of Old Largo Road/MD 202, approximately one mile north of the intersection of MD 202 and MD 725/Marlboro Pike Applicant/Address Haverford Homes 6225 Belcrest Road, Suite 380 Hyattsville, MD 20782	Date Accepted 4/08/1999
	Planning Board Action Limit NA
	Plan Acreage 167.70
	Zone R-L
	Dwelling Units 119
	Square Footage NA
	Planning Area 79
	Council District 03
	Municipality
	200-Scale Base Map 205SE12

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners 04-06-1999 (CB-15-1998)
	Previous Parties of Record 04-10-02 (CB-13-1997)
	Sign(s) Posted on Site 04-23-02
	Variance(s): Adjoining Property Owners NA

Staff Recommendation			Staff Reviewer: LAXMI SRINIVAS
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

July 17, 2002

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steven Adams, Urban Design Supervisor

FROM: Laxmi Srinivas, Senior Planner

SUBJECT: Forest Hills
Comprehensive Design Plan CDP-9901

PUBLIC HEARING

In accordance with the Comprehensive Design Plan provisions of Section 27-520, Subtitle 27-Zoning, of the Prince George's County Code, a public hearing is scheduled before the Prince George's County Planning Board at 10:00 a.m. on July 25, 2002. The purpose of this hearing is to consider the Comprehensive Design Plan for Forest Hills, CDP-9901. Notice of this public hearing has been published in the *Enquirer-Gazette*, the *Journal Newspaper* and the *Prince George's Post*, on or before April 18, 2002. This item was originally scheduled for the May 23, 2002, Planning Board hearing. It was continued to the July 25, 2002, Planning Board hearing.

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 which 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 Comprehensive Design Zones 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 principle difference between Comprehensive Design Zones and conventional zones is that the Comprehensive Design Zone includes a list of public benefit features and density or intensity increment factors. If a development proposes to include a public benefit feature, the Planning Board, at this stage of the process, may grant an increment factor which 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 which 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, which will result in a better quality residential, commercial and industrial environment.

EVALUATION CRITERIA

This Comprehensive Design Plan was reviewed and evaluated for compliance with the following criteria:

1. Conformance with the Basic Plan A-9895
2. Conformance with Sectional Map Amendment CR-54-1994 for Subregion VI Study Area (Basic Plan A-9895 was incorporated into this SMA)
3. The requirements of the Zoning Ordinance for the R-L Zone (residential low development) and Comprehensive Design Plans.
4. The requirements of the Woodland Conservation Ordinance.
5. Referral agency comments.

FINDINGS

Based on an analysis of the subject application, the Urban Design Review Section recommends the following findings. Finding 5 below is required by Section 27-521 before the Planning Board may approve a Comprehensive Design Plan.

1. The subject Comprehensive Design Plan is for Forest Hills. The original Basic Plan approval (A-9895 and the SMA CR-54-1994) rezoned the property to R-L.

Location●The property is located in the east central portion of Prince George's County in the master plan area of Upper Marlboro, Subregion VI. Specifically, the site lies along the eastern and western sides of MD 202 north of the intersection of MD 202 and Marlboro Pike. It is bounded by the Western Branch stream to the west and the Collington Branch stream to the east. The subject property is bordered on the north by the Brock Hall community and the Thorne Hills, Brock Hills and Collington Estates subdivisions. The Villages of Marlboro is on the southwest side of the property.

The site in general is surrounded by open farmland and wooded parcels in various stages of development. The adjacent properties are as follows:

For the property on the east side of MD 202:

North-	Brock Hall Development zoned R-E
South-	Residential zoned R-E
East-	Collington Branch
West-	MD 202

For the property on the west side of MD 202:

North-	Thorne Hills Development zoned R-E
South-	Residential zoned R-R
East-	Residential zoned R-E and MD 202
West-	Villages of Marlboro zoned R-U

2. On February 3, 1994, the Planning Board recommended approval of Zoning Map Amendment A-9895 and accompanying Basic Plan for the subject site (PGCPB No. 94-24) for rezoning approximately 169 acres of land in the R-R and R-E Zones to the R-L Zone.

On May 24, 1994, the District Council adopted Sectional Map Amendment (CR-54-1994) for the Subregion VI Study Area of Prince George's County. The area covered by Basic Plan Amendment A-9895 was incorporated into the Sectional Map Amendment.

On June 24, 1994, the Zoning Map Amendment and the accompanying Basic Plan were withdrawn by the District Council, having been superseded by the Sectional Map Amendment.

On November 30, 1995, the Planning Board approved a Comprehensive Design Plan CDP-9502 for the Forest Hills development consisting of 124 single-family residential units (PGCPB No. 95-390). On November 30, 1995, the Planning Board approved Preliminary Plan 4-95088 for the Forest Hills development consisting of 124 single-family lots and 11 parcels (PGCPB No. 95-386).

On November 18, 1996, the District Council remanded CDP-9502 to the Planning Board to resolve the issues of the size and number of lots.

On January 30, 1997, the Planning Board reconsidered CDP-9502 and approved CDP-9502 with revised conditions (PGCPB No. 97-5).

On July 28, 1997, the District Council reversed the decision of the Planning Board approving CDP-9502 and denied CDP-9502.

On September 29, 1997, the District Council denied a reconsideration request for CDP-9502.

Preliminary Plan 4-95088 has expired and is no longer valid.

On April 4, 1999, the applicant submitted the subject Comprehensive Design Plan CDP-9901 for Forest Hills for 119 single-family residential lots.

3. The adopted Sectional Map Amendment (CR-54-1994) for the Subregion VI Study Area of Prince George's County was approved with 18 conditions and one consideration with the following land use types and quantities. The area covered by Basic Plan Amendment A-9895 was incorporated into the Sectional Map Amendment (CDZ Amendment 1):

Land Use Types (R-L Zone):

Single-family detached dwellings
Homeowner Recreational Facilities
Open Space
Trails

Land Use Quantities (R-L Zone):

Gross Area:	169+ acres
Base Density:	1.0 dwelling units per acre (150 units)
Density increment factor needed:	2 percent (3 additional dwelling units)
Maximum Density:	1.02 dwelling units per acre (153 units)*

*The actual number of dwelling units will be determined at the time of Comprehensive Design Plan approval after an analysis of public benefit features set forth in Section 27-513 (b) of the Zoning Ordinance.

4. The Forest Hills project, consisting of approximately 167.7 gross acres, is projected to be developed with 119 single-family lots. The eastern portion of Forest Hills on the eastern side of MD 202 will consist of 90.44 acres with 46 single-family lots and the western portion of Forest Hills on the west side of MD 202 will consist of 77.4 acres with 73 single-family lots. The project will be designed with a single entrance for the eastern portion and a single entrance for the western portion. Entrance features and landscaping will enhance the entrances. The access to the western portion will incorporate a divided entrance within an 80-foot right-of-way and will be located opposite the entrance into the eastern portion of the project. The entrance to the eastern portion will have a 60-foot right-of-way. Approximately three acres of land in the eastern portion will be located in between the existing and future alignments of MD 202. Two lots and homeowners' open space are proposed in this portion. Almost all of the forested acreage is contained within the preservation zone and a few scattered areas are located within the development envelope. A county equestrian/hiker/biker trail is designated along the length of the Western Branch stream which lies along the western edge of the property. A connection to this trail will be provided. Sitting areas for passive recreation are proposed throughout the site.
5. COMPREHENSIVE DESIGN PLAN
Findings Required by Section 27-521, Required findings for approval of a Comprehensive Development Plan

(a) Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:

(1) The plan is in conformance with the approved Basic Plan.

The Comprehensive Design Plan is in conformance with the layout and configuration of elements as portrayed on the Basic Plan map. The following conditions and considerations of the approved Basic Plans and the Sectional Map Amendment are applicable to the subject Comprehensive Design Plan:

A-9895

Conditions

- 1. Prior to issuance of any building permits on the subject property, the widening of MD 202 to a four-lane divided highway from south of MD 193 to White House Road (as shown in the Secondary Development and Evaluation Program of the proposed FY 1994-99 Consolidated Transportation Program), shall be in place, under construction, or programmed with 100% construction funding in the next five years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince Georges County Capital Improvement Program; or; in the event that a fair share contribution is made by the applicant and/or the applicant's heirs, successors, or assigns, 100% of the remaining funds will be committed in writing by the SHA, the DPW&T or both agencies.**

This condition has been met. MD 202 has been widened to a four-lane divided highway.

- 2. Access to the E-6 facility from the subject property shall be limited to a single location at or near the applicant's proposed south side entrance, as shown on the Basic Plan.**

Access to the E-6 facility is limited to the south side of the property.

- 3. At the time of Comprehensive Design Plan submission, the applicant and/or the applicant's heirs, successors, or assigns shall show a stub connection to the property immediately to the south.**

The applicant has shown a stub connection to the property immediately to the south.

- 4. Only two lots shall be permitted in the areas between existing and proposed MD 202. These lots shall be located in the southernmost area of this land.**

The applicant has proposed only two lots in the southernmost portion of the area between existing and proposed MD 202. Since these lots will be located between two roads, there will be adverse noise and visual impacts on these lots. A condition of approval has been added to eliminate these lots and include the area in homeowners' open space or for tree conservation.

- 5. The area marked A just south of the Thorn Hills subdivision in the northwest corner of the site and the area marked A in the southeast corner of the site, east of the**

preservation zone, shall be reserved for lots with an approximate area of 40,000 square feet.

The applicant has provided lots with a minimum area of 40,000 square feet in these areas.

- 6. The applicant shall work with the Department of Parks and Recreation in creating a Type I Tree Conservation Plan to adequately allow for improvements (such as trails) in any forest preservation proposal.**

Compliance with this condition is addressed in Finding # 12.

- 7. The Basic Plan shall be revised to show the ■building area envelopes• coincident with or outside the Preservation Zone, to the greatest extent possible.**

The Basic Plan has been revised to show the ■building area envelopes• coincident with or outside the Preservation Zone, to the greatest extent possible.

- 8. The applicant shall prepare a geotechnical study of the Marlboro Clays on site, in accordance with Department of Environmental Resources Criteria, and submit it with the Comprehensive Design Plan. Special attention should be paid to locating headwalls of previously failed slopes; the approximate locations should be shown on the plan delimiting the 1.5 safety factor line.**

This condition has been fulfilled as indicated in Finding #11.

- 9. A Stormwater Management Concept Plan shall be approved prior to the approval of the Comprehensive Design Plan.**

The Department of Environmental Resources has stated that the proposal is consistent with the approved stormwater management concept approval #968000900. Due to the presence of Marlboro Clay on the site, the Department had preliminarily waived stormwater management quality control for this development. The applicant is proposing stormwater management ponds in four locations for this development. A revised stormwater management concept plan is currently being reviewed by the Department of Environmental Resources. A condition of approval has been added to require approval of the revised stormwater management concept plan prior to certification of the subject Comprehensive Design Plan.

- 10. As part of the submittal of the Comprehensive Design Plan, the applicant shall include a conceptual layout of water and sewerage services to and within the site and an analysis of the impact of the construction of these facilities. The applicant shall minimize the impact of construction.**

Water service will be available to the property from an existing 24-inch water main extension along Largo Road (MD 202). The water service to the site will connect directly to the existing main at two locations along MD 202. The sewer service will be available to the property through a connection to an existing 42-inch sewer. The proposed sewers for the development will tie to the existing 60-inch sewer in two locations. This condition is being carried forward for more detailed review at the Preliminary Plan stage.

- 12. Lots shall be adjusted to allow a structure to be placed outside of the noise zone (at least 395 feet from the centerline of proposed MD 202) or the applicant shall provide a noise impact study, including applicable mitigation measures, with the Comprehensive Design Plan.**

A noise impact study was submitted by the applicant. More details concerning compliance with this condition are found in Finding # 11.

- 13. The applicant shall dedicate 105 acres to the M-NCPPC as shown on Exhibit B (in file).**

Dedication of land is proposed as required by this condition. More details regarding compliance with this condition are found in Finding # 12.

- 14. Land to be dedicated shall be subject to Conditions 1 through 7 of Exhibit C (in file)**

As requested by the Department of Parks and Recreation, this condition is being carried forward to this Comprehensive Design Plan.

- 15. The applicant shall construct a hiker/biker trail along Western Branch with connections provided to the Forest Hills Community where possible. Feasibility and location of trail connections will be determined during the consideration of the Comprehensive Design Plan.**

The applicant proposes to construct the trail as explained in more detail in Finding #12.

- 16. The hiker/biker trail shall be constructed in conformance with DPR's Guidelines for Park and Recreational Facilities.**

The applicant proposes to construct the trail as explained in more detail in Finding # 12.

Considerations

- 1. The internal road in area A west of MD 202 shall be located at the edge of the development pod to create a view into the preservation area.**

The internal road is provided on the southern edge of this area to create a view into the preservation area. A trail connection is proposed along the western and northern edge of this property to create a view into the preservation area. Therefore, the internal road and trail network will meet the intent of this condition to create a view into the preservation area.

- (2) The proposed plan would result in a development with a better environment than could be achieved under other regulations.**

The proposal includes approximately three acres of homeowners' open space and approximately 105 acres of land dedicated to M-NCPPC (public open space). A total of approximately 120 acres will be provided for open space and preservation. Therefore,

approximately 75 percent of the 167-acre parcel is proposed to be public and private open space. The site layout is designed to minimize impacts to environmentally sensitive areas such as wetlands, floodplains, streams and areas with Marlboro clay. The design of the development preserves the significant aesthetic qualities of the surrounding features and takes advantage of the opportunities provided by the natural features to provide amenities like trails to enhance the quality of life for the residents. A range of lot sizes has been provided for promoting high-quality houses. The lot layout ensures to the extent possible that the rears of lots are oriented towards open space and that there is adequate buffering between the lots and adjacent streets, etc., to avoid noise and privacy impacts. A combination of hiker/biker trails and sidewalks ensures pedestrian connectivity and preservation of views. With the proposed conditions, the proposed plan would result in a development with a better environment than could be achieved under other regulations. It is unlikely that as much open space would be preserved under a conventional development scenario. Other features of the development which are not likely to have materialized under conventional regulations include a continuous trail network, larger landscape buffers along the property lines, and larger lots along the streets and preservation areas.

(3) Approval is warranted by the way in which the Comprehensive Design Plan includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, or guests of the project.

The CDP includes the following design elements, facilities and amenities that satisfy the needs of the residents, employees and guests:

Design elements: The main design element of this development is the preservation of open space and the restriction of the development areas along the streets and in areas with no Marlboro clay and steep slopes. The lot layout and road network create views into the preservation areas. The other design elements include larger lots along the streets and preservation areas, a continuous trail network and larger landscape buffers along the property lines.

Facilities: With the development of the proposed lots, all public utilities plus electric, telephone and gas will be available on site. Water and sewer will be provided by WSSC. Four stormwater management ponds will be provided for this development. Two ponds are provided in the southwestern portion of the site along the west of MD 202, one pond is provided in the northeast portion, and one pond is provided in the southeast portion of the site along the east of MD 202.

Amenities: The applicant is providing a continuous network of a combination trail and sidewalk system along the Western Branch and the streets for recreational purposes. Passive recreational areas which include sitting areas are provided throughout the development. The applicant will be dedicating approximately 105 acres along the Western Branch and Collington Branch to M-NCPPC for recreational purposes.

(4) The proposed development will be compatible with existing land use, zoning, and facilities in the immediate surroundings;

The site is bounded to the north and south by existing residential development. The subject Forest Hill residential development will be compatible with the surrounding residential development. The proposed trails, sidewalks and parkland development will tie into the existing recreational amenities in the surrounding area. The proposed internal street network will tie into the existing and proposed streets. Therefore, the proposed development will be compatible with existing land use, zoning and facilities in the immediate surroundings.

(5) 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**
- (B) Building setbacks from streets and abutting land uses**
- (C) Circulation access points**

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

The proposed development standards will ensure adequate open space in the lotted areas comparable to that provided in other contemporary residential developments. Large lots along the preservation areas and the streets will provide opportunities for high quality housing. Approximately 120 acres of open space along the stream valleys, within landscape buffers, dedicated parkland and green areas in the development will provide significant open space on the site for use by the homeowners.

- (b) Building setbacks from streets and abutting land uses.

The development standards propose adequate building setbacks from streets and abutting land uses.

A 50-foot landscape buffer is proposed along MD 202 and the portions of the future widening for MD 202. The landscape buffers will include existing trees and new landscaping and are proposed to be provided as easements on the lots. A six-foot-high berm is also proposed for the lots along the west of MD 202.

The proposed landscape buffers will not be adequate to completely screen the rear yards of the lots along MD 202 in the future. MD 202 will be upgraded to an expressway in the future. Section 4.6 (Buffering Residential Development from Streets) of the *Landscape Manual* requires a 75-foot-wide landscape buffer to screen the rear yards of residential lots along expressways. Therefore, a 75-foot landscape buffer should be required for the lots along MD 202. Providing the landscape buffers on the proposed lots would reduce the usability of the rear yards of these lots. Therefore, the landscape buffers should be provided on homeowners' association land along MD 202. There are large areas of existing trees ranging from 50 feet to 100 feet in width along MD 202. The existing trees should be retained in the proposed landscape buffers. In areas where the existing trees are not dense, new landscaping should be provided to create a dense buffer along MD 202. Some of the existing trees will have to be removed for construction of the berm. The existing trees along

MD 202 should be preserved to the extent possible. Therefore, the proposed berm should be eliminated. Conditions of approval have been added to require the same.

Condition #5 of the Sectional Map Amendment requires a minimum 20,000-square-foot lot size for the lots along the western side of MD 202. The subdivision regulations require a 150-foot lot depth for lots along an expressway. The proposed lots along the western side of MD 202 must be redesigned to have a minimum lot area of 20,000 square feet and a minimum lot depth of 150 feet. A condition of approval has been added to require the same.

Approximately three lots in the westernmost portion of the property on the west side of MD 202 are proposed as flag lots. As proposed, the front of the houses on these lots will face the rear yards of the houses on the lots in front of them. The location and orientation of the houses on these lots and the houses on the lots in front of them must be designed to ensure that the front of the houses on the rear lots do not face the rear yards of the houses on the lots in front of them. A condition of approval has been added to redesign these lots.

c. Circulation access points.

The Forest Hills development will be served by two entrances along MD 202 to provide access for the development on either side of MD 202. The proposed entrances and the rights-of-way for both the entrances will be adequate to serve the development.

(6) 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.

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. As each of the residential development pods is constructed, the necessary infrastructure to support it will also be built. The development will be constructed in the following two phases to identify groups of houses that may proceed to record plat at any time:

Phase I- Western portion of the development●73 units
Phase II - Eastern portion of the development●46 houses

The area to be dedicated will be deeded prior to obtaining building permits. Since the trails and sidewalks are significant amenities in this development, a condition of approval has been added to ensure completion of construction of these amenities reasonably early in the course of the overall development.

(7) The staging of development will not be an unreasonable burden on available public facilities.

In findings 9 and 13, it is shown that the staging of Forest Hills will not be an unreasonable burden on roads or other public facilities.

(8) Where a Comprehensive Design Plan proposal includes an adaptive use of a Historic Site, the Planning Board shall find that:

- (A) **The proposed adaptive use will not adversely affect distinguishing exterior architectural features or important historic landscape features in the established environmental setting.**
- (B) **Parking lot layout, materials, and landscaping are designed to preserve the integrity and character of the Historic Site.**
- (C) **The design, materials, height, proportion, and scale of a proposed enlargement or extension of a Historic Site, or of a new structure within the environmental setting, are in keeping with the character of the Historic Site.**

This section is not applicable to this proposal.

- (9) **The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d).**

The plan incorporates several design guidelines set forth in Section 27-274 regarding green areas, public spaces and architecture. A combination trail and sidewalk system will be proposed along the streets and the stream valley. Internal green areas will be provided to create sitting areas and open spaces for passive recreation. With the proposed conditions of approval, the development standards for the proposed lots ensure adequate setbacks for the proposed housing. The lot layout and sizes facilitate the provision of high quality housing.

- (10) **The Plan is in conformance with an approved Tree Conservation Plan.**

The plan is in conformance with a Type I Tree Conservation Plan, TCPI/64/95, subject to conditions of approval. TCPI/64/95 is recommended for approval in conjunction with the subject CDP.

5. Density Increment Analysis

The Sectional Map Amendment approves a base density of one unit per acre. The base density approved for this development is 150 units. The applicant is proposing 119 units. Therefore, the applicant will not need any density increments. No public benefit features are proposed for additional density.

6. Development Standards

In the Comprehensive Design Zones, the applicant proposes development standards and standards for architectural massing, style and detail as part of the Comprehensive Design Plan.

Development Data

Total Gross Tract Area:	167.7 acres
Total 100-Year Floodplain:	29.6 acres
50% of Floodplain	14.8 acres

Total Net Tract Area: 152.9 acres

Development Data (eastern portion):

Total Gross Tract Area: 90.44 acres
Total 100-Year Floodplain: 20.36 acres
50% of Floodplain 10.18 acres
Total Net Tract Area: 80.26 acres

Development Data (western portion):

Total Gross Tract Area: 77.44 acres
Total 100-Year Floodplain: 9.24 acres
50% of Floodplain 4.62 acres
Total Net Tract Area: 72.78 acres

Development Standards

Minimum Lot Size
Standard Lot minimum 10,000 sq.ft.
Intermediate Lot minimum 20,000 sq.ft.
Large Lot minimum 40,000 sq.ft.

Standard Lot standards

Minimum lot width: 70 feet*
Front setback - 25 feet
Rear setback - 20 feet
Side setback - 8 feet
Side setback (corner lot) - 25 feet along street/ 8 feet side

Intermediate lot (20,000 sq.ft.) standards

Minimum lot width - 100 feet
Front setback - 35 feet
Rear setback - 50 feet
Side setback - 10 feet
Side setback (corner lot) - 25 feet along street/ 8 feet side

Large lot (40,000 sq.ft.) standards

Minimum lot width - 125 feet
Front setback - 50 feet
Rear setback - 50 feet
Side setback - 20 feet
Side setback (corner lot) - 50 feet along street/ 8 feet side

Building Height - 42 feet

*The proposed lot width, 70 feet, for the standard 10,000-square-foot lots will give a small lot appearance to the standard lots. A minimum width of 80 feet will be more appropriate to

give a large lot appearance for the lots. A condition of approval has been added to require the same.

The following types of building situations are proposed for this development:

Uphill dwelling -	Two-story front with the garage in the basement, two-story rear (a three-story front may be considered depending on the grading of the lots)
Walk-out dwelling -	Two-story with three-story rear walk-out basement
English Basement dwelling -	Two and one-half story front, rear wall walk-out, partially or entirely buried

Side entry garages will be provided where appropriate. Chimneys, cornices, trim, vents, balconies, bays or other ornamentation may protrude into the required side and rear yards a minimum of three feet. Chimneys may be masonry or frame chased. A condition of approval has been added to have only masonry chimneys for lots along MD 202. Chimneys may be cantilevered where appropriate.

The proposed architecture will strive to attain the formality of ■traditional architecture• to the extent possible.

The proposed design features will include windows with trim, lintels with keystones, arches, dormers, paneled entry doors, decorative porches, brick facing or superior siding, porches, decks, sunrooms, chimneys, etc. The building materials will include brick, aluminum and vinyl siding.

The rear elevations of houses along MD 202 may be visible from MD 202 during the winter months. The rear elevations of these houses should have more design articulation than the rest of the houses so that they are as attractive as the front elevations with respect to details, colors, design elements and articulation. The minimum house size should be 2,300 square feet to ensure that houses of adequate size are built throughout the development. Conditions of approval have been added to ensure these requirements during the Specific Design Plan phase.

Referral Responses

7. The Department of Environmental Resources (De Guzman to Srinivas, March 15, 2002) has stated that the proposal is consistent with the approved Stormwater Management Concept Plan, #96800900.
8. The Community Planning Division (Baxter to Srinivas, March 21, 2002) has stated that although the master plan recommends Estate Residential use, the issue of master plan conformance was resolved when the District Council approved the sectional map amendment approving the R-L Zone.
9. The Growth Policy and Public Facilities Planning Section (Williams to Srinivas, June 18, 2002) has stated that the staff used the principles and standards set forth in CB-40-2002 and the Adequate Public Facilities Regulations for Schools (CR-23-2001) to assess the impact of this project and concluded that the affected elementary, middle, and high school cluster percent capacities are greater than 105 percent. Rosaryville and Marlton are the funded schools in the affected elementary school cluster. East Central is the funded school in the affected middle school cluster. The Frederic Douglass addition is the funded school in the affected high school cluster. Therefore, the development can be approved with a three-year waiting period. The existing fire engine service, the existing ambulance

service and the existing paramedic service are within the response time guidelines. The proposed development is within the service area of District II- Bowie. The existing county police facilities will be adequate to serve the proposed Forest Hills development. The section has concluded that the development will not be an unreasonable burden on available public facilities. A condition of approval has been added to address the three-year waiting period at Preliminary Plan stage.

10. The Transportation Planning Section (Shaffer to Srinivas, July 10, 2002) has recommended that the existing seven- to ten-foot-wide asphalt shoulders along the property's entire frontage on both sides of MD 202 must be maintained to serve bicyclists because this roadway is designated as a Class III bikeway. The entire internal, HOA trail network should be asphalt and six feet wide. Land must be dedicated to the Department of Parks and Recreation along both the Collington Branch and Western Branch stream valleys to accommodate hiker/biker/equestrian trails. The Master Plan requires the applicant to construct the trail along the Western Branch. All trails and sidewalks must be ADA compatible and the trails on parkland must be in accordance with the Department of Parks and Recreation Guidelines. A minimum of two trail connections from the proposed development to the master plan trail along the Western Branch must be constructed. The section also recommends that the applicant construct a ten-foot-wide equestrian trail along the Western Branch. Conditions of approval have been added to ensure these requirements.
11. The Environmental Planning Section (Stasz to Srinivas, May 4, 1999) has stated that the natural constraints on this property include 100-year floodplains, severe slopes, and Marlboro Clay outcrops. There are highly erodible soils (Sandy Land, Westphalia) associated with the stream valley slopes.

A Geotechnical study by Earth Laboratories dated October 21, 1994, was reviewed by the section for Marlboro Clay and was found to be acceptable. In accordance with the study, the development envelopes for construction of residential structures must be set to avoid any area of potential slope failure due to Marlboro Clay. The proposed stormwater management plan has taken into account the problems associated with Marlboro Clay.

A substantial portion of the subject property is within the Primary Management Area Preservation Area. The building area envelopes are outside the Preservation Zone to the extent possible. Limits of disturbance have been established at the edge of the Preservation Area to the extent practical.

An endangered species, Stripeback Darter (*Percina Notogramma*), exists in the mainstream of Collington Branch. Other endangered species, Yellow Water-Crowfoot (*Ranunculus flabellaris*), Coville's Phacelia (*Phacelia ranunculacea*), Narrow Melicgrass (*Melica mutica*) and Red Turtlehead (*Chelone obliqua*) are located on the property on the land to be dedicated to the Department of Parks and Recreation. Development of park facilities must avoid significant impacts to these populations.

A Tree Conservation Plan, TCPI/64/95, was reviewed by the section and found to exceed minimum requirements. The site has a basic requirement of 37.4 acres and a 10.14-acre required transfer from the Tippet Estate Cluster for off-site conservation (SP-94014, TCPII/75/94), for a total of 47.54 acres. TCPI/64/95 proposes on-site preservation of 84.73 acres. All of the conservation will be on land to be dedicated to the Department of Parks and Recreation.

MD 202, when upgraded, has a potential for substantial noise impacts to adjacent residential development. The maximum 65 decibel noise contour would extend 395 feet from the centerline of

the proposed MD 202. The section has reviewed a noise study by Wyle Laboratories. The study indicates that interior noise levels are not a problem. However, architectural drawings with noise mitigation measures must be submitted with the Specific Design Plan for some of the units. Noise from the railroad along Collington Branch will not have any adverse impacts if the adjacent wooded slopes are maintained as a noise buffer.

The subject property is in water and sewer categories W-4 and S-4. The proposed water and sewer layout has minimized impacts to areas of Marlboro Clay, wetlands and floodplain and Woodland Conservation Areas.

The section has recommended conditions of approval for revising the Type I TCP in consultation with the Department of Parks and Recreation, avoiding significant impacts to endangered species for the development of trails and other park facilities and submitting architectural drawings with noise mitigation measures.

The memorandum from the Environmental Planning Section states that:

■The Natural Resources Division previously reviewed the subject property with reference to A-9820, A-9895, preliminary plans of subdivision 4-88278, 4-90137, 4-95088, and CDP-9502 and has the following comments.

■The 167.7-acre site is located on both sides of MD 202 (Largo Road), approximately 5,000 feet north of Marlboro Pike near the Town of Upper Marlboro, and is bordered by Collington Branch to the east and Western Branch to the west. The applicant proposes to develop about 55 acres for right-of-way for MD 202 and about 124 single-family dwellings. Approximately 105 acres will be dedicated to the Department of Parks and Recreation. Of the 105 acres of proposed dedication, 30 acres are within the 100-year floodplain.

■The primary environmental features include nontidal wetlands associated with Collington and Western Branches and their tributaries, spring seeps, and mature woodlands associated with the extensive stream valleys. The remainder of the site is rolling, fallow farmland. Natural constraints include 100-year floodplain, severe slopes, and Marlboro Clay outcrops. There are highly erodible soils (Sandy Land, Westphalia) associated with the stream valley slopes. Marlboro Clay outcrops have resulted in failed slopes in many areas.

■Marlboro Clay:

■Of overriding concern is the extent of Marlboro Clay associated with steep and severe slopes. Section 24-131 of the Subdivision Ordinance provides for subdivision control of unsafe land. This area has been identified by the U.S. Geological Survey as an area of medium to high susceptibility to landsliding (Pomeroy, John S. 1989. Map Showing Landslide Susceptibility in Prince George's County, Maryland. Miscellaneous Field Studies Map. U.S. Geological Survey. Map MF-2051). The Natural Resources Division has studied the distribution of Marlboro Clay in detail and predicts the top surface of the unit should be at about elevation 90 and the clay layer should be about 20 feet thick. The top may be higher toward the northwest corner and lower toward the southeast corner. A *Subsurface Exploration and Geotechnical Engineering Evaluation* prepared by Earth Laboratories, dated 21 October 1994, has been reviewed by the Natural Resources Division

and the Permits and Review Division of DER and found to be acceptable. Development of the site should follow the recommendations of the report.

■The development envelopes for construction of residential structures have been set to avoid any area of potential slope failure due to Marlboro Clay. The proposed stormwater management concept plan has taken into account the particular problems associated with Marlboro Clay. Our only unresolved concern is potential exacerbation of slope failure potential in the northwest area of the site by the construction of the sewer line.

■Patuxent River Primary Management Area Preservation Area:

■A substantial portion of the subject property is within the Patuxent River Primary Management Area Preservation Area. Patuxent River Preservation Areas are undisturbed natural stream buffers which include floodplains, nontidal wetlands, and severe slopes or erodible soils on steep slopes adjacent to streams, floodplain, or wetlands within the Patuxent River watershed. Within the Preservation Area development is discouraged in order to prevent degradation of water quality. The Preservation Area on the subject property is particularly sensitive because it includes the majority of the mature woodlands and Marlboro Clays on-site. A site visit on 3 October 1990 allowed staff to verify the accuracy of the wetlands delineation. The Preservation Zone Limits shown on the CDP are substantially correct. The building area envelopes are coincident with or outside the Preservation Zone to the greatest extent possible.

■Lots have been configured to concentrate development in the more environmentally compatible areas of the subject property. Limits of disturbance have been established at the edge of the Preservation Area to the extent practicable. Any alterations to the stream such as crossing, piping or grading within the Preservation Area may be accomplished only after a determination that the PMA is preserved to the greatest extent possible or by granting of a variation to subdivision regulation Section 24-130(b)(5) by the Prince George's County Planning Board. This variation request should include a justification as to why staff should support the proposed alterations and be submitted at least thirty (30) days prior to the scheduled Planning Board Hearing for the preliminary plat of subdivision.

■Section 24-101(b)(10)(F) allows the Planning Board to include specific areas of rare or sensitive wildlife habitat as part of the PMA. A site visit on 25 August 1995 determined that a population of Stripeback Darter (*Percina notogramma*) exists in the mainstem of Collington Branch adjacent to the eastern boundary of the property. Until the discovery at this location earlier in 1995, the Stripeback Darter was listed as "Endangered Extirpated" by COMAR 08.03.08. Staff of the Natural Resources Division have discovered population of Yellow Water-Crowfoot (*Ranunculus flabellaris*), listed as "Endangered" by COMAR 08.03.08, Coville's Phacelia (*Phacelia ranunculacea*), listed as "Endangered" by COMAR 08.03.08, Narrow Melicgrass (*Melica mutica*), listed as "Threatened" by COMAR 08.03.08, and Red Turtlehead (*Chelone obliqua*), listed as "Threatened" by COMAR 08.03.08 on the property. All of the populations are located on land to be dedicated to the Department of Parks and Recreation. Development of trails and other park facilities should avoid significant impact to the populations of these or any other species listed in COMAR 08.03.08.

■In our review of A-9850 for Parcel 46, Tax Map 92, adjacent to the southeastern boundary of the subject property, the Natural Resources Division in its memorandum of 7 February 1991, recommended access from the *Miller Property* [=Forest Hill]. Parcel 46 has many of the same environmental problems; significant environmental impacts may be avoided by establishing access to the northern part of Parcel 46 through Forest Hill. The CDP proposes this access to Parcel 46.

■Stormwater Management:

■A field visit was made on 11 October 1990 with Maura McMullen, formerly of the DER Watershed Protection Branch, to coordinate review of this site with regard to Marlboro Clay and stormwater management. Although this visit concentrated on the western half of the site, we had both independently walked the eastern portion. Because of the extent of Marlboro Clay, infiltration of any sort can not be utilized. **All areas where potential flow on the upland exceeds 2 cfs will need to be piped from above the Marlboro Clay to some point below.** Water quality measures will be necessary for pretreatment of stormwater prior to release into the floodplain or wetlands of Western Branch or Collington Branch. On this visit we identified 2 potential areas for water quality ponds: (1) in the southwestern portion of the site, in the upland between elevations 35 and 50, it may be possible to excavate a wet pond [this is an overgrown field with saplings, no specimen trees, and no wetlands; minor geotechnical problems may occur due to the presence of an indurated layer of highly fossiliferous Aquia Formation and a colluvium with a high proportion of Marlboro Clay]; (2) an extended detention site in the small ravine on the east side of Largo Road, near the north property line.

■Due to the highly erodible nature of the deposits in the ravine in the northwestern area and the potential for exacerbating the slope failure, no significant additional flow should be directed into this area. It may be possible to divert some of the flow from the northwestern area under Rt. 202 and into the ravine in the northeastern portion of the site and construct a small detention facility. However, this may impact Parcel 44, Tax Map 92, Grid D-3 [the applicant should seriously consider obtaining an easement, if not the property].

■The small stream flowing north to south on the east side of Largo Road presents special review problems. This is a natural springfed tributary to Collington Branch and a component of the PMA. Marlboro Clay occurs in the stream bed and ravine walls. No significant additional stormwater flow should be directed into the open channel due to the likelihood of causing bank erosion and subsequent slope failure. The development envelope has been placed to avoid impact to this area.

■Due to the highly erodible nature of the soils associated with all existing natural channels, and the likelihood of exacerbating existing slope failure due to Marlboro Clay, no additional flow should be directed into any swale located on top of any of the severe slope areas. A Stormwater Management Concept Plan meeting these requirements has been proposed by the applicant.

■Woodland Preservation:

■Staff reviewed Forest Stand Delineation as part of 4-90137 and found it to meet minimum standards. A field check in August 1995 and again in April 1999 revealed no substantial change to the FSD. A Tree Conservation Plan, TCP I/64/95, has been reviewed and found to exceed minimum requirements. The site has a basic requirement of 37.4 acres and has an 10.14 acre required transfer from Tippetts Estates Cluster [SP-94014, TCP II/75/94] for a total of 47.54 acres. TCP I/64/95 proposes on-site preservation of 84.73 acres. Virtually all of the proposed woodland conservation is on land to be dedicated to the Department of Parks & Recreation. The Parks Department may wish to defer forest preservation in some areas to allow improvements, such as trails; the Parks Department should be consulted.

■Noise:

■MD 202 relocated is planned as an arterial road and has the potential for substantial noise impacts to adjacent residential development. Assuming a six (6) lane divided arterial with a 40 mph speed limit, the maximum 65 decibel noise contour would extend approximately 395 feet from the centerline of proposed MD 202. A noise study prepared by Wyle Laboratories, Inc, dated 25 September 1995, has been reviewed and approved by the Natural Resources Division. It indicates that exterior noise levels should not be a problem, however, some units may have excessive interior noise levels unless precautions are taken. Architectural drawings with noise mitigation measures shall be submitted with the SDP for review and approval by the Natural Resources Division. Specific questions regarding noise should be directed to Dr. Robert Metzger, Principal Environmental Planner, Natural Resources Division, 952-3652].

■Noise from the railroad line along Collington Branch should not adversely impact proposed residences, provided that the adjacent wooded slopes are **maintained** as a noise buffer.

■Water and Sewer:

■The subject property is in water and sewer category W-4 and S-4. Impacts associated with installing water and sewer lines have been evaluated with special regard to the installation of sewer lines down the severe slopes, through areas of Marlboro Clay, into wetlands and floodplain, and through Woodland Conservation Areas. The proposed layout has apparently been made with attention to minimizing impacts to any of these areas and should have no significant impact on the known populations of rare/threatened/endangered species. We have a minor concern with the proposed sewer line in the extreme northwestern area of the site and its possible effect on increasing the likelihood of slope failure.

■David M. Coe has reviewed the plans for the Washington Suburban and Sanitary Commission and notes "there are some minor inconsistencies found within the CDP and WSSC records. None of the inconsistencies effect the ability of the site to receive service.

■Recommendations:

■Based on the existing conditions of the site, the Natural Resources Division offers the following recommendations for your consideration:

- 1. The TCP should be revised in consultation with the Department of Parks and Recreation to remove Woodland Conservation Areas from portions of the proposed parkland where development may occur.
 - 2. Development of trails and other park facilities should avoid significant impact on the populations of any species listed in COMAR 08.03.08.
 - 3. Architectural drawings with noise mitigation measures shall be submitted with the SDP for review and approval by the Natural Resources Division.●
12. The Department of Parks and Recreation (Asan to Srinivas, July 8, 2002) has stated that the applicant proposes to dedicate 105.36 acres of land to M-NCPPC. Conditions of approval for land dedication according to the requirements of M-NCPPC have been added. Since the area consists of extensive steep slopes, floodplain, wetlands and Marlboro Clay soils, the Department of Parks and Recreation will develop the property for the proposed trail along Western Branch. The approved Basic Plan requires the applicant to construct a hiker/biker trail in accordance with the M-NCPPC Parks and Recreation Facilities Guidelines. Conditions of approval have been added to require the trail construction according to these guidelines. Due to the site's steep slopes, the trail could be constructed on existing farm road or on the haul road which will have to be built for the construction of the sewer line. The exact alignment of the trail and trail connections can be determined at the Specific Design Plan stage. Conditions of approval for construction of the trail have been added. The Type I Tree Conservation Plan must be revised to show clearing to accommodate trail construction. The section also recommends that the applicant construct a 10-foot-wide equestrian trail along the Western Branch.
13. The Transportation Planning Section (Masog to Srinivas, June 24, 2002) has stated that the applicant has prepared a traffic impact study. The study indicated that all intersections in the study area would operate acceptably during both peak hours with background and total traffic.
- Using the trip generation rates listed in the guidelines, the subject property would generate 18 inbound and 71 outbound trips during the AM peak hour, and 70 inbound and 37 outbound trips during the PM peak hour. For total traffic, the trip distribution and assignment used in the traffic study appear to be reasonable and consistent with the submitted plan.
- Under total traffic, four of the five unsignalized intersections within the study area operate unacceptably. The Transportation Planning staff also observed that the two-lane link operates unacceptably in at least one peak hour. Therefore, the transportation staff cannot reliably find that adequate transportation facilities would exist if the subject proposal were to be approved. In response to this finding, the 2001 technical memorandum was prepared to address signal warrants and link capacity along MD 202. The study concluded that there are excessive delays at major signalized intersections but signal warrants are not satisfied at the two worst circumstances at MD 202/Eton Drive and MD 202/Town Farm Road. A signal along MD 202 between MD 725 and Black Swan Drive may alleviate circumstances.
- The Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) have no significant comments on this study. The State Highway Administration (SHA) has indicated that adequate facilities could exist if the applicant were to escrow \$100,000 for the purpose of widening MD 202 or installing a traffic signal within the study area. The

State Highway Administration has indicated that they should have the discretion of determining the final use of the funds. A condition of approval has been added to require the applicant to provide the funding.

The Transportation Planning Section has concluded that widening MD 202 within the study area would not be helpful in addressing excessive delays for traffic seeking to turn left onto MD 202 from the side streets. The State Highway Administration's recommendation provides a means for providing funding for the needed improvements to achieve adequacy.

The Subregion VI Master Plan includes recommendations that MD 202 be relocated and the relocated MD 202 be constructed to function as an expressway facility. While sufficient right-of-way has been acquired by the State Highway Administration to operate this facility as an expressway, the regulation of access along the relocated MD 202 is vital to operating MD 202 as a higher-speed, higher-capacity facility. Therefore, the master plan has endorsed the recommendations of the MD 202 access study. The entrances to the property will have to be designed with acceleration and deceleration lanes in accordance with state highway standards.

The applicant had previously shown some lots with access to the existing MD 202. The Transportation Planning Section had recommended that these lots receive access via internal streets. The applicant has accordingly revised the lot layout. The section has also recommended that the two lots in the area between the existing and proposed MD 202 be removed. A condition of approval has already been added to require the same.

The memorandum from the Transportation Planning Section states that:

- The Transportation Planning Section has reviewed the Comprehensive Design Plan application referenced above. The subject property consists of approximately 167.7 acres of land in the R-L zone. The property is located along both sides of MD 202, approximately 4,200 feet north of the MD 202/MD 725 intersection. The applicant proposes to develop the property under the R-L zone with 119 single family detached units.

- The applicant initially prepared a traffic impact study dated May 1998. In consultation with staff, that study was updated with a technical memorandum analyzing the potential for signalization at several unsignalized intersections in the area of the subject property in May 2001. Both studies were prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines*.

■Summary of Traffic Impact Study

- The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

- MD 202 and MD 193 (signalized)
- MD 202 and MD 725 (signalized)
- MD 202 and Town Farm Road (unsignalized)

- MD 202 and Brock Drive (unsignalized)
- MD 202 and Eton Drive (unsignalized)
- MD 202 and Kent Drive (unsignalized)
- MD 202 and site entrance (planned, unsignalized)

■With traffic counts taken by the applicant's consultant, the study indicates that all intersections in the study area would operate acceptably during both peak hours with background traffic and total traffic. Consequently, the study did not recommend any improvements at any location within the study area.

■Staff Analysis of Traffic Impacts

■Existing traffic conditions were based on traffic counts done in April 1998. These counts occurred before the modifications at MD 202/MD 193 were fully open to traffic; as a result, the traffic study analyzes this intersection with one through lane in each direction along MD 202. The staff's analysis considers two through lanes in each direction along MD 202. Although the staff concedes that through traffic along MD 202 may be understated in the traffic study due to the effect of construction, the analysis has included no adjustment due to the difficulty of estimating the size of such an adjustment. Existing conditions within the study area are summarized as follows:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202/MD 193	789	744	A	A
MD 202/MD 725	820	937	A	A
MD 202 and Town Farm Road	21.7*	26.9*	--	--
MD 202 and Brock Drive	9.4*	8.5*	--	--
MD 202 and Eton Drive	21.7*	28.6*	--	--
MD 202 and Kent Drive	20.2*	20.6*	--	--
*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 <i>Guidelines</i> , an average vehicle delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

■The submitted traffic study provides an analysis for assessing the background traffic situation. The applicant has taken the following steps to develop background traffic, including:

- Using a 2% annual growth factor for through traffic, which is consistent with past studies in the area.
- Adding background development in the area.
- Probably because the traffic study was scoped so long ago, the list of background development in the area is incomplete. During the late summer of 1998, the transportation staff assembled a master list of background developments, and began returning Scoping Agreements with a list of background developments in the vicinity of the site. The transportation staff notes the following changes to background development in the area:
 - The Largo-Marlboro property is now Rustic Ridge, with 149 lots instead of 166.
 - The Villages of Marlboro is analyzed as 1,404 townhouses. Remaining development within the Villages of Marlborough is 59 detached residences (Bishops Bequest), 194 apartments (Churchills Choice), 144 mid-rise apartments (Hampshire Hall), 82 townhouses (Normandy Place), 110,000 square feet retail and 38,000 square feet office (Marlboro Village Center).
 - It appears that Marlboro Manor is only 39 detached residences, not 161.
 - Perrywood is analyzed as 427 detached residences. Remaining development within Perrywood is 225 detached residences, 176 townhouses and 261 units of elderly housing.
 - Foxchase was not included, and has 207 detached residences remaining.
 - Kings Grant was not included, and has 38 townhouses remaining.
 - Collington Estates is a platted subdivision that is under construction, with 98 detached residences remaining.
 - Brock Hills is a platted subdivision that is under construction, with 140 detached residences remaining.
- Under background traffic, both signalized intersections would continue to operate acceptably. However, three of the unsignalized intersections under study would experience unacceptable operating conditions in at least one peak hour. Background conditions are summarized as follows:

BACKGROUND CONDITIONS			
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)
MD 202/MD 193	977	955	A A

MD 202/MD 725	997	1227	A	C
MD 202 and Town Farm Road	54.8*	83.8*	--	--
MD 202 and Brock Drive	16.7*	35.3*	--	--
MD 202 and Eton Drive	93.6*	117.1*	--	--
MD 202 and Kent Drive	33.6*	49.6*	--	--

*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 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

■Using the trip generation rates listed in the *Guidelines*, the subject property would generate 18 inbound and 71 outbound trips during the AM peak hour, and 70 inbound and 37 outbound trips during the PM peak hour. For total traffic, the trip distribution and assignment used in the traffic study appear to be reasonable and consistent with the submitted plan. Total traffic conditions are summarized as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202/MD 193	996	977	A	A
MD 202/MD 725	1008	1243	B	C
MD 202 and Town Farm Road	63.3*	102.0*	--	--
MD 202 and Brock Drive	17.8*	38.7*	--	--
MD 202 and Eton Drive	121.2*	147.7*	--	--
MD 202 and Kent Drive	36.6*	56.5*	--	--
MD 202 and site entrance	43.8*	64.1*	--	--

*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 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

■Under total traffic, four of the five unsignalized intersections within the study area operate unacceptably. The worst delays all involve left-turn movements from the minor streets onto MD 202. Although the impact of traffic generated by the applicant along MD 202 is comparatively small, these conditions indicate that operational problems exist along MD 202. In fact, citizens along the section of MD 202 between MD 193 and MD 725 have testified that there is difficulty turning onto MD 202 from side streets during peak hours.

■Due to the above observations, the transportation staff has analyzed the two-lane link of MD 202 between Chelsea Lane and Waterfowl Way (MD 202 is four lanes to the north of

Waterfowl Way, and three lanes south of Chelsea Lane). This link is approximately 3.3 miles in length, and contains no signalized intersections. The analysis provides the following results under existing, background and total traffic:

LINK ANALYSIS - MD 202, CHELSEA LANE TO WATERFOWL WAY						
	AM information			PM information		
	Service Volume	Capacity	V/C	Service Volume	Capacity	V/C
Existing Traffic	1271	2277	0.56	1471	2100	0.70
Background Traffic	1577	2305	0.68	1864	2077	0.90
Total Traffic	1618	2305	0.70	1884	2077	0.91
*In analyzing links, the <i>Guidelines</i> require that links in excess of 2.0 miles in length with no signalized intersections operate at a volume-to-capacity (V/C) ratio of 0.8 or less. A V/C of 0.8 is considered to be the lower limit of LOS D.						

■The *Guidelines* indicate that any link having a V/C exceeding 0.80 during any peak hour operates unacceptably. The V/C for the two-lane link of MD 202 is 0.90 under background traffic and 0.91 under total traffic in the PM peak hour. Therefore, the link currently operates unacceptably in accordance with the *Guidelines*. In consideration of the number of unsignalized intersections which operate unacceptably along MD 202, along with the transportation staff's observation that the two-lane link operates unacceptably in at least one peak hour, the transportation staff cannot reliably find that adequate transportation facilities would exist if the subject proposal were to be approved.

■In response to this finding, the 2001 technical memorandum was prepared to address signal warrants and link capacity along MD 202. The main points of this memorandum were:

- 1. There are issues of excessive delay at major unsignalized intersections along MD 202, but signal warrants are not satisfied at the two worst circumstances at MD 202/Eton Drive and MD 202/Town Farm Road.
- 2. SHA believes that a signal along MD 202 between MD 725 and Black Swan Drive may alleviate circumstances by increasing gaps in traffic along MD 202.
- 3. The memorandum concludes by stating that widening MD 202 at this time is unlikely to reduce side street delays, and may worsen the situation by encouraging speeding. The memorandum has collected data indicating that mainline traffic volumes along MD 202 suffer little if any delay due to excessive volume.

■Staff has reviewed this information carefully, and does not raise objections to the finding at this time. The staff will comment further after reviewing agency comments.

■The DPW&T and the SHA both reviewed the 1999 traffic analysis, and neither agency had significant comments on the study. Comments from both agencies are attached. Because the 2001 memorandum was discussed in detail with SHA during its preparation, the 2001

memorandum was referred to SHA for comment. There were several missives which resulted from that referral, and they are described below:

- 1. The September 7, 2001 comments from SHA recommended that this applicant pay a fair share contribution toward the widening of MD 202 between Black Swan Drive and MD 725.
- 2. A November 16, 2001 memorandum from the applicant's traffic consultant to the applicant recounted several discussions with SHA staff. In that memorandum, the traffic consultant indicated that it appeared that SHA had taken a new position on the issue of widening MD 202 versus providing signalization along the link.
- 3. A December 5, 2001 memorandum from SHA clarified the state's position regarding the subject application. SHA acknowledged that the intent was not to burden the subject property with the cost of widening MD 202 for a considerable length. SHA further indicated that adequate facilities could exist if the applicant were to escrow \$100,000 for the purpose of widening MD 202 or installing a traffic signal within the study area. SHA indicated that they should have the discretion of determining the final use for the funds.

■In reviewing SHA's position, staff concedes that widening MD 202 within the study area would not be helpful in addressing the adequacy issues observed by staff; namely, excessive delays for traffic seeking to turn left onto MD 202 from the side streets. SHA's recommendation provides a means for providing funding for the needed improvements to achieve adequacy.

■Site Layout Issues

■The *Subregion VI Master Plan* includes a recommendation that MD 202 be relocated in the area of the subject property southward, and that MD 202 Relocated (E-6) be constructed to function as an expressway facility. While sufficient right-of-way has been acquired by the State Highway Administration (SHA) to operate this facility as an expressway, the regulation of access along MD 202 Relocated is vital to operating MD 202 as a higher-speed, higher-capacity facility. Toward that end, the Master Plan endorses the recommendations of the *MD 202 Access Study* (March 1982) in the area of the subject property. These would include:

- Access to E-6 with a median break at or near the applicant's proposed site entrance.
- No other access to E-6 (i.e., no median break) along the remainder of the frontage of the subject property.
- A service road on the east side of E-6 linking the subject property to the property immediately to the south. While the topography on the east side of E-6 may not be appropriate to the construction of a service road, the applicant should provide a stub connection to the property immediately to the south (Robert L. Wurtz and Weeks Company, Liber 4620, Folio 929 on Tax Map 92, Grid F-3) in order to provide

access from the neighboring property to E-6 via the applicant's site entrance. This connection is acceptable as shown on the plan.

■The required right-of-way for E-6 is shown correctly on the submitted plan. The plan also correctly shows dedication of 30 feet from the existing center line of existing MD 202. At the time that the entrance to serve the site is constructed, the applicant will be required to design the access with acceleration and deceleration lanes in accordance with SHA standards.

■The Comprehensive Design Plan does not approve lotting patterns. Nonetheless, the plan does display a potential lotting pattern, and staff objects to the three lots labeled A-58, D-01, and D-02, and has a concern about Lot A-57. These three lots are proposed with driveway access to existing MD 202. While MD 202 is proposed in the future to be relocated onto a new facility, there is no funding for constructing the new roadway nor is this roadway under any level of study. For the foreseeable future, therefore, existing MD 202 will continue to function as a major highway. It is important to remember that even after MD 202 is relocated, existing MD 202 will continue to be the main roadway to the Town of Upper Marlboro. Furthermore, SHA will not support new driveway access to new subdivision lots along state roadways. Therefore, staff would recommend that Lots A-57 and A-58 receive access via internal streets and not via existing MD 202. Also, because Lots D-01 and D-02 must rely upon MD 202 for access, they should either not be platted or the homeowners' open space area should be expanded to include these lots.

■On-site circulation and internal street rights-of-way are acceptable.

■Recommendations

■Based on the preceding comments and findings, the Transportation Planning Section concludes that the requirements pertaining to transportation facilities under Section 27-521 of the Prince George's County Code would be met. This recommendation is subject to the following conditions:

- 1. Lots A-57 and A-58, as shown on the Comprehensive Design Plan, should receive access via internal streets and not via existing MD 202.
- 2. Lots D-01 and D-02 should not be platted, or should be incorporated into the adjacent homeowners' open space area.
- 3. The following improvements shall be funded in part by the payment of \$100,000 (in year 2001 dollars) to the State Highway Administration by the applicant:
 - A. The widening of MD 202 to four lanes between MD 725 and Black Swan Drive.
 - B. The installation of a traffic signal within the study area at a location to be determined by the State Highway Administration. The location will be chosen to best serve traffic flow along MD 202 between MD 725 and Black

Swan Drive, with consideration given to side street delays as well as mainline traffic flow.●

14. A referral was sent to the Town of Upper Marlboro. No comments have been received as of this date.
15. The applicant will be required to submit Preliminary Plan applications and Specific Design Plan applications for each phase of the development.

RECOMMENDATION

Based upon the preceding evaluation, the Urban Design Review Section recommends that the Planning Board adopt the findings of this report and APPROVE CDP-9901 and TCPI/64/95 for Forest Hills, with the following conditions:

1. Prior to certification of the Comprehensive Design Plan,
 - a. The Comprehensive Design Plan drawings and text shall be revised to incorporate the following:
 - (1) lots between the existing and future MD 202 eliminated and the area of the lots incorporated into the homeowners' open space and/or used for tree conservation purposes.
 - (2) a 75-foot landscape buffer provided along the rear of the lots along MD 202 to meet the requirements of Section 4.6 of the *Landscape Manual*. The buffer shall be on homeowners' open space and shall retain the existing trees along MD 202 to the extent possible. In areas where the existing trees are not dense, new supplemental evergreens shall be provided.
 - (3) the proposed berm along MD 202 eliminated to avoid impacts to existing trees.
 - (4) a minimum 20,000-square-foot lot size and a minimum 150-foot lot depth for the lots along the western side of MD 202.
 - (5) elimination of flag lots except at the ends of cul-de-sacs.
 - (6) a minimum lot size of 10,000 square feet and a minimum lot width of 80 feet for the standard lots.
 - (7) a minimum house size of 2,300 square feet of living area.
 - (8) all approved changes and approved development standards shall be reflected on the CDP text and drawings.
 - (9) existing seven- to ten-foot-wide asphalt shoulders maintained along the property's entire frontage on both sides of MD 202.

- (10) all internal, HOA trails constructed of asphalt and six feet wide.
 - (11) eight-foot-wide asphalt hiker/biker trail along the Western Branch and a minimum of two 6-foot-wide asphalt connector trails providing access to the Western Branch from the proposed community as shown on the Department of Parks and Recreation Exhibit ■A.● One connection shall be oriented towards the southern end of the trail and the other connection shall be oriented towards the northern end of the trail.
 - (12) a ten-foot-wide equestrian trail along the Western Branch.
- b. The applicant shall submit a recently approved stormwater management concept plan for the proposed stormwater management on the subject property.
 - c. The Type I Tree Conservation Plan TCPI/64/95 shall be revised in consultation with the Department of Parks and Recreation to remove woodland conservation areas from portions of the proposed parkland where development may occur.
 - d. The applicant shall submit information regarding avoidance of significant impacts on the population of any species listed in COMAR 08.03.08 due to the development of parks and trails.
2. Prior to approval of the Preliminary Plan, the applicant shall:
- a. Submit a conceptual layout of water and sewerage services to and within the site and an analysis of the impact of the construction of these facilities. The layout shall minimize the impact of construction to the extent possible.
 - b. Obtain approval of the 100-year floodplain elevations from the Department of Environmental Resources.
3. Prior to approval of any final plats for this development, the applicant shall:
- a. Dedicate approximately 105 acres of land to M-NCPPC as shown on the Department of Parks and Recreation Exhibit *A.▲
 - b. Land to be dedicated shall subject to the following conditions:
 - (1) An original, special warranty deed for the property to be conveyed (signed by the WSSC Assessment Supervisor), shall be submitted to the Subdivision Section of the Development Review Division, M-NCPPC, along with the final plat.
 - (2) M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.

- (3) The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits which include such property.
 - (4) The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
 - (5) Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - (6) All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance, prior to final plat approval.
 - (7) No stormwater management facilities, or tree conservation or utility easements, shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
- c. Submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to the M-NCPPC in acceptable condition for conveyance.
 - d. Submit three original, executed Recreational Facilities Agreements (RFA) for trail construction to the Department of Parks and Recreation for their approval at least three weeks prior to a submission of a final plat of subdivision. Upon approval by the Development Review Division, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland. The RFA shall state that the trail construction shall be completed prior to issuance of the 58th building permit.
 - e. Submit drawings showing all the proposed trails and trail connections.
4. During the Specific Design Plan review, the applicant shall:
 - a. Submit additional rear elevations for the rear yards of the houses facing MD 202. The design of the houses shall be as attractive as the front elevations with respect to details, number of design features, and articulation. The chimneys of the houses along MD 202 shall be constructed of masonry.

- b. submit architectural drawings with noise mitigation measures for review and approval by the Environmental Planning Section.
- 5. Prior to approval of the first Specific Design Plan for the development on the west side of the MD 202, the applicant shall:
 - a. Submit detailed construction drawings for trail construction to the Department of Parks and Recreation for review and approval. The recreational facilities on park property shall be designed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines. The trail construction drawings shall ensure the following:
 - (1) dry passage for all the trails. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by Department of Parks and Recreation.
 - (2) handicapped accessibility of all trails.
 - b. Submit construction drawings for a ten-foot-wide equestrian trail along the Western Branch. The trail shall be turf surfaced, the trees and branches shall be cleared a total of 12 feet in height along the trail. The location of the trail shall be determined by the Department of Parks and Recreation.
 - c. Submit drawings showing the exact location of the two trail connections.
- 6. Prior to issuance of any building permits:
 - a. The applicant shall submit performance bonds, letters of credit or other suitable financial guarantees to the Department of Parks and Recreation to secure the grading and construction of the recreational facilities on park property, in an amount to be determined by the Department of Parks and Recreation.
 - b. The following improvements shall be funded in part by the payment of \$100,000 (in year 2001 dollars) to the State Highway Administration by the applicant:
 - (1) the widening of MD 202 to four lanes between MD 725 and Black Swan Drive.
 - (2) the installation of a traffic signal within the study area at a location to be determined by the State Highway Administration. The location will be chosen to best serve traffic flow along MD 202 between MD 725 and Black Swan Drive with consideration given to side street delays as well as mainline traffic flow.
- 7. No building permit shall be issued for the lots directly adjacent to the trail until the trail is under construction.