



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

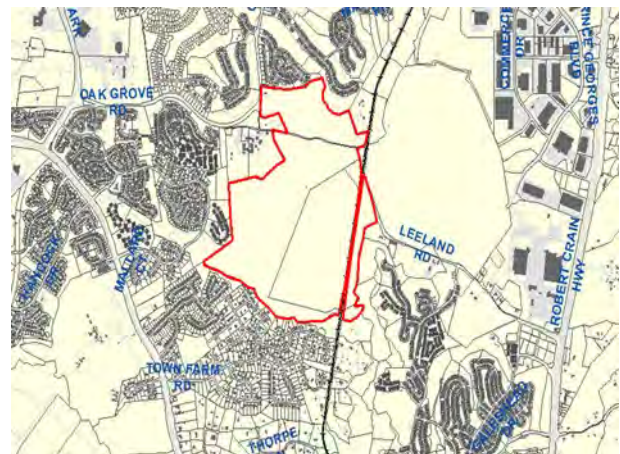
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Specific Design Plan Locust Hill – Phase I

SDP-1705

REQUEST	STAFF RECOMMENDATION
Phase 1, infrastructure only for 285 single-family detached and 53 single-family attached residential lots.	APPROVAL with Conditions

Location: On the north and south sides of Oak Grove Road, west of its intersection with Leeland Road.	
Gross Acreage:	505.81
Zone:	R-L
Dwelling Units:	338
Gross Floor Area:	N/A
Planning Area:	79
Council District:	06
Election District:	03
Municipality:	N/A
200-Scale Base Map:	203SE13
Applicant/Address: WBLH, LLC 7164 Columbia Gateway Drive, Suite 320 Columbia, MD 21046	
Staff Reviewer: Thomas Burke Phone Number: 301-952-4534 Email: Thomas.Burke@ppd.mncppc.org	



Planning Board Date:	04/09/2020
Planning Board Action Limit:	04/09/2020
Staff Report Date:	03/24/2020
Date Accepted:	01/30/2020
Informational Mailing:	12/02/2017
Acceptance Mailing:	01/28/2020
Sign Posting Deadline:	03/10/2020

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Specific Design Plan SDP-1705
Type II Tree Conservation Plan TCPII-027-2015-01
Locust Hill - Phase I

The Urban Design staff has reviewed the specific design plan for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this report.

EVALUATION

This specific design plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of Zoning Map Amendment (Basic Plan) A-9975-C, as amended;
- b. The requirements of the Prince George's County Zoning Ordinance in the Residential Low Development (R-L) Zone and Section 27-480, General Development Regulations in the Comprehensive Design Zone;
- c. The requirements of Comprehensive Design Plan CDP-0506;
- d. The requirements of Preliminary Plan of Subdivision 4-06075;
- e. The requirements of the 2010 *Prince George's County Landscape Manual*;
- f. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance;
- g. The requirements of the Prince George's County Tree Canopy Coverage Ordinance; and
- h. Referral comments.

FINDINGS

Based upon the evaluation and analysis of the subject specific design plan, the Urban Design Section recommends the following findings:

1. **Request:** The subject application is for approval of a specific design plan (SDP) for Phase 1, infrastructure only, for 285 single-family detached and 53 single-family attached residential lots.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	R-L	R-L
Use	Vacant	Single-family Detached and Attached
Phase I Dwelling Units		
Single-family detached	0	285
Single-family attached	0	53
Total Dwelling Units	0	338
Total Gross Acreage	505.81	505.81
Floodplain	69.21	69.21
Total Net Acreage	436.60	436.60

3. **Location:** The Locust Hill development is located on the north and south sides of Oak Grove Road, west of its intersection with Leeland Road, in Upper Marlboro. The site is in Planning Area 79 and Council District 6.
4. **Surrounding Uses:** The site is bounded to the north by County parkland in the Open Space Zone and developed residential properties in the Residential Low Development (R-L) Zone, part of the Oak Creek Club development; to the east by vacant and developed properties in the Residential Suburban Development (R-S) Zone, including the Willowbrook and Beechtree developments; to the south by developed residential properties in the Residential-Estate (R-E) and Rural Residential Zones; and to the west by developed residential properties in the R-S Zone, the Perrywood development and the St. Barnabas Church and Cemetery Historic Site in the Residential-Agricultural (R-A) Zone, and the Queen Anne Parish property in the R-E Zone.
5. **Previous Approvals:** The subject property was rezoned from the R-A and R-E Zones to the R-L Zone through the approval of Zoning Map Amendment (Basic Plan) A-9975-C by the Prince George’s County District Council (Zoning Ordinance No. 19-2006), on October 31, 2006.

The Prince George’s County Planning Board approved Comprehensive Design Plan CDP-0506 and Type I Tree Conservation Plan TCPI-024-06 (PGCPB Resolution No. 06-274) on January 4, 2007, with 44 conditions of approval. The District Council affirmed the findings of the Planning Board and approved CDP-0506 on April 9, 2007, with all 44 conditions.

On March 15, 2007, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-06075 and a revised TCPI-024-06-01 (PGCPB Resolution No. 07-28) for 554 lots and 24 parcels, with 28 conditions.

A Type II Tree Conservation Plan, TCPII-027-2015, was approved by the Environmental Planning Section on December 3, 2015, as a stand-alone application.

On May 13, 2019, Basic Plan A-9975-01-C was approved by the District Council (Zoning Ordinance No. 6-2019), amending the original A-9975-C, with 21 conditions and 9 considerations.

6. **Design Features:** This SDP proposes infrastructure development for a total of 338 dwelling units in Phase 1 of the Locust Hill property. The unit breakdown includes 285 single-family detached and 53 single-family attached dwelling units. The units will be developed in the area identified on the SDP as Phase 1, consisting of the developable portions of the project south of Oak Grove Road and west of the existing railroad right-of-way. The subject SDP proposes the lots, grading, and infrastructure only for the Phase 1 area. The architecture, landscaping, and recreational facilities will be approved separately under SDPs to be submitted in the future, which will be required to be approved before building permits can be issued. The proposed lot standards have been revised with this application, but substantially conform to the design concepts set forth in the design guidelines approved with CDP-0506. These standards are provided in the Development Data table on the SDP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-9975-C and A-9975-01-C:** Basic Plan A-9975-C, which rezoned this property from the R-A and R-E Zones to the R-L Zone, was approved by the District Council on October 31, 2006, in accordance with Zoning Ordinance No. 19-2006, subject to conditions. The basic plan was amended by the District Council on May 13, 2019 with A-9975-01-C, which revised the layout and conditions of the original basic plan. Of the 21 Basic Plan A-9975-01-C conditions, the following are relative to this application:

1. **The Basic Plan shall be revised to show the following land use locations, types and quantities:**

Total Area: 505.81 acres

Land in the 100-year floodplain: 69.21 acres

Adjusted Gross Area: (total area less half the floodplain (34.6 acres) 471.21

acres Density Permitted under the R-L Zone: 1.0-1.5 dwellings (d.u.)/acre

Permitted Dwelling Unit Range: 471-706 d.u.

Approved Land Use Types and Quantities*:

Approved Dwelling Unit Range: 471-706 d.u.

Residential Single-Family Detached:

Minimum Range (65%) 306-459 d.u

Maximum Range (90%) 424-635 d.u.

Residential Attached Dwellings

(attached dwellings shall not exceed 35 percent of the maximum density):

Minimum Range (10%) 47-71 d.u.

Maximum Range (35%) 165-247 d.u.

Total Dwellings 471-706 d.u.

Public Open Space (parkland and parks, a minimum of 10 acres shall be developable): 58 acres

Private Open Space Buffer: 65 acres

***Maximum achievable density shall be determined at the time of Comprehensive Design Plan (CDP) not to exceed 706 d.u. (Note-single-family detached should include large lot units, with dimensions to be determined at the time of CDP)2.**

The 285 single-family detached and 53 single-family attached dwelling units, with a total of 338 dwelling units, fit within these approved land use types and quantities.

- 2. Development shall preserve the Patuxent River primary management area (PMA) to the fullest extent possible. Impacts to the PMA shall be minimized by limiting the number of road crossings, by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.**

The primary management area (PMA) has been correctly shown on the most current natural resources inventory (NRI), and the impacts proposed with the current SDP application for Phase 1 are consistent with CDP-0506 and environmental impacts approved with the PPS.

- 3. Alignment of the master planned collector roadway (MC-600) shall be evaluated in detail to determine the location that results in the preservation of the existing natural resources to the fullest extent possible.**

The avoidance and minimization of impacts to regulated environmental features, to the fullest extent possible, is always pursued during the development process, but other interests must also be weighed in balancing competing interests. Improvements to an existing and master-planned collector roadway in this location cannot fully avoid all impacts to environmental features associated with the Collington Branch.

The Planning Board did not support a downgrade of MC-600 with the amended basic plan and the full dedication width is shown on the plan. The decision for the proposed cross section within the dedicated right-of-way and timing of construction is the responsibility of the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE).

Stream and wetland permits are required from the Maryland Department of the Environment (MDE) for construction of the master-planned roadway, and other environmental impacts proposed with the current application. Appropriate environmental protections, minimization, and mitigation will be addressed through the permitting process for environmental impacts under federal and state jurisdiction. The applicant will be required to submit copies of federal and state permits, as well as plans for required mitigation, prior to issuance of grading permits, so consistency with locally approved plans can be demonstrated.

4. **Natural Resources Inventory (NRI), signed by appropriate staff, shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.**

The site has a valid and approved NRI-047-06-03, that was submitted with this application. All environmental features of the property, which include stream buffers, wetlands, and floodplain, are correctly shown on the revised NRI, and the PMA has been correctly delineated. The current SDP application and revised TCPII are consistent with the most recent NRI approval.

6. **The Woodland Conservation Threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I Tree Conservation Plan required with the CDP Application shall focus on the creation of contiguous woodland. Priority areas for tree preservation shall be concentrated in areas within the framework of the approved Green Infrastructure Master Plan. No woodland conservation shall be provided on any residential lot.**

This condition has been addressed with the prior TCP approval and with the review of the revised TCPII with this application. The TCPII submitted with this current application correctly shows the woodland conservation threshold as 25 percent, met on-site, and areas of interconnected woodlands are proposed within the framework of *The Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan: A Countywide Functional Plan*. No woodland conservation is proposed on residential lots.

7. **Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance. This note shall also be placed on all Tree Conservation Plans.**

This condition has not been fully addressed with the revised TCPII. The previous approved TCPI included a plan identifying all areas proposed for clearing, including areas of clearing on the net tract, within the PMA, off-site, and areas within the PMA for the master-planned roadway. Note 18 on the coversheet of the revised TCPII reiterates this condition, but the phased woodland conservation worksheet has not been revised to include lines to separately quantify PMA impacts, and calculate the increased mitigation rate required.

- 11. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.**

The SDP shows conformance to this requirement for the lots proposed in this phase.

- 12. The Applicant and its heirs, successors, and/or assignees shall provide the following trail facilities.**

- a. **Construct the portion of the 10-foot-wide Master Plan hiker-biker trail located on the subject property's portion of the Collington Branch Stream Valley. The 10-foot width of the Master Plan trail may be modified at appropriate locations to respond to environmental constraints. Trail alignments shall be determined by the Department of Parks and Recreation of the M-NCPPC. Appropriate feeder trail connections from the project to the Master Plan hiker-biker trail shall be determined at CDP.**
- b. **Construct the 8-foot wide Master Plan hiker-biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.**
- c. **Construct a Class I Master Plan trail (or side path) along the subject property's entire frontage of both Oak Grove Road and Church Road. The location of the Class I Master Plan trail (or side path) will be located along or adjacent to the Oak Grove and Church Road rights-of-way, except where environmental constraints require otherwise. In the event that environmental constraints require a different alignment, the Master Plan trail shall be routed around said constraint to ensure a continuous connection.**
- d. **The location of trail facilities shall be determined at the time of Comprehensive Design Plan and Preliminary Plan of Subdivision (PPS) review. Any realignment of trails and/or relocation of stream crossings required under this Condition, due to existing environmental constraints, shall be reviewed and approved by the Department of Parks and Recreation (DPR). Any structures required to ensure dry passage shall be reviewed and approved by DPR at time of Specific Design Plan (SDP).**

The scenic trail system along existing Oak Grove Road, 8-foot-wide master-planned trails along the stream valley, and 6-foot-wide internal feeder trails are properly reflected on the submitted SDP. The SDP also shows 5-foot-wide sidewalks along both sides of the internal public and private streets. The master plan trail feeders connecting to Black Branch will be covered by a future SDP for Phase II.

The required Class I Master Plan trail is reflected on this SDP, along the frontage of Leeland Road. The road section and associated paths within the

public right of way will be finalized with DPIE and the Prince George's County Department of Public Works and Transportation. The trail provided is modeled after the proposed path along Church Road, north of Oak Grove Road.

15. **All stream and wetland mitigation for impacts to environmentally regulated site features shall be provided within the Collington Branch watershed, or, if mitigation sites cannot be found, within the Western Branch watershed, to the fullest extent possible, as determined by the permitting agency.**

The environmental consultant for the Locust Hill projects previously confirmed that there are no on-site or off-site wetland mitigation banks within the Collington Branch watershed, or within the Western Branch watershed. The absence of banks does not mean that there are not potential mitigation/restoration sites. In fact, the Western Branch Watershed Characterization (December 2003) prepared in support for The Prince George's County and City of Bowie Watershed Restoration Action Strategy, for the Western Branch Watershed identified numerous project locations within the Western Branch watershed.

While it is desirable to have the mitigation occur in the same subwatershed where the impacts occur, especially because of the water dependent rare, threatened, and endangered species that occur on-site, the most appropriate mitigation methods and location will be determined by MDE, which will issue the required permits with associated conditions.

Considerations

6. **Single-family dwelling units shall have a range of lot sizes and lot standards to ensure a variety of housing types.**

The proposed single-family detached lots range in size from 6,500 square feet to 18,000 square feet or more. The proposed single-family attached lots are either 4,250 square feet or 5,250 square feet, in conformance with this consideration.

8. **As the original Basic Plan required carriage homes, there shall be some percentage of carriage homes provided.**

The proposed 53 single-family attached lots in this phase are carriage homes, as they are 34- and 42-foot-wide units, in conformance with this consideration.

8. **Prince George's County Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of the Zoning Ordinance, as follows:

- a. This SDP is in general conformance with the requirements of the R-L Zone, as the single-family detached and attached homes are permitted uses.
- b. Section 27-480, General development regulations, of the Zoning Ordinance, includes various additional standards relative to townhouse lots and architecture. The

architecture and design elements of the units are not part of this SDP and will be approved with a subsequent application. The regulations of Section 27-480, relative to this proposal, are as follows:

- (a) Except as provided in Subsection (g), the exception of the minimum lot area requirement for townhouses as set forth in (b), below, and the height limitation for multifamily dwellings as set forth in (f), below, dimensions for yards, building lines, lot area, lot frontage, lot coverage, and building height shown on an approved Specific Design Plan shall constitute the development regulations applicable to the development of the land area addressed by that particular Specific Design Plan.**

A table of development regulations, including yards, lot areas, coverage, and building height, is provided on the SDP, in conformance with this requirement.

- (b) The minimum lot area requirement for townhouses constructed pursuant to a Specific Design Plan for which an application is filed after December 30, 1996 (with the exception of property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or planned Washington Metropolitan Area Transit Authority Metrorail station and the V-L and V-M Zones), shall be one thousand eight hundred (1,800) square feet.**

The minimum lots proposed for the single-family attached lots are 4,250 square feet, as shown on the SDP, in conformance with this requirement.

- (d) There shall be no more than six (6) townhouses per building group in any Comprehensive Design Zone (with the exception of the V-L and V-M Zones) for which an application for a Specific Design Plan is filed after December 30, 1996, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the SDP, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The restrictions on units per building group and percentages of building groups shall not apply to townhouses in the L-A-C Zone, if any portion of the L-A-C tract lies within one-half (1/2) mile of an existing or planned Washington Metropolitan Area Transit Authority Metrorail station. In no event shall there be more than nine (9) dwelling units in a building group. Garage parking within all building groups shall be provided in rear-loaded garages except where the rears of the units are located along open space areas along the perimeter of the development area or areas of steep topography.**

This SDP proposes all townhouse building groups to contain three or four units each, and each unit block has end units exceeding 24 feet in width.

- (e) **The minimum building width for townhouses in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space for a townhouse shall be one thousand two hundred and fifty (1,250) square feet in any development for which an application for a Specific Design Plan is filed after December 30, 1996 (with the exception of townhouses in the V-L and V-M Zones and, as it applies to the minimum building width only, townhouses on property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or planned Washington Metropolitan Area Transit Authority Metrorail station). For the purposes of this Subsection, "gross living space" shall be defined as all interior building space except the garage and unfinished basement or attic area.**

The proposed minimum width for townhouses exceeds 20 feet. The gross living space will be evaluated with a subsequent SDP that includes architecture.

- c. Section 27-528(a) of the Zoning Ordinance contains the following required findings for the Planning Board to grant approval of an SDP:

- (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

The SDP is in conformance with the approved CDP and each of the conditions of approval, the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the applicable design guidelines for townhouses, as discussed in findings herein.

- (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

The SDP does not contain property designated as a regional urban community.

- (2) **The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in**

the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;

The subject property of Locust Hill is governed by an approved and valid PPS that meets the adequacy test for the required transportation facilities serving this development. In addition, in a memorandum dated March 11, 2020, the Special Projects Section offered an analysis of police, fire and rescue, schools, and water and sewer facilities and determined that adequacy has been met for all of these.

- (3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;**

The application included an approved stormwater management (SWM) concept plan and the subject SDP is in conformance with it. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

- (4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and**

TCPII-027-2015-01 was reviewed with this application and conditional approval is recommended.

- (5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The SDP is exempt from this requirement, as it has a valid PPS that was approved prior to September 1, 2010.

- 9. Comprehensive Design Plan CDP-0506:** CDP-0506 was approved by the Planning Board on January 4, 2007 (PGCPB Resolution No. 06-274). The District Council affirmed the Planning Board's approval on April 9, 2007. The following conditions of approval are relevant to this SDP:

- 12. At time of Specific Design Plan submission, each SDP shall include a statement regarding how the proposal uses green building techniques and alternative energy sources.**

The applicant's SOJ indicates that the proposed homes in this application will meet strict energy efficiency guidelines set forth by the United States Environmental Protection Agency and are reviewed by third-party professionals. Methods and materials, such as engineered wood, environmental site design in the handling to the maximum extent practicable for SWM, and significant preservation of existing woodlands and sensitive environmental features throughout a considerable portion

of the site, are cited to address this condition. This condition will be evaluated further with future applications for architecture.

13. **The following note shall be placed on the preliminary plan and all future Tree Conservation Plans: "All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."**

Note 24 on the cover sheet of the TCPII, submitted with the current application, addresses this condition.

22. **At least 30 days prior to any Planning Board hearing on the first SDP application, a detailed Habitat Protection and Management Program shall be submitted to be approved with the first SDP which addresses specific implementation methodologies for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. Prior to issuance of the first grading permit, a minimum of one year of hydrologic monitoring data, as determined by the program, shall be submitted, to establish a baseline for evaluation impacts to the RTE habitat resulting for construction activities, and post development.**

This condition was addressed with review of the first SDP, which was SDP-1603 for Willowbrook, Phase 1. A revised detailed habitat protection and management plan dated November 11, 2016 was submitted as part of this SDP application package.

23. **As part of the submission package for the first SDP, a plan and text shall be submitted that addresses a sediment and erosion control protocol that is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms such as sediment basins stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section staff in coordination with the staff of the Soil Conservation District.**

Since the time of approval of the CDP, more stringent sediment and erosion control regulations have been mandated by law. The applicant's proposal has been designed to comply to the aforementioned requirements. PPS 4-06075 was designed, in accordance with the highest water quality and environmental standards to help preserve and protect the water quality of all on-site and adjacent streams, tributaries, and regulated environmental areas. The property is also the subject of a SWM Concept Plan (42211-2014-01), Concept Grading, Erosion and Sediment Control Plan (CSC 31-18), stream restoration analysis (McCarthy and Associates, December 2006), and Habitat Protection and Management Program, WSSI (November 11, 2016). In addition to these programs, the sediment control plan incorporates redundant and innovative sediment control and SWM practices into the site design that offer water quality and rare, threatened, and endangered species protection, in addition to monitoring.

- 28. At the time of Specific Design Plan, the SDP and TCP II shall have the same sheet sections, sheet key, and sheet order. The sheet key shall be placed on all sheets.**

The SDP and TCPII plans are designed in compliance with this condition.

- 31. At the time of Specific Design Plan, all planting within the scenic easement shall be native plant material.**

The plan shows that all proposed plant species within the scenic easement will be native.

- 33. The applicant shall dedicate 48± acres of parkland to M-NCPPC, including the Collington Branch and Black Branch Stream Valleys, and 8.5 acres of developable land for active recreation as shown on DPR Exhibit "A."**

Prince George's County Department of Parks and Recreation (DPR) staff reviewed this application and determined that the proposal is in conformance with the previous basic plan, and the CDP approvals and conditions, as related to DPR-related issues, including mandatory dedication of parkland. More specifically, the realigned Leeland Road still provides the opportunity for the dedication of 10± acres of developable parkland on the northern end of the overall Locust Hill subdivision. This SDP, for Phase I only, shows a dedication area of approximately 30 acres to the Maryland-National Capital Park and Planning Commission. Future SDPs for subsequent phases will be required to dedicate the remaining area required by this condition.

- 36. The applicant shall construct an eight-foot-wide master plan hiker/biker trail along Collington Branch Stream Valley, and six-foot wide feeder trails to the development pods. The applicant shall connect the section of the master planned trail in Locust Hill to the trails in the Beech Tree and Woodside Village developments. The applicant shall construct any needed structure to provide a dry passage.**

- 37. The applicant shall construct an eight-foot-wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley, and six-foot-wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to provide a dry passage.**

The planned 8-foot-wide hiker/biker trails along the Collington Branch Stream Valley and the Black Branch Stream Valley, as well as the side path along Church Road, will be included in subsequent phases of the Locust Hill development.

- 38. Prior to submission of the Specific Design Plan (SDP), the applicant shall develop detailed construction drawings for park facilities and submit them to DPR for their review and approval, prior to submission of the SDP.**

This condition will be applicable, prior to the submission of an SDP for development.

10. Preliminary Plan of Subdivision 4-06075: PPS 4-06075 was approved by the Planning Board on March 15, 2007 (PGCPB Resolution No. 07-28), with 28 conditions. It was subsequently corrected and amended to include a total of 29 conditions (PGCPB Resolution No. 07-28(C)(A)). The following conditions apply to this SDP:

9. Prior to signature approval of the preliminary plan, and prior to acceptance of the specific design plan, a copy of the revised and approved stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques. The approved concept shall be reflected on the SDP and TCPH.

The approved SWM concept plan number is provided on the SDP and TCPH.

17. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 151.56± acres of open space land...

The SDP shows a dedication of approximately 138 acres to the homeowners association for open space in Phase I only. This condition for the conveyance of the full 151.56 acres must be completed, prior to issuance of building permits.

23. Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of the first specific design plan.

The applicant submitted detailed construction drawings for park facilities to DPR, which were initially reviewed in May 2017. Revised detailed construction drawings were resubmitted to DPR on September 21, 2017. The applicant further met with DPR on November 14, 2019 to discuss an updated park concept plan. Further information concerning the specific recreational facilities that will be provided on public parkland will be submitted with future SDPs that include proposed structures and architectural details.

27. With the submission of the specific design plan, the applicant shall submit detailed construction drawings for trail construction to DPR for review and approval. The trail corridor shall be treated as follows:

- a. When trails are constructed through wooded areas, all trees shall be removed that are within two feet of the edge of the trail. Within 20 feet of the trail, 1) All trees shall be cleared to 12 feet in height; and 2) Other vegetation obstructing the view from the trail shall be removed (shrubs, fallen trees).**
- b. When possible, the trail shall be aligned to preserve trees 12 inch or greater caliper.**
- c. Shallow rooted species, i.e. Maples, should be a minimum of 10 feet from the edge of pavement.**

d. The location of the trail shall be staked in the field and approved by DPR prior to construction.

The trails systems have been designed to minimize impacts on environmental buffers, stream valley corridors, water quality, and identified rare, threatened, and endangered species to the maximum extent feasible. The sidewalk system will also be an integral part of the pedestrian network. Connections between neighborhoods will be a priority during future phases of Locust Hill, in addition to the connections to the master plan trails.

- 11. 2010 Prince George's County Landscape Manual:** Per Section 27-528(a)(1), an SDP must conform to the applicable standards of the Landscape Manual. The landscape and lighting plan provided with the subject SDP contains the required schedules demonstrating conformance to these requirements. However, the landscaping on the residential lots and within proposed recreational areas should be removed from the plan. It is not appropriate to propose or plant these trees before an SDP that includes buildings, driveways, parking, and all improvements is provided to determine acceptability. Therefore, a condition is included herein requiring these trees to be removed, as well as the related landscape schedules for Sections 4.1, 4.3, and 4.6 (for Lots 1 and 2). In addition, the plan does not clearly indicate where the Section 4.7 Bufferyard 1 is located. As conditioned herein, the plan should be revised to clearly indicate the locations of all Section 4.7 bufferyards, if applicable.
- 12. Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This application is not subject to the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has a TCPI approved prior to September 1, 2010. This site is subject to the provisions of the 1993 Woodland Conservation and Tree Preservation Ordinance, as established with the initial approval of TCPI-024-06 and carried forward with subsequent entitlements.

TCPII-027-2015 was originally approved on February 9, 2016, for the limited purpose of placing a real estate sales trailer on Parcel A, located in the northeast corner of the intersection of Oak Grove Road and Church Road. A revised TCPII (TCPII-027-2015-01) was accepted for review with the current application for Phase 1 of Locust Hill, and the required Leeland Road realignment improvements.

The R-L Zone has a woodland conservation threshold of 25 percent, or 109.15 acres, based on a net tract area of 436.60 acres, which is correctly reflected in the TCPII worksheet. The amount of on-site woodland conservation meets Condition 6 of Basic Plan A-9975-01-C, which requires the woodland conservation threshold to be met on-site.

The 505.81-acre site contains 349.89 acres of existing woodland on the net tract and 66.56 acres of woodland within the 100-year floodplain. Proposed clearing consists of 188.70 acres on the net tract, 2.76 acres of clearing in the on-site floodplain, and 2.38 acres of clearing off-site. The worksheet does not include a calculation line for clearing of the PMA, which requires replacement at a ratio of 1:1, so the worksheet has not correctly calculated the woodland conservation requirement, which will be greater than the 161.47 acres indicated.

The woodland conservation worksheet indicates that the woodland conservation requirement will be fulfilled with 223.44 acres of preservation and 22.83 acres of on-site afforestation/reforestation. Based on the amount of clearing proposed on the net tract, the amount of woodland preserved cannot be larger than 161.19 acres. The total woodland conservation provided on-site in preservation and afforestation does not exceed 184.03 acres.

The TCPII plan requires numerous technical revisions to be in conformance with the requirements of the Environmental Technical Manual, which are conditioned herein.

13. **Prince George's Country Tree Canopy Coverage Ordinance:** The SDP is subject to the requirements of the Tree Canopy Coverage Ordinance. Section 25-128 of the County Code requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance. In the R-L Zone, the coverage requirement is 20 percent, which for this application equates to 101.16 acres. The subject SDP provides the required schedule, but indicates that the requirement is 50.58 acres, instead of the 101.16 acres, which is 20 percent. A condition has been included in the Recommendation section of this report to revise the schedule accordingly.
14. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
 - a. **Historic Preservation**—In a memorandum dated March 20, 2020 (Stabler to Burke), incorporated herein by reference, the Historic Preservation Section provided an evaluation of the property's history, previous conditions of approval, as well as the Phase I archeological investigations, and additional archeological investigations, which revealed a burial ground in the southern portion of the property. In addition, they indicated that the submitted viewshed exhibit demonstrates that sufficient vegetative buffer is provided between the subject property and the St. Barnabas Church, Leeland and Cemetery Historic Site (79-059). Historic Preservation staff recommends approval of SDP-1705, with conditions that have been included herein as appropriate. Future SDPs that include architecture shall be referred to the Historic Preservation Commission for its review and approval.
 - b. **Community Planning**—In a memorandum dated February 21, 2020 (White to Burke), incorporated herein by reference, the Community Planning Division indicated that pursuant to Part 8, Division 4, Subdivision 2, of the Zoning Ordinance, master plan conformance is not required for this SDP.
 - c. **Transportation Planning**—In a memorandum dated March 9, 2020 (Burton to Burke), incorporated herein by reference, the Transportation Planning Section indicated the proposed road network represents a reasonable alternative to the network on which the approved PPS was based. The property straddles Oak Grove Road and Leeland Road, which are recommended to be upgraded to a major collector road (MC-600) on the master plan. While the alignment, as proposed, represents a minor change from the master plan, its functionality is not affected by the new alignment. MC-600 is shown as a 100-foot right-of-way, which is consistent with the master plan recommendation. The Transportation Planning Section concludes that the SDP application is deemed acceptable from the standpoint of transportation.

- d. Trails**—In a memorandum dated March 10, 2020 (Smith to Burke), incorporated herein by reference, the trails planner provided discussion of conformance to previous conditions of approval, which is included in findings above, as well as the following discussion:

The subject application proposes 5-foot-wide sidewalks along both sides of all the internal roadways and 6-foot-wide feeder trails throughout the subject site. Subsequent phases of development will include an additional trail network that will connect to Phase 1 via crosswalk treatments across the proposed Leeland Road, at the site entrances. In the Recommendation section of this report, staff recommends detailed exhibits of the crossing treatments, across Leeland Road, be provided at this time to ensure the sufficiency of these critical connections.

- e. Permit Review**—In a memorandum dated March 3, 2020 (Chaney to Burke), incorporated herein by reference, the Permit Review Section offered comments that will be addressed through future SDPs.
- f. Environmental Planning**—In a memorandum dated March 23, 2020 (Finch to Burke), incorporated herein by reference, the Environmental Planning Section provided an analysis of previous conditions of approval, a discussion of woodland conservation requirements, as well as the following summarized comments:

Natural Resources Inventory/Existing Conditions

NRI-047-06-03, for the subject property, was revised and approved on February 26, 2018. The regulated environmental features as shown on the revised NRI have been correctly shown on the current SDP and TCPII.

Removal of Specimen Trees

As previously stated, the property is largely forested. A revised NRI (NRI-047-06-03) was approved on February 26, 2018 and identifies 422.72 acres of woodland and 335 specimen trees on or adjacent to the property. The site is grandfathered from the requirement to obtain a variance for the removal of specimen, champion, or historic trees on-site by the approval of TCPI-024-06 on March 22, 2009, which precedes the effective date of September 1, 2010 for the most current Woodland and Wildlife Habitat Conservation Ordinance. Ninety-nine specimen trees were approved to be removed by the TCPI.

With the current application, a variance request was submitted for the removal of 24 additional specimen trees, previously indicated to be saved, and the retention of 14 of the specimen trees previously approved for removal, resulting in a net loss of 10 additional specimen trees on the site. The applicant has since withdrawn the Subtitle 25 variance request. The applicant argues that there are special conditions on this site, which limit the area available for development, with 30 percent of the site within the PMA, and the presence of Marlboro clay and steep slopes, which create the need for additional grading to mitigate slope failure. The presence of over 300 specimen trees scattered throughout the property makes the removal of some specimen trees necessary for any development on the site. The requirement to construct Leeland Road, a master-planned roadway, and a master-planned trail

along Collington Branch have also expanded the grading envelope and resulted in the need to remove additional specimen trees.

Staff agrees with the applicant that the site presents special hardship due to the amount of specimen trees present and the regulated environmental features on the site, commends the retention of fourteen additional specimen trees, if possible, and supports the removal of 10 additional specimen trees with the development of Phase 1, as consistent with the previously approved and modified environmental impacts recommended for approval.

Environmental Impacts and Preservation of PMA

When a property is located within the Patuxent River watershed, certain designated features comprise the Patuxent River PMA Preservation Area. This application is grandfathered from the provisions outlined in Section 24-130(b)(5) of the Subdivision Regulations, which requires that the Planning Board find that PMA is preserved in its natural state to the fullest extent possible. However, numerous conditions of the CDP and PPS apply to the protection of PMA for this case. All disturbances not essential to the development of the site are prohibited within the PMA. Essential development includes such features as public utility lines, including sewer and stormwater outfalls, road crossings, and so forth, which are mandated for public health and safety; non-essential activities are those, such as grading for lots, SWM ponds, parking areas, and so forth, which do not relate directly to public health, safety, or welfare. Because this site contains fish and plant species designated as threatened and/or endangered, it is very important that impacts be limited to only those areas necessary for development.

With the previously approved PPS 4-06075, all the proposed impacts, as shown on the TCPI, were for the construction of road crossings, public utilities (water and sewer), and stormwater outfalls, which were deemed essential for development. The plans also showed impacts for pedestrian trails, which are in accordance with the master plan. A letter of justification, with exhibits for 16 impacts totaling 260,786 square feet (5.98 acres), was submitted. The proposed impacts, as requested, were determined to be necessary and essential for development of the site, and all the requested impacts were approved with the PPS.

With the current SDP application, a statement of justification (SOJ) for the “modification of previously approved PMA impacts” dated February 25, 2020, was submitted on March 13, 2020. The SOJ requests approval of 20 impacts to the PMA. Justification and specific reasons for each impact is provided below. The total on-site PMA impacts proposed with Phase 1 of the Locust Hill site is 97,240.58 square feet (2.23 acres). Future PMA impacts located outside of Phase 1 will require review with the development of future phases, and modifications to impacts if necessary, will be provided with the associated development process for that phase.

There are also PMA impacts necessitated by the realignment of the Leeland Road centerline and road improvement, from the centerline of the Collington Branch to the centerline of the CSX Railroad, totaling 201,086.04 square feet (4.62 acres).

A total of 298,326.72 square feet (6.85 acres) of PMA impacts are proposed, which includes impacts on the Locust Hill site and for Leeland Road/Locust Hill frontage improvements. A portion of the PMA impacts, 72,484.08 square feet (1.67 acres), was previously justified under the approved Willowbrook development (SDP-1603). After taking this into account, the PMA impacts proposed with Phase 1 development (which includes Leeland Road) is 225,478.64 square feet (5.18 acres). It is anticipated that PMA impacts located outside of Phase 1, and modification to previously approved impacts, if necessary, will be provided with the SDP for future phases.

Evaluation of Proposed PMA Impacts

Impacts 5, 8, 9, 13, 14, 15, and 16 are solely for the connection of sanitary sewer lines to existing sewer lines within the PMA. These impacts are necessary for the health and safety of the proposed development. The total area of the requested impacts is 34,055.46 square feet (0.78 acre), and these impacts have been minimized to the fullest extent possible.

Impacts 2, 4, 6, 12, 17, 18, and 19 are for impacts related to stormwater outfalls that are necessary to safely convey stormwater to the stream system. The total area of requested impacts is 10,537.35 square feet (0.24 acre), and these impacts have been minimized to the fullest extent possible.

Impacts 1, 3, 9, 10, and 10B are for impacts related to disturbance for connections to, and necessary improvements to, Leeland Road. These disturbances will allow for the realignment of the existing road at the western end of the property, development of a pedestrian/bike trail, and the installation of turn lanes at both ends to provide access to the subject property, based on master plan requirements. Due to the location of the existing and expanded right-of-way and the necessary safety improvements to the road, these impacts have been found to be minimized to the fullest extent possible.

Staff finds that the modified PMA impacts shown on the SDP are in general conformance with the impacts approved with the PPS and are generally the same size and for the same purposes as the previous approval. These impacts are necessary for construction of the proposed development and have been minimized to the fullest extent possible. Staff supports all the requested impacts.

Rare, Threatened and Endangered Species/Habitat Protection and Management Program

During the review of the CDP, the Environmental Planning Section conducted an extensive review of the site regarding rare, threatened, and endangered species. In a letter dated September 6, 2006, the Department of Natural Resources Natural Heritage Program noted that rare, threatened, and endangered species are known to occur on the subject property. The letter specifically addressed three fish species identified as the state-listed endangered Stripeback darter (*Percina notogramma*), the state-listed threatened American brook lamprey (*Lampetra appendix*), and the state-listed threatened Glassy darter (*Etheostoma vitreum*). Also identified on the site was one rare, threatened, and endangered species plant, Coville's phacelia (*Phacelia covillei*), which is listed as endangered by the State of Maryland and is globally rare. These, along with several other rare, threatened, and endangered

species plant, have been identified in Collington Branch of the Western Branch watershed in the Patuxent River basin, which runs north-south along the eastern portion of the subject site. It should be noted that the distribution of the Stripeback darter in Maryland is limited to the Western Branch, which is ranked 8th out of 84 watersheds in Maryland with respect to aquatic biological diversity and priority for conservation. Preservation and protection of the biological integrity of Western Branch is critical to the continued sustainability of this diverse and sensitive community of fish and plant species.

CDP conditions of approval regarding preservation and protection of the on-site habitat include the expansion of the PMA for all streams and wetlands, additional SWM techniques, enhanced sediment and erosion control mechanisms, and a development of a Habitat Protection and Management Program.

A note regarding the long-term protection and assessment of the rare, threatened, and endangered species habitat on this site is included in the Recommendation section of this report.

Marlboro Clay

This property is in an area with extensive amounts of Marlboro clay that is known as an unstable, problematic geologic formation when associated with steep and severe slopes. The presence of this formation raises concerns about slope stability and the potential for the placement of structures on unsafe land. Based on information available, it was projected that the top elevation of the Marlboro clay varies from an elevation of approximately 110 feet to approximately 120 feet on this site.

The original CDP included a Report of Preliminary Geotechnical Exploration prepared by Geotechnology Associates, Inc., dated September 2005. The initial geotechnical study was determined inadequate, because it was based on an insufficient number of borings and failed to address the requirements contained in “Criteria for Soil Investigations and Reports on the Presence and Effect of Marlboro Clay upon Proposed Developments.” The extent of impacts on the proposed design could not be determined without a Detailed Geotechnical Report, establishment of a 1.5 safety factor line based on existing conditions, identification of problem areas, and the establishment of a 1.5 safety factor line based on conceptual grading.

Due to site layout changes proposed with the subject application, the submittal of updated information and studies related to Marlboro clay on-site was required by DPIE. A Report of Geotechnical Exploration for Locust Hill, dated November 28, 2018, prepared by Geo-Technical Associated, is under review by DPIE. Conformance to the County’s guidelines for over consolidated clay must be reviewed and approved by DPIE, prior to certification of the SDP and TCPII.

- g. Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 5, 2020 (Giles to Burke), incorporated herein by reference, DPIE commented on right-of-way design and configuration, sidewalk requirements, storm drainage, and soils, particularly related to the presence of Marlboro clay on-site.

- h. Special Projects Section:** In a memorandum dated March 11, 2020 (Thompson to Burke), incorporated herein by reference, the Special Projects Section offered an analysis of the required adequacy findings relative to police facilities, fire and rescue, schools, and water and sewer.
- i. Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated March 10, 2020, incorporated herein by reference, DPR evaluated conformance with previous conditions of approval regarding the mandatory dedication of parkland and recreational facilities and recommends approval of the SDP with no conditions.
- j. Prince George’s County Health Department**—In a memorandum dated February 13, 2020 (Adepoju to Burke), incorporated herein by reference, the Health Department indicated that the applicant should abide by applicable regulations so that adjacent properties are not adversely impacted with noise or dust during the construction phases of this project.
- k. Prince George’s County Police Department**—In a memorandum dated February 19, 2020 (Contic to Burke), incorporated herein by reference, the Police Department offered no comments for this proposal.
- l. Prince George’s County Fire/EMS Department**—At the time of the writing of this staff report, comments had not been received from the Fire/EMS Department.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Specific Design Plan SDP-1705 and Type II Tree Conservation Plan TCPII-07-2015-01 for Locust Hill – Phase I, subject to the following conditions:

- 1. Prior to certification of this specific design plan (SDP) the applicant shall:
 - a. Provide a detailed exhibit of the pedestrian crossing treatments on Leeland Road, connecting the north and south portions of the development.
 - b. Remove the parking schedule from the plan, as no buildings are proposed at this time.
 - c. Revise the cross section of Leeland Road, as agreed upon with the Prince George’s County Department of Public Works and Transportation and the Prince George’s County Department of Permitting, Inspections and Enforcement.
 - d. Provide photometric plans indicating adequate lighting for all private roads.
 - e. Revise Note 15 on the landscape plan and Note 11 on the specific design plan to read: “The subject property is adjacent to St. Barnabas Episcopal Church and Cemetery, Leeland, Historic Site 79-059.”

A separate note shall be provided that states: "Archeological site 18PR1124, the Oak Grove Burial Ground, is located on the subject property."

- f. Revise the landscape plan, as follows:
 - (1) Remove the landscaping on residential lots and within the recreational parcels, as well as any parking lot areas.
 - (2) Remove the landscape schedules for Sections 4.1, 4.3, and 4.6 (for Lots 1 and 2).
 - (3) Revise the plan to clearly indicate the locations of all Section 4.7 bufferyards and provide schedules, as applicable.
 - (4) Revise the Tree Canopy Coverage Schedule to indicate that the requirement is 101.16 acres, or 20 percent, of tree canopy on-site.
 - (5) Revise the plans to include the hatch legend on every sheet and remove the TCPII legend.

- g. Demonstrate conformance to the County's guidelines for over consolidated clay, as determined by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), for the layout shown on the SDP and Type II tree conservation plan. Any resulting mitigated 1.5 safety factor line shall be shown on the plan. Any resulting building restriction lines shall also be shown, as determined by DPIE.

- h. Add the following note to the SDP and Type II tree conservation plan.

"Development of this site is subject to a Habitat Protection and Management Program for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. The plan was prepared by McCarthy and Associates, Inc. (March 30, 2007) and revised by Wetland Studies and Solutions, Inc. (WSSI) dated November 11, 2016, to include both the Locust Hill and Willowbrook development. Prior to the issuance of the first grading permit, a minimum of one year of hydrologic monitoring data shall be submitted to establish a baseline for evaluation impacts to the RTE habitat resulting from construction activities and post-development."

- i. Revise the Type II tree conservation plan (TCPII), as follows:
 - (1) The TCPII shall identify each clearing area by type on the plan: Net Tract Clearing, primary management area (PMA) Clearing (Master Plan Road), PMA Clearing (includes floodplain), and Off-Site Clearing. Each of the clearing types shall be identified using a different symbol. A chart indicating the type and size of each isolated clearing area in its respective category shall also be added to the plan. This table will be used to calculate the amount of on-site PMA impacts that are subject to 1:1 replacement.

- (2) On each sheet, the types of clearing identified in (1) above shall be included in the Sheet Summary Table. Correct the classifications used in the sheet summary table; the use of "M-NCPPC woodland preservation" and "Non-M-NCPPC" does not appear to be correctly applied. If these categories need to be identified separately, this should be indicated with a different graphic or labeling on the plan sheet.
- (3) The woodland conservation worksheet shall be revised to include calculations for the 1:1 replacement requirement for on-site primary management area in the column for clearing of on-site 100-year floodplain.
- (4) The woodland conservation worksheet shall show the correct amount of woodland preserved after clearing, and the amount of woodland conservation being provided.
- (5) The plan title shall be corrected to TCPII-027-2015, without a revision number.
- (6) The worksheet TCPII number shall be corrected to TCPII-027-2015.
- (7) The Environmental Planning Section approval block TCP number shall be corrected to TCPII-027-2015.
- (8) The current Development Review Division approval block shall be provided on all sheets.
- (9) On Sheet 1, revise Note 3 to correctly identify the Prince George's County Department of Permitting, Inspections and Enforcement as the appropriate contact for a pre-construction meeting.
- (10) Make spelling corrections to Notes 6 and 18.
- (11) Correct note numbers as needed.
- (12) Provide and label the required 40-foot-wide scenic buffer on both sides of Leeland Road, and on the east side of Church Road. Where woodland preservation or afforestation/reforestation is not proposed, provision of the scenic buffer shall be addressed on the landscape plan.
- (13) Provide a complete and consistent legend on all plan sheets identifying all graphic features used on the sheet using standard Environmental Technical Manual symbols and labeling.
- (14) Show correct Bufferyard E width with a 60-foot building restriction line and a 50-foot landscape yard, adjacent to the environmental setting of historic sites.
- (15) Revise the plan as needed to appropriately identify correct use of temporary tree protection devices and permanent tree protection devices.

- (16) Add a planting schedule for the afforestation/reforestation proposed, which does not include red maples and includes a minimum of two oak varieties.
 - (17) Add a root pruning detail to the details and describe in notes where it will be applied on-site.
 - (18) Add a disposition column to the Specimen Tree Table and identify those specimen trees which will be "Removed" in the column.
 - (19) If retaining walls are proposed on-site, provide the top and bottom elevations, locate the retaining walls no closer than 10 feet to the primary management area, and no closer than 10 feet to a woodland conservation area, to allow for access and maintenance.
 - (20) Remove Natural Regeneration Notes from Sheet C310. Afforestation/reforestation will be provided by the planting of seedlings, and not by seeding.
 - (21) Make any other revisions and technical corrections needed to be consistent with the requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Environmental Technical Manual.
 - (22) After revisions to other plans (specific design plan and landscape plan) are made, revise the TCPII as needed so that plans are consistent, in regard to limit of disturbance, grading, and other site elements.
 - (23) Correct tables and worksheets, as needed, to correctly show the woodland conservation requirement for the size, and how the woodland conservation requirement is being fulfilled.
 - (24) Revise note 19 regarding Marlboro Clay, as needed, to address geotechnical requirements as determined by the Prince George's County Department of Permitting, Inspections and Enforcement.
 - (25) Have the revised plan signed and dated by the qualified professional who prepared it.
2. Prior to issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
 3. Prior to any ground disturbance or the approval of any grading permits, the applicant shall ensure that all artifacts recovered from the archeological survey on the subject property are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, Maryland. Proof of disposition of the artifacts shall be provided to the Historic Preservation Section.

4. Prior to commencement of grading, the applicant shall install a super silt fence around the boundary of the burial ground, archeological site 18PR1124. The applicant shall provide proof of installation of the super silt fence to the Historic Preservation Section.

ITEM: 9

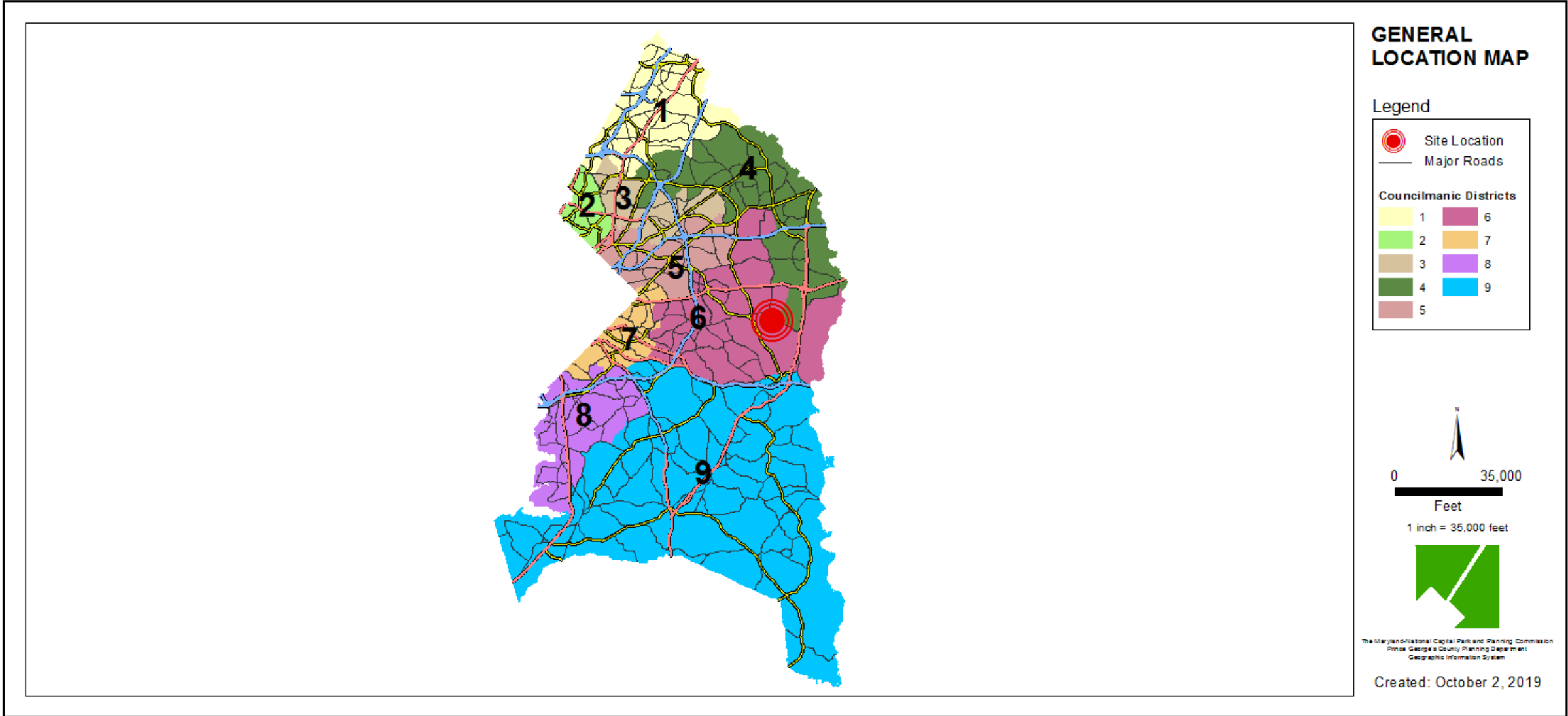
CASE: SDP-1705

LOCUST HILL PHASE I

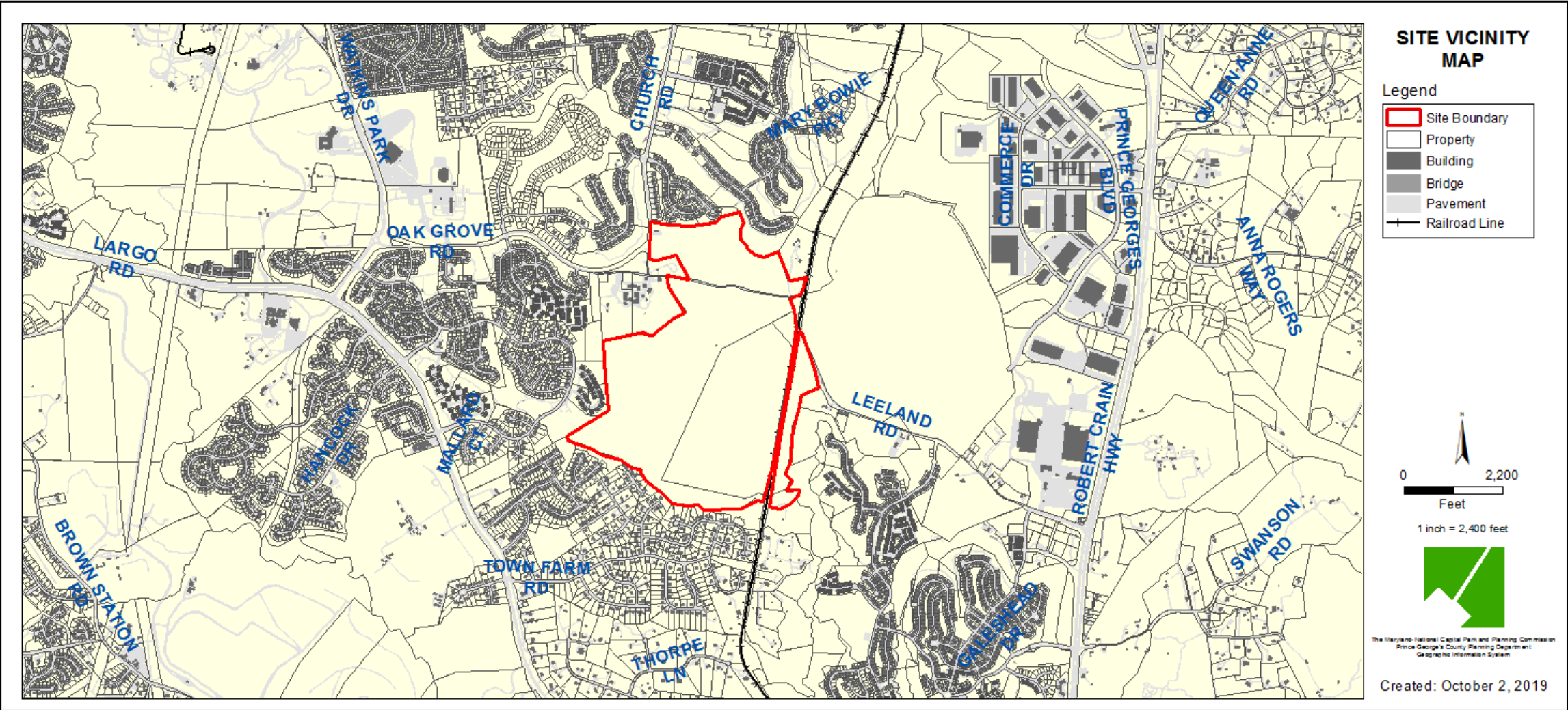
THE PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT



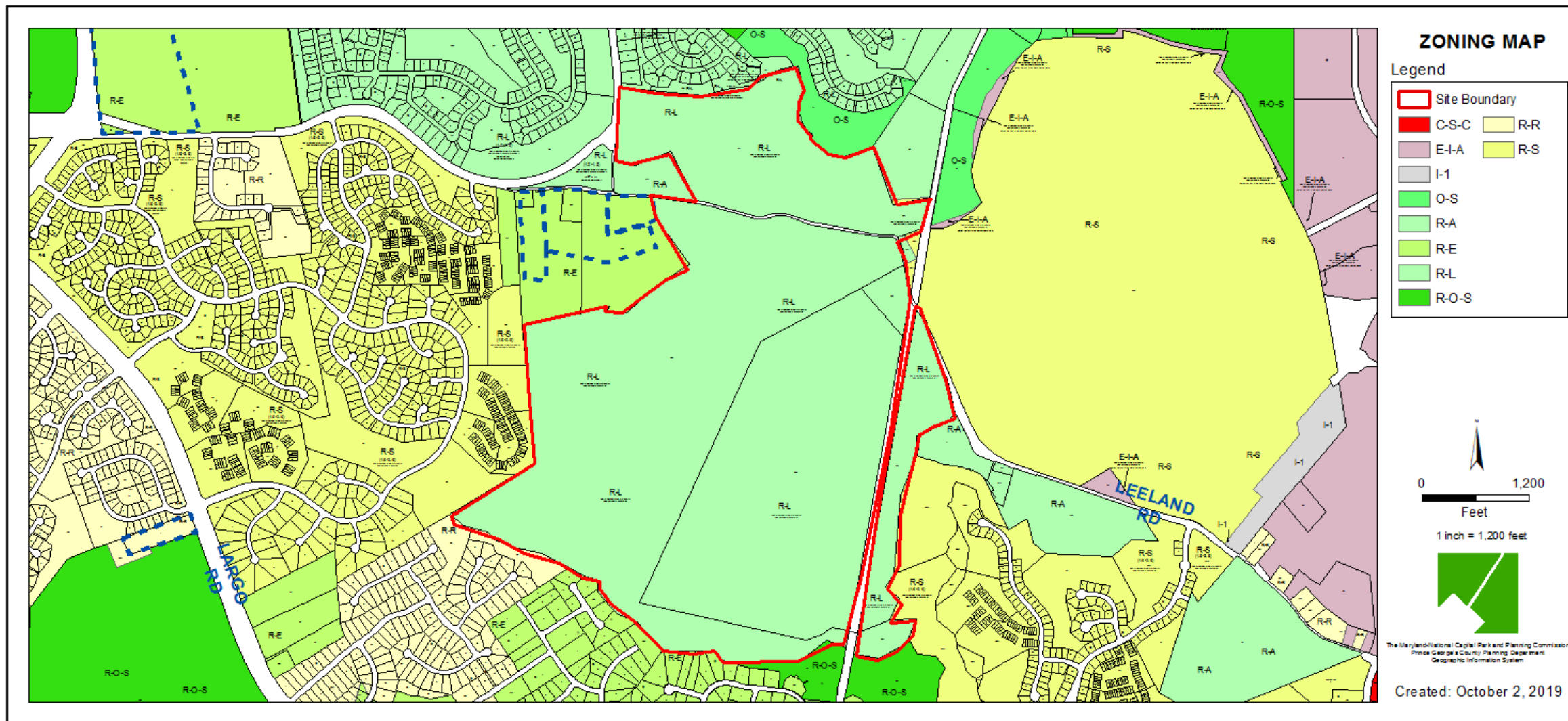
GENERAL LOCATION MAP



SITE VICINITY



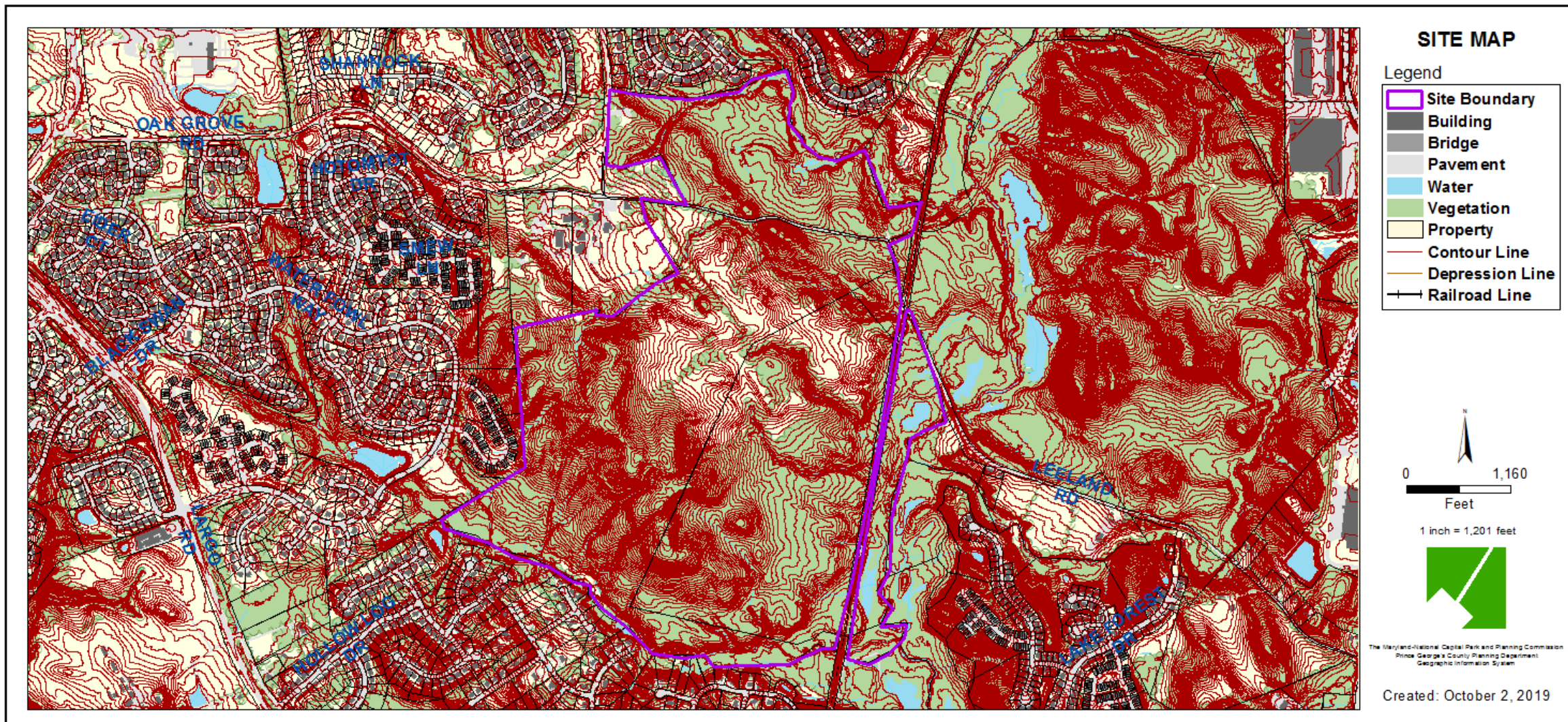
ZONING MAP



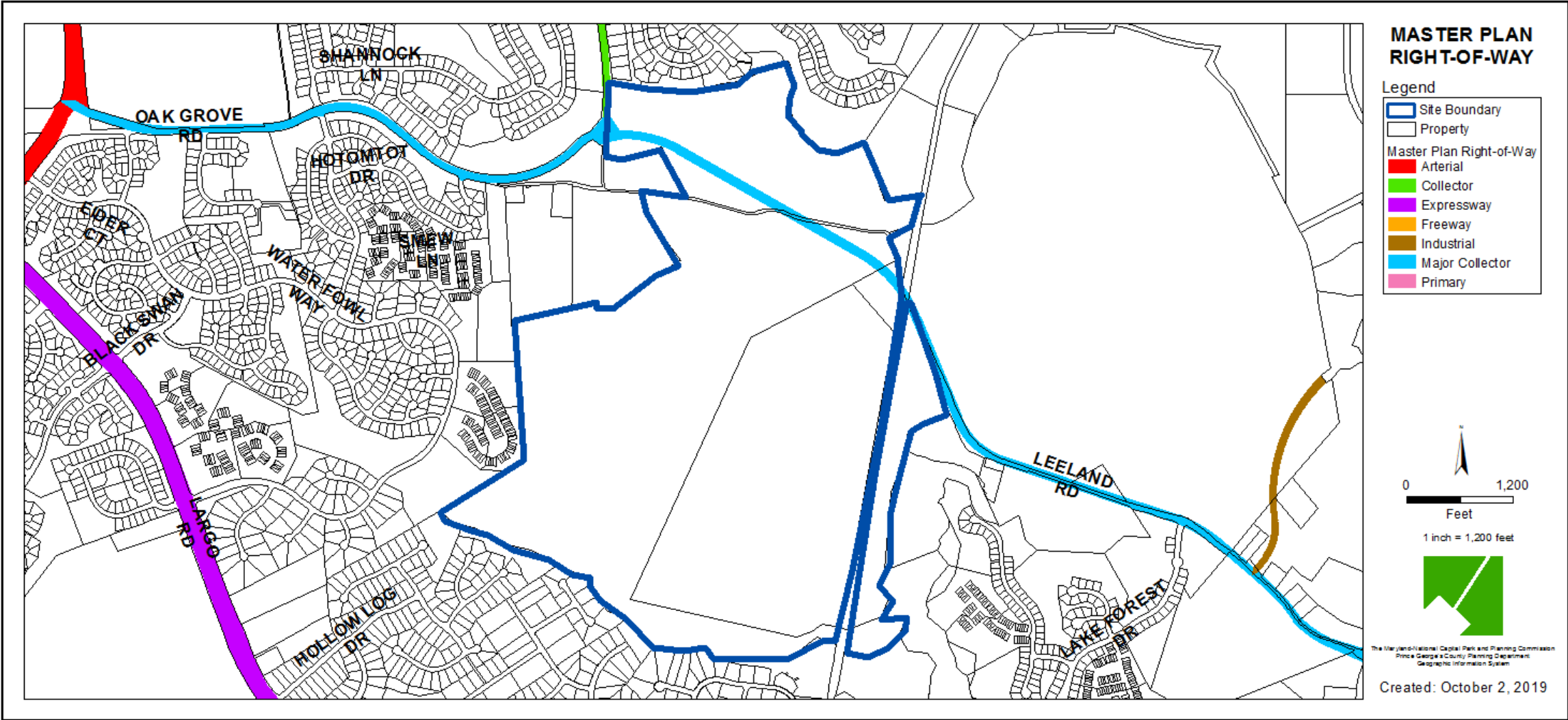
AERIAL MAP



SITE MAP



MASTER PLAN RIGHT-OF-WAY MAP



OVERALL SITE

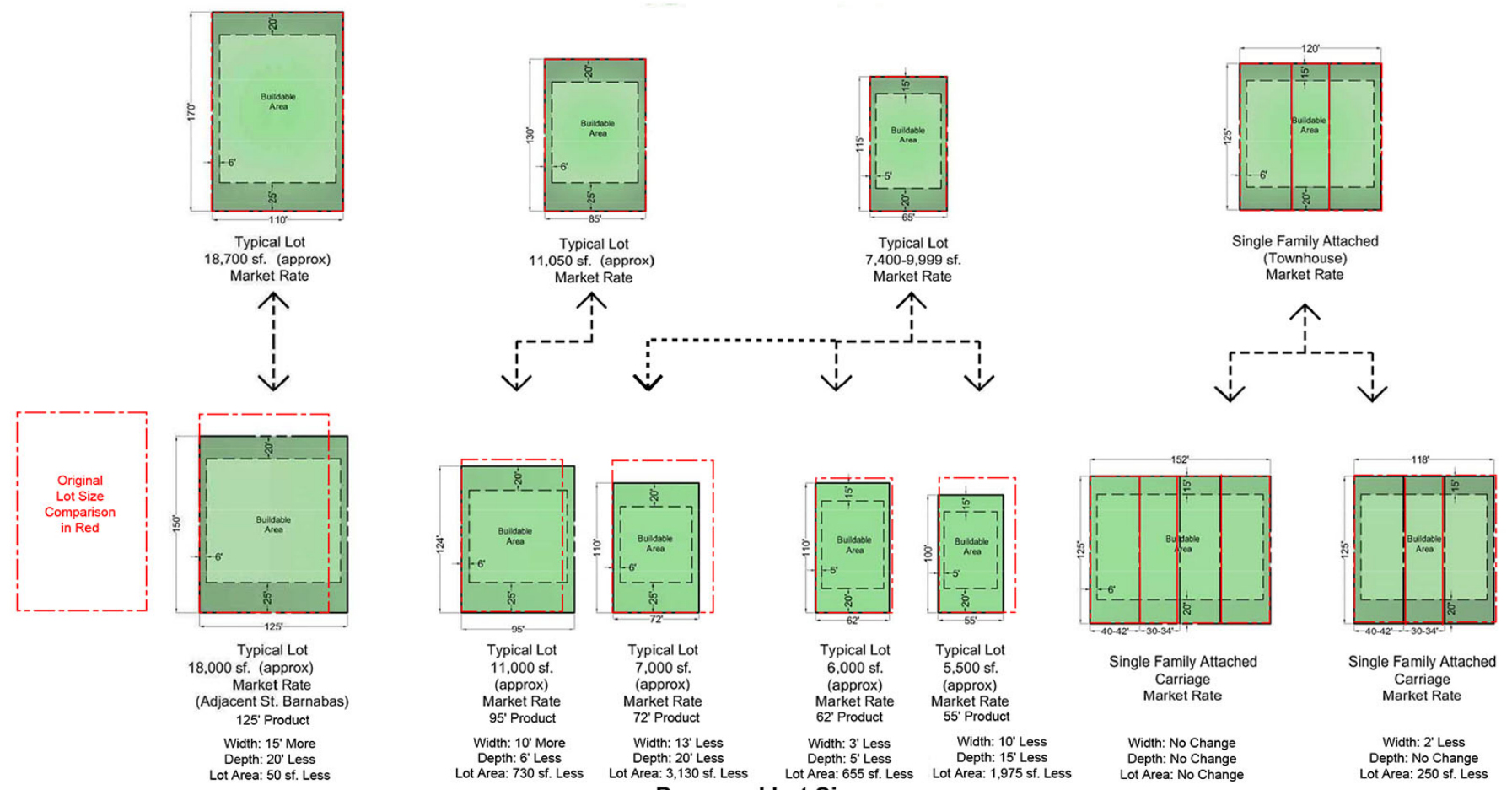


CIRCULATION EXHIBIT



LOT COMPARISON

Approved CDP/Preliminary Plan Lot Sizes

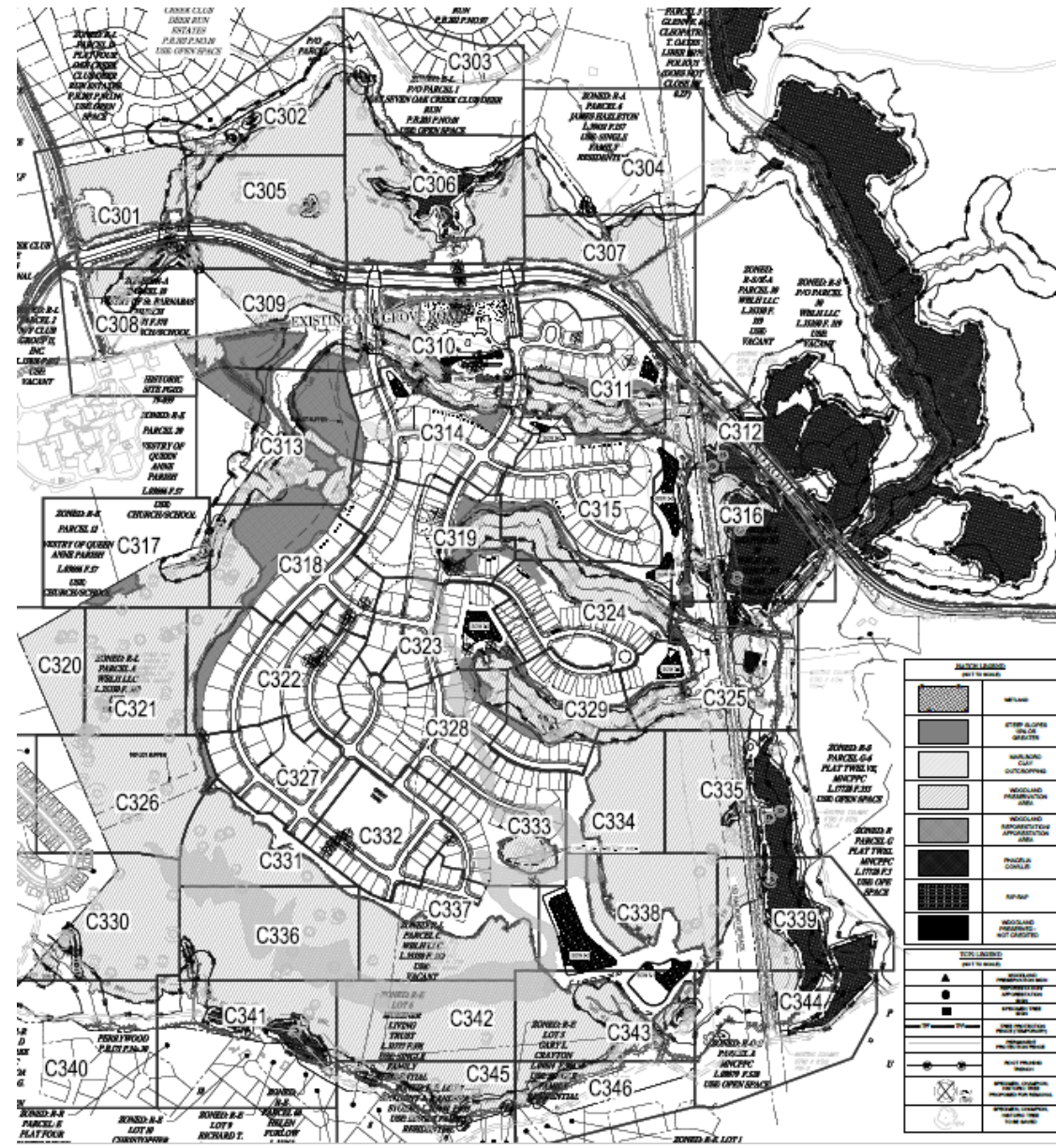


Proposed Lot Sizes
Locust Hill Lot Size Comparison
 Exhibit A

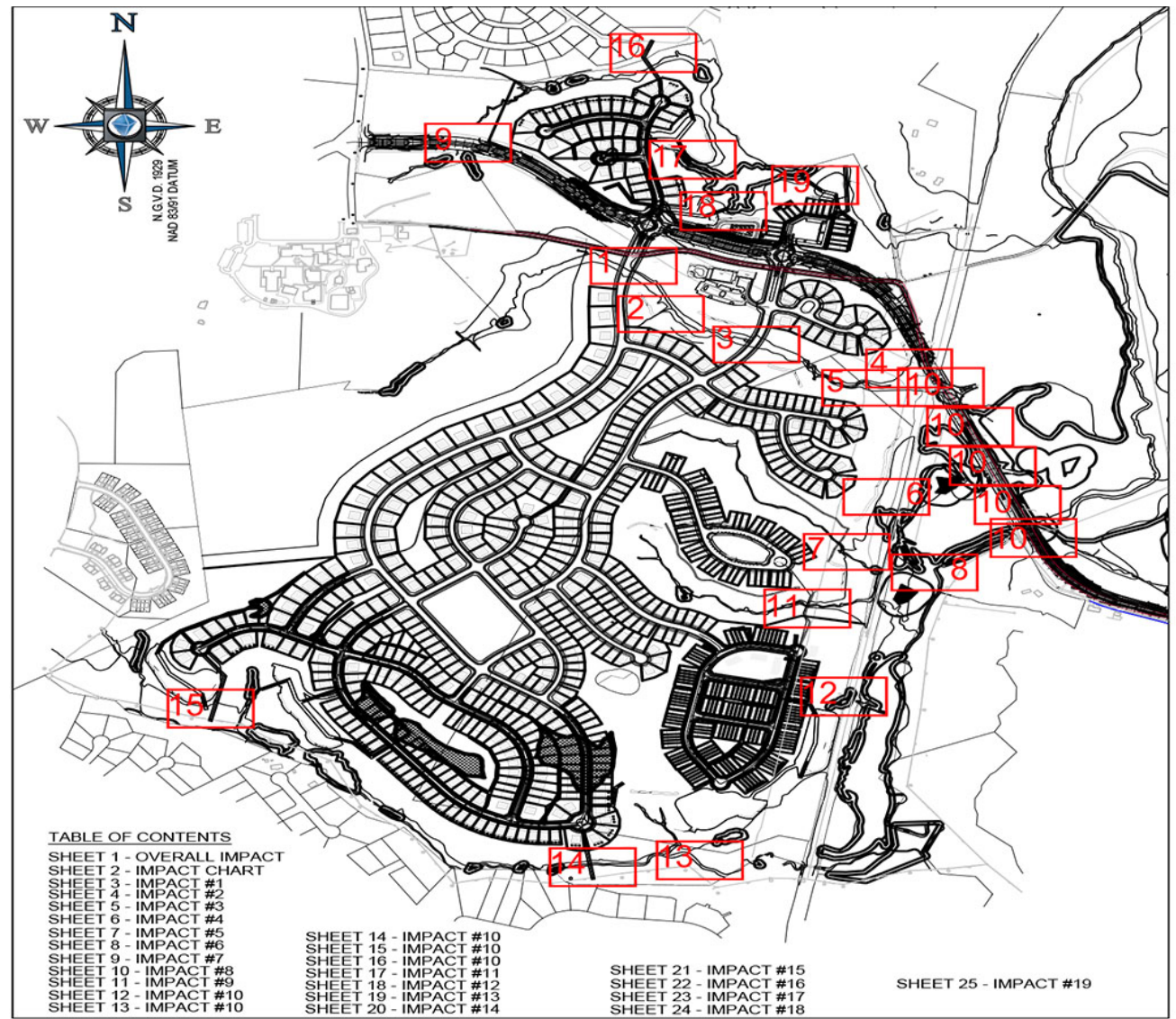
March 5, 2020 | Exhibit A



TREE CONSERVATION PLAN



ENVIRONMENTAL IMPACT



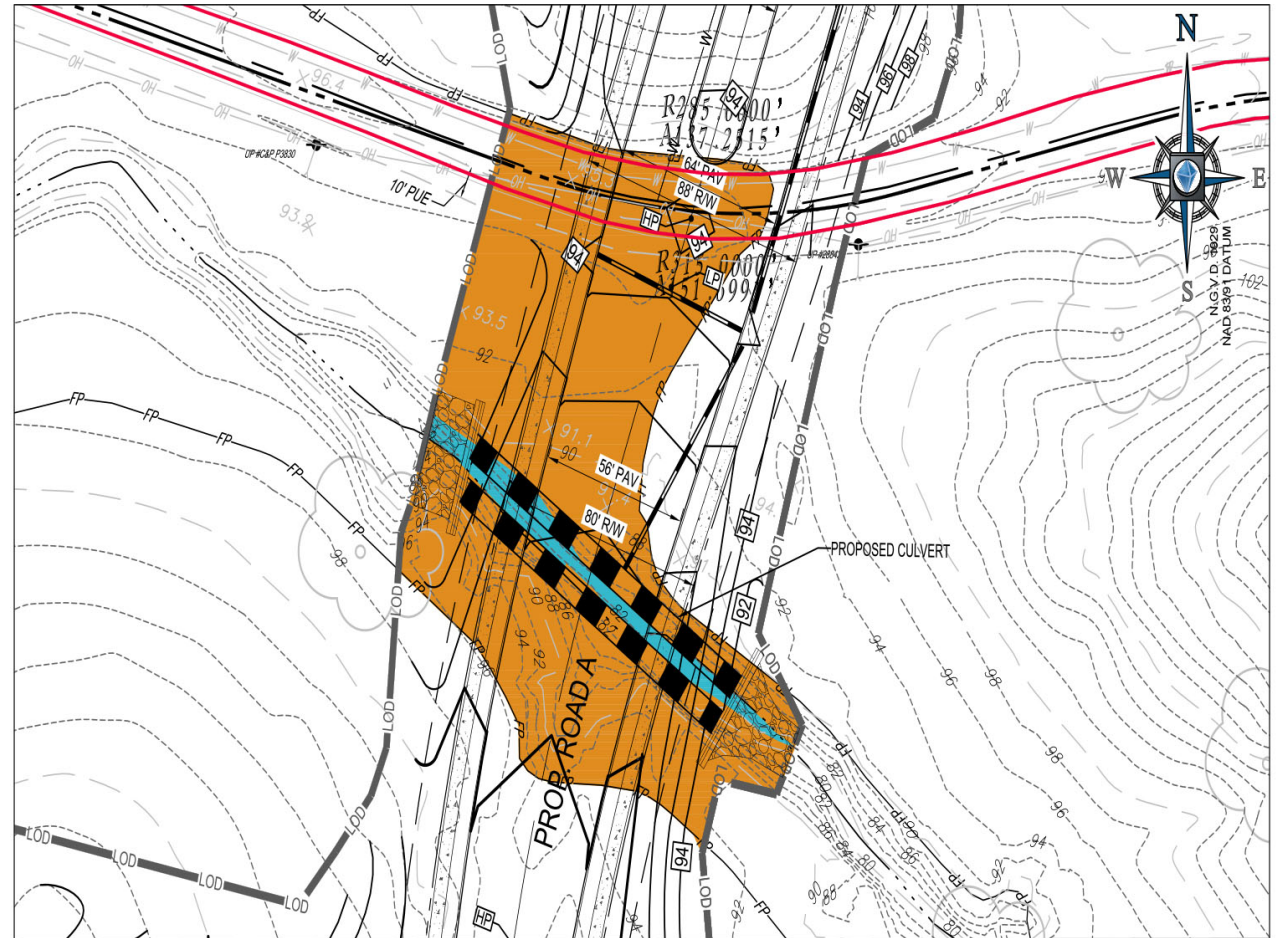
BOHLER ENGINEERING
 16701 MELFORD BLVD, SUITE 310
 BOWIE, MARYLAND 20715
 Phone: (301) 809-4500
 Fax: (301) 809-4501

DATE	TITLE
OCT 2017	ENVIRONMENTAL IMPACTS
PROJ. NO.	PROJECT
MB172043	LOCUST HILL

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ENVIRONMENTAL IMPACT



TEMPORARY IMPACTS: (TEMP) 25 FT WETLAND BUFFER IMPACT (TEMP) WETLAND IMPACT (TEMP) RTE BUFFER IMPACT (TEMP) STREAM IMPACT (TEMP) 100 YR FLOODPLAIN IMPACT			
PERMANENT IMPACTS: (PERM) 25 FT WETLAND BUFFER IMPACT (PERM) WETLAND IMPACT (PERM) RTE BUFFER IMPACT (PERM) STREAM IMPACT (PERM) 100 YR FLOODPLAIN IMPACT			
WETLAND 25 FT WETLAND BUFFER STREAM	RTE RTE AREA 100 YR FLOODPLAIN	JUSTIFICATION: PERMANENT IMPACT DUE TO THE CONSTRUCTION OF ROADWAY CONNECTION.	0 25 50 1"=50'

BOHLER ENGINEERING 16701 MELFORD BLVD, SUITE 310 BOWIE, MARYLAND 20715 Phone: (301) 809-4500 Fax: (301) 809-4501	DATE OCT 2017	EXHIBIT ENVIRONMENTAL IMPACTS	IMPACT #: IMPACT #1
	PROJECT NO. MB172043	PROJECT NAME LOCUST HILL	SCALE: 1"=50'

H:\17\MB172043\DRAWINGS\EXHIBIT\ENVIRONMENTAL IMPACT EXHIBITS - SOUTH SIDE OF LEELAND\MB172043\SSO_SHEET 3-12.DWG



ENVIRONMENTAL IMPACT



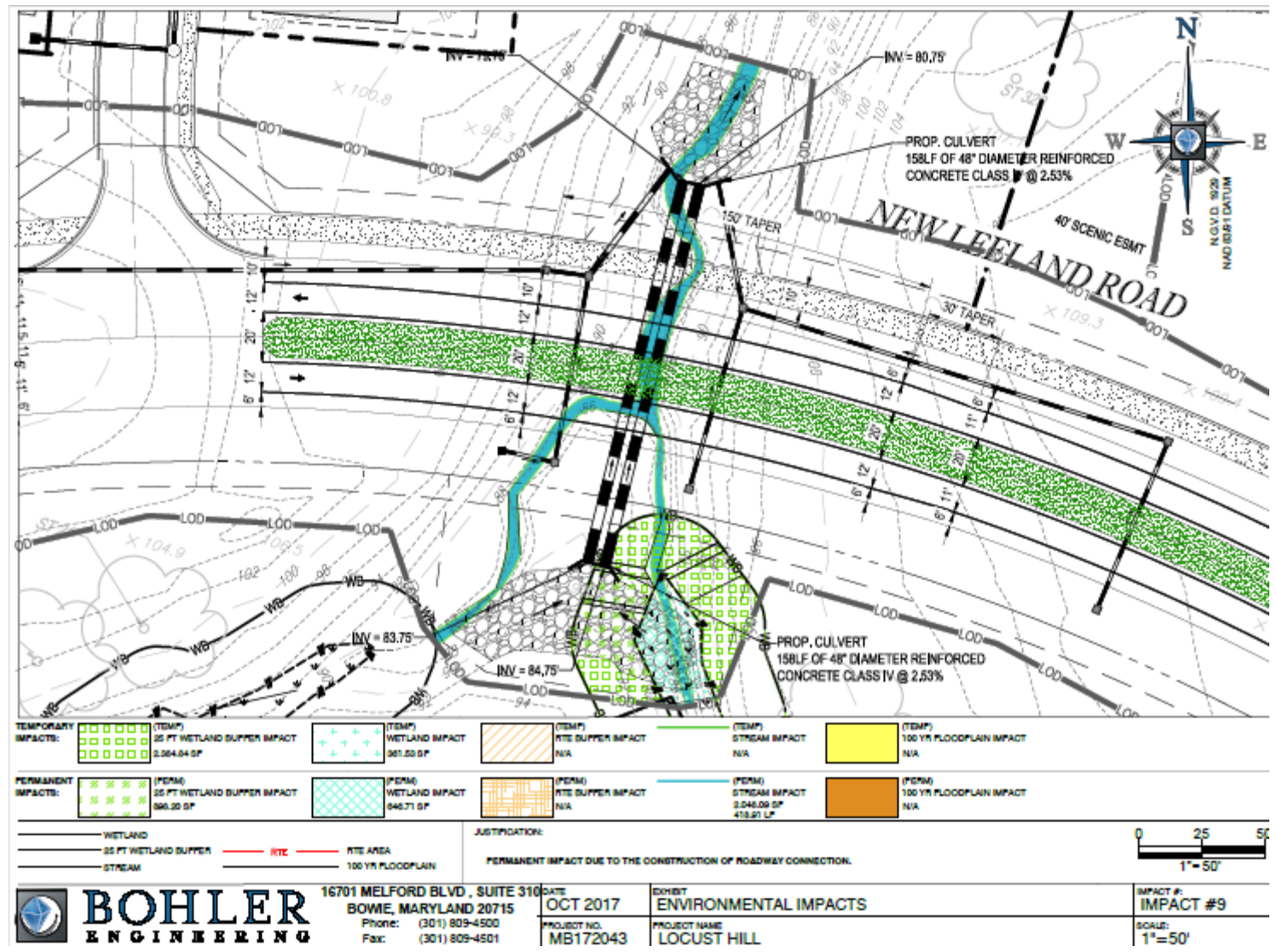
TEMPORARY IMPACTS:	(TEMP) 25 FT WETLAND BUFFER IMPACT	(TEMP) WETLAND IMPACT	(TEMP) RTE BUFFER IMPACT	(TEMP) STREAM IMPACT	(TEMP) 100 YR FLOODPLAIN IMPACT
	N/A	N/A	N/A	N/A	N/A
PERMANENT IMPACTS:	(PERM) 25 FT WETLAND BUFFER IMPACT	(PERM) WETLAND IMPACT	(PERM) RTE BUFFER IMPACT	(PERM) STREAM IMPACT	(PERM) 100 YR FLOODPLAIN IMPACT
	N/A	N/A	N/A	2,240.13 SF 249.15 LF	12,010.88 SF
JUSTIFICATION: PERMANENT IMPACT DUE TO THE CONSTRUCTION OF ROADWAY CONNECTION.					
WETLAND 25 FT WETLAND BUFFER STREAM RTE RTE AREA 100 YR FLOODPLAIN					
					0 25 50 1"=50'

BOHLER ENGINEERING	16701 MELFORD BLVD, SUITE 310 BOWIE, MARYLAND 20715 Phone: (301) 809-4500 Fax: (301) 809-4501	DATE	OCT 2017	EXHIBIT	ENVIRONMENTAL IMPACTS	IMPACT #:	IMPACT #3
		PROJECT NO.	MB172043	PROJECT NAME	LOCUST HILL	SCALE:	1"=50'

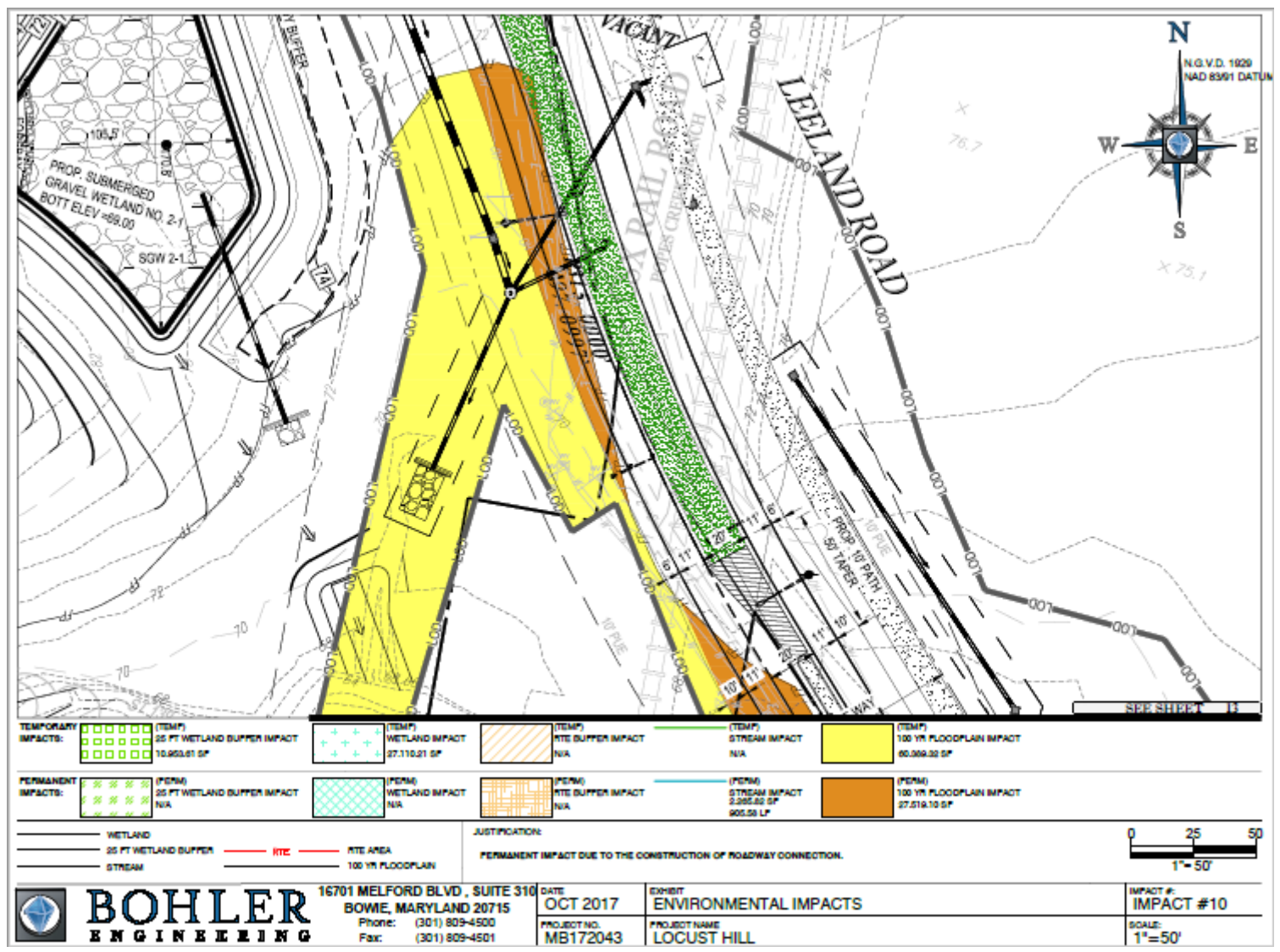
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ENVIRONMENTAL IMPACT



ENVIRONMENTAL IMPACT



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Russell W. Shipley
Arthur J. Horne, Jr.*
Dennis Whitley, III*
Robert J. Antonetti, Jr.

Bradley S. Farrar
L. Paul Jackson, II*
* Also admitted in the District of Columbia

August 6, 2019

VIA HAND DELIVERY

Ms. Jill Kosack, Supervisor
Urban Design Section
Development Review Division
Prince George's County Planning Department
14741 Governor Oden Bowie Drive
Upper Marlboro, MD 20772

**RE: Locust Hill (Phase 1) Specific Design Plan, SDP-1705
(Infrastructure Only)**

Dear Ms. Kosack,

On behalf of our client, WBLH, LLC, Robert J. Antonetti, Jr., and Shipley and Horne, P.A., hereby submits this Statement of Justification in support of the Specific Design Plan for Locust Hill, Phase 1 in accordance with Sections 27-530(a), 27-528 of the Prince George's County Zoning Ordinance. As part of this application the Applicant requests approval of the dwelling unit type(s), quantity and layout for Phase 1, as described in the Development Data Summary Table below.

I. Development Data Summary:

	Existing Approvals Pursuant to CDP-0506 PPS 4-06075	Proposed (Phase 1)
Zones	R-L (503.53 acres)	R-L (505.81 acres)
Uses	Residential	Residential
Lots	554	343
Parcels	24	22
(Market)Single Family Detached	438	290
(Market)Single Family Attached (Carriage Units)	116	53
Total Units	554	343

II. Location:

The site is located on Tax Map 76 in Grids E-4 and F-3, and Tax Map 77 in Grid B-4. The property is known as Parcels 22, 23 and 30, and consists of 505.81-acres in the R-L (Residential Low Development) Zone. The property is situated in the 3rd Election District of Prince George's County and in Planning Areas 79 and 74A.

The site is located along both the north and south sides of Oak Grove Road and south of Leeland Road, generally between Church Road and Collington Branch, approximately 1.2 miles west of US 301. There are approximately 395.4 acres south of Oak Grove Road and west of the Pennsylvania Railroad right-of-way, approximately 30.9 acres south of Leeland Road between the railroad right-of-way and Collington Branch, and approximately 79.5 acres along the north side of Oak Grove Road between Church Road and the railroad tracks.

III. Surrounding Uses:

There are several communities located near the Locust Hill site. The northern portion of Locust Hill abuts the Oak Creek Club Subdivision located in the R-L (Residential Low Development) Zone. Located at the northwest corner of Oak Grove Road and Church Road are the St. Barnabas Episcopal Church Cemetery in the R-A (Residential-Agricultural) Zone, and Queen Anne Parish School in the R-E (Residential-Estate) Zone. Across the railroad tracks and Collington Branch stream valley to the east is the proposed Willowbrook planned residential community located in the R-S (Residential Suburban Development) Zone, which will be developed by the Applicant in a collaborative manor. Further to the east of Willowbrook are the Collington Corporate Center, Collington Center, and Collington Land Reserve Area located in the E-I-A (Employment and Institutional Area) Zone. Scattered single-family dwellings are located to the south of Leeland Road, which are on large acreage parcels in the R-A (Residential-Agricultural) Zone. The Beechtree neighborhood, which is located south of these scattered dwellings, west of US 301, and east of the subject property is located in the R-S (Residential Suburban Development) Zone and is developed with both single-family detached dwelling units and townhouse units.

IV. Previous Approvals:

March 30, 2006 - Basic Plan Zoning Map Amendment Number A-9975 approved by the Prince George's County Planning Board via Planning Board Resolution No. 06-61.

April 21, 2006 - Natural Resources Inventory Plan Number NRI-047-06 approved by the M-NCPPC Environmental Planning Section.

May 9, 2006 – Stormwater Management Concept Plan No. 47462-2005-00 approved by the Department of Environmental Resources (DER).

October 31, 2006 - Basic Plan Amendment Number A-9975-C approved by the Prince George's County District Council via Zoning Ordinance No. 19-2006 rezoning the subject property from the R-A

(Residential-Agricultural) and R-E Zones (Residential-Estate) to the R-L (Residential Low Development) Comprehensive Design Zone (CDZ).

December 22, 2006 - Natural Resources Inventory Plan Number NRI-047-06-01 approved by the M-NCPPC Environmental Planning Section.

January 4, 2007 - Comprehensive Design Plan Number CDP-0506 approved by the Prince George's County Planning Board via Planning Board Resolution No. 06-274.

March 15, 2007 - Preliminary Plan of Subdivision 4-06075 and Type I Tree Conservation Plan, TCPI-24-06-01 approved by the Prince George's County Planning Board via Planning Board Resolution No. 07-28.

December 3, 2015 - Type 2 Tree Conservation Plan, TCP2-027-2015, approved by the M-NCPPC Environmental Planning Section.

February 25, 2016 - Natural Resources Inventory Plan Number NRI-047-06-02 approved by the M-NCPPC Environmental Planning Section.

March 30, 2016 - Site Development Concept Plan Number 42211-2014 approved by the Department of Permitting, Inspection and Enforcement (DPIE).

February 26, 2018 - Natural Resources Inventory Plan Number NRI-047-06-03 approved by the M-NCPPC Environmental Planning Section.

March 25, 2019 - Site Development Concept Plan Number 42211-2014-01 approved by the Department of Permitting, Inspection and Enforcement (DPIE).

May 13, 2019 - Basic Plan A-9975-C-01 was approved by the District Council subject to 21 conditions and nine (9) considerations.

V. Design Features:

This SDP proposes a total of 343 dwelling units in Phase 1 of the Locust Hill project. The unit breakdown includes 290 single-family detached dwelling units and 53 single-family attached units. The aforementioned units will be developed in the area identified on the SDP as Phase 1, consisting of the developable portions of the project south of Oak Grove Road and west of the existing railroad right-of-way. The subject SDP proposes infrastructure only for Phase 1 of Locust Hill. The architecture for the detached units will be approved separately under an architecture umbrella SDP to be submitted in the future. The CDP approved lot standards for the project are shown in attached Exhibit A. These lot standards substantially conform to the "Design Concepts" set forth in the design guidelines book approved with CDP-0506.

VI. Compliance with Evaluation Criteria:

1. **Zoning Map Amendment (Basic Plan) A-9975-C-01:** Basic Plan A-9975-C-01 was approved for the subject property by the District Council on May 13, 2019 subject to 21 conditions and nine (9) considerations. The Locust Hill development is designed in accordance with these conditions. The following are applicable to the review of this SDP:

1. *The Basic Plan shall be revised to show the following land use locations, types and quantities:*

<i>Total Area:</i>	<i>505.81 acres</i>
<i>Land in the 100-year floodplain:</i>	<i>69.21 acres</i>
<i>Adjusted Gross Area: (total area less half the floodplain (34.6 acres))</i>	<i>471.21 acres</i>
<i>Density Permitted under the R-L Zone:</i>	<i>1.0-1.5 dwellings (d.u.)/acre</i>
<i>Permitted Dwelling Unit Range:</i>	<i>471-706 d.u.</i>

Approved Land Use Types and Quantities:*

<i>Approved Dwelling Unit Range:</i>	<i>471-706 d.u.</i>
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Residential Single-Family Detached:

<i>Minimum Range (65%)</i>	<i>306-459 d.u.</i>
<i>Maximum Range (90%)</i>	<i>424-635 d.u.</i>

Residential Attached Dwellings

(attached dwellings shall not exceed 35 percent of the maximum density):

<i>Minimum Range (10%)</i>	<i>47-71 d.u.</i>
<i>Maximum Range (35%)</i>	<i>165-247 d.u.</i>

<i>Total Dwellings</i>	<i>471-706 d.u.</i>
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<i>Public Open Space (parkland and parks, a minimum of 10 acres shall be developable):</i>	<i>58 acres</i>
<i>Private Open Space Buffer:</i>	<i>65 acres</i>

**Maximum achievable density shall be determined at the time of Comprehensive Design Plan (CDP) not to exceed 706 d.u. (Note-single-family detached should include large lot units, with dimensions to be determined at the time of CDP)*

Comment: The density reflected in this chart is above what was originally approved in initial Basic Plan (A-9975). The additional density granted through this basic plan amendment will be demonstrated through a future amendment to approved Comprehensive Design Plan, (CDP-0506). Notwithstanding, the approved CDP granted a density of up to 552 residential lots in the R-L (Residential-Limited) Zone. The CDP demonstrated sufficient bonus density increments to justify the maximum density granted for the project. The instant SDP application falls squarely within the maximum density allocated in the approved CDP. ¹ Therefore, the proposed SDP is consistent with Basic Plan A-9975, the current approved Comprehensive Design Plan application, CDP-0506 and Preliminary Plan of Subdivision 4-06075, approved for a total of 554 lots and 24 parcels.

The Applicant reserves the right to submit a future amended CDP application to allow for additional density granted in amended basic plan, A-9975-01. The Phase 1 SDP for this project will also be consistent with any future amendment of the CDP or any future PPS applications that may be pursued for future phases of the Locust Hill development.

2. ***Development shall preserve the Patuxent River Primary Management Area (PMA) to the fullest extent possible. Impacts to the PMA shall be minimized by limiting the number of road crossings, by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.***

Comment: This is understood. The TCP-II submitted with this application has minimized impacts to the PMA to the greatest extent practicable.

11. ***No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.***

Comment: There are no residential lots proposed within 150 feet of the centerline of the CSX Railroad tracks.

12. ***The Applicant and its heirs, successors, and/or assignees shall provide the following trail facilities.***

- a. ***Construct the portion of the 10-foot-wide Master Plan hiker-biker trail located on the subject property's portion of the Collington Branch Stream Valley. The 10-foot width of the Master Plan trail may be modified at appropriate locations to respond to environmental constraints. Trail alignments shall be determined by the Department of Parks and Recreation***

¹ CDP-0506 was approved for 552 units. PPS 4-06075 was approved for 554 lots and 24 parcels. This SDP application proposes a total of 343 dwelling units in Phase 1 of the Locust Hill project which is well within the density approved with CDP-0506 and PPS 4-06075.

- of the M-NCPPC. Appropriate feeder trail connections from the project to the Master Plan hiker-biker trail shall be determined at CDP.*
- b. Construct the 8-foot wide Master Plan hiker-biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.*
 - c. Construct a Class I Master Plan trail (or side path) along the subject property's entire frontage of both Oak Grove Road and Church Road. The location of the Class I Master Plan trail (or side path) will be located along or adjacent to the Oak Grove and Church Road rights-of-way, except where environmental constraints require otherwise. In the event that environmental constraints require a different alignment, the Master Plan trail shall be routed around said constraint to ensure a continuous connection.*
 - d. The location of trail facilities shall be determined at the time of Preliminary Plan of Subdivision (PPS) review. Any realignment of trails and/or relocation of stream crossings required under this Condition, due to existing environmental constraints, shall be reviewed and approved by the Department of Parks and Recreation (DPR). Any structures required to ensure dry passage shall be reviewed and approved by DPR at time of Specific Design Plan (SDP).*

Comment: The Applicant concurs with this condition. The scenic trail system along existing Oak Grove Road, eight-foot-wide master planned trails along the stream valley, and six-foot-wide internal feeder trails are properly reflected on the submitted SDP. The SDP also shows five-foot-wide sidewalks along both sides of the internal public and private streets. The Master Plan trail feeders connecting to Black Branch will be covered by a future SDP for Phase 2.

The required Class I Master Plan trail is reflected on the present SDP along the frontage of Leeland Road. The road section and associated paths within the public right of way will be finalized with DPIE and DPWT. This is modeled after the proposed path for Church Road north of Oak Grove Road.

- 16. *Prior to any ground disturbance or the approval of any grading permits, the Applicant shall ensure that all artifacts recovered from the archeological survey on the subject property are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to the Historic Preservation Section***

Comment: The Applicant acknowledges this and will comply with Condition 16 prior to the

approval of any grading permits.

Zoning Map Amendment (Basic Plan) A-9975-C-01 Considerations: The following considerations are applicable to the review of the SDP:

- 1. A detailed analysis of parkland, Master Plan trails, internal trail networks, sidewalk networks and neighborhood connector trails should be completed at the time of review.***

Comment: The Applicant concurs with this condition. The scenic trail system along existing Oak Grove Road, eight-foot-wide master planned trails along the stream valley, and six-foot-wide internal feeder trails are properly reflected on the submitted SDP. The SDP also shows five-foot-wide sidewalks along both sides of the internal public streets.

- 6. Single-family dwelling units shall have a range of lot sizes and lot standards to ensure a variety of housing types.***

Comment: The Locust Hill project will provide a mix of housing types including single family detached and single family attached product types that will have a differing variety of price points to serve the housing needs for all income groups and improve the overall quality and variety of residential offerings within the County. The architecture and related details of such units will be reflected in a future specific design plan(s).

- 7. To ensure that the increase from 20 percent to 35 percent in single-family attached units will continue to provide a high-quality suburban development and will be in keeping with previous approvals and surrounding developments in terms of site design, lot size, dwelling units size, even “architecture and scale” (Master Plan page 179), at the next stages of the review process, such as at the time of the CDP, PPS, and SDP, the development proposal shall be carefully reviewed and attention should be given to the design of the project to ensure the site provides various lot sizes, house types, and architectural design that is compatible with surrounding land uses.***

To support the residential low (R-L) zoning of the community, but also allow the flexibility requested by the Applicant, a varied housing stock is appropriate. The carriage home lot sizes shall be comparable to the CDP approved lot sizes, to be determined with the CDP. This will ensure a more integrated layout with single-family dwellings on varying lot sizes, attached carriage homes on large lots, and townhouses, which will provide for a varied ownership interest that will support an integrated development. The increase in dwelling units and change in house types will require careful site planning to preserve the natural features of the site.

Comment: The instant SDP represents Phase I of the Locust Hill project. It is the Applicant’s position that the proposed infrastructure and lot pattern will be highly compatible with surrounding land uses. The proposal contains a mix of single-family detached and single-family attached (carriage units) dwelling types within Phase I. Future

phases of the Locust Hill project will also contain complimentary residential unit types with various lot sizes and compatible architectural designs. Specifics as to architecture will be determined through future specific design plans(s). It should also be noted that the proposed carriage home lot sizes are highly comparable to the lot sizes approved in the original CDP for the Locust Hill project. (See attached Exhibit A). The locations of the proposed dwelling units/lots work with the natural contours of the Locust Hill site and preserve the natural features of the site to the fullest extent practicable. To this end, it should be noted that the Locust Hill project will have a total of approximately 260 acres of open space, a majority of which is located along the edges of the property. All residential development areas proposed within the Locust Hill project (including the instant Phase I) will be located substantially within the interior of this open space envelope, thus providing an appropriate natural boundary of this project from surrounding developments.

2. **Comprehensive Design Plan CDP-0506:** Comprehensive Design Plan CDP-0506 was approved for the property by the Planning Board's decision in Resolution PGCPB No. 06-274 and affirmed by the District Council on April 9, 2007; for 552 residential lots in the R-L (Residential-Limited) Zone, of which 90-110 units were Carriage Lots (townhomes) and the remaining units were single-family detached units. CDP-0506 was approved subject to 44 conditions. The following conditions of the CDP approval are applicable to the review of the subject SDP:

4. ***A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails will be completed at the time of specific design plan. Trail locations may be contingent upon the location of environmentally sensitive features and other constraints. Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods should be provided.***

Comment: The Applicant concurs with this condition. The required Class I Master Plan trail is reflected on the present SDP along the frontage of Leeland Road. The road section and associated paths within the public right of way will be finalized with DPIE and DPWT. This is modeled after the proposed path for Church Road north of Oak Grove Road.

The scenic trail system along existing Oak Grove Road, eight-foot-wide master planned trails along the stream valley, and six-foot-wide internal feeder trails are properly reflected on the submitted SDP. The SDP also shows five-foot-wide sidewalks along both sides of the internal public and private streets. The Master Plan trail feeders connecting to Black Branch will be covered by a future SDP for Phase 2.

6. ***All private recreational facilities to be provided for the proposed development shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.***

Comment: The Applicant concurs with this condition.

- 12. *At time of Specific Design Plan submission, each SDP shall include a statement regarding how the proposal uses green building techniques and alternative energy sources.***

Comment: The proposed homes in this application meets strict energy efficiency guidelines set forth by the U.S. EPA and are reviewed by third-party professionals. Homes developed by the Applicant are efficient and well insulated, saving money on utility bills, and reducing greenhouse-gas emissions. The Applicant has adopted a philosophy and a commitment to all of its homebuyers that it will design beautiful homes in ways that reduce environmental impact, provide energy savings, and long-lasting value and comfort. Improvements in technology and the greater availability of green products make homes proposed in this application even more comfortable, economical, and energy efficient than homes built just a few years ago. One example is the engineered wood products that the Applicant uses in its homes. Engineered wood offers greater strength and greater stability over traditional wood. There is no need to use whole trees, large trees, or old trees to produce engineered wood products, so those resources can be conserved. Engineered wood products efficiently use more of the tree, calling on the best qualities of natural wood to gain greater strength and more uniform performance, and less waste. Additionally, the Applicant will institute the use of low impact development techniques and Environmental Site Design in the handling of storm water runoff, to the maximum extent practicable. Further, the proposed Phase I of the Locust Hill project will result in a significant preservation of existing woodlands and sensitive environmental features throughout a considerable portion of the site.

- 13. *The following note shall be placed on the preliminary plan and all future Tree Conservation Plans: "All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."***

Comment: The Applicant concurs with this condition.

- 18. *At least 30 days prior to any Planning Board hearing on the preliminary plan application, the existing conditions and proposed 1.5 safety factor line shall be shown on the preliminary plan and Type I Tree Conservation Plan. No structures, septic fields, or lots less than 40,000 square feet in area shall be placed within the mitigated 1.5 safety factor line. All subsequent plans shall also show this information. If proposed engineering of the site will change the location of the existing 1.5 safety factor line, the proposed 1.5 safety factor line must also be shown on all plans.***

Comment: The Applicant concurs with this condition. In fact, this information was provided as part of the approved preliminary plan for Locust Hill.

- 22. *At least 30 days prior to any Planning Board hearing on the first SDP application, a detailed Habitat Protection and Management Program shall be submitted to be approved with the first SDP which addresses specific implementation methodologies for the long-term protection and assessment of the rare, threatened and endangered***

species habitat on this site. Prior to issuance of the first grading permit, a minimum of one year of hydrologic monitoring data, as determined by the program, shall be submitted, to establish a baseline for evaluation impacts to the RTE habitat resulting for construction activities, and post development.

Comment: This document was prepared by McCarthy and Associates, Inc. dated March 30, 2007. Separate detailed Habitat Protection and Management Plans were initially prepared for Locust Hill and the adjacent Willowbrook Property; however, the plan was revised by Wetland Studies and Solutions, Inc. (WSSI), on November 11, 2016 to include both subdivisions (see attached Exhibit 1). The detailed Habitat Protection and Management Plan has been submitted as part of the present SDP application package.

- 23. *As part of the submission package for the first SDP, a plan and text shall be submitted that addresses a sediment and erosion control protocol that is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms such as sediment basins stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section staff in coordination with the staff of the Soil Conservation District.***

Comment: Since the time CDP-0506 was approved, more stringent sediment and erosion control regulations have been mandated by law. The Applicant's present proposal has been designed to comply to the aforementioned requirements. Preliminary Plan of Subdivision 4-06075 was designed in accordance with the highest water quality and environmental standards to help preserve and protect the water quality of all on-site and adjacent streams, tributaries and regulated environmental areas. The property is also the subject of Site Development Concept Plan 42211-2014-01, Concept Grading, Erosion and Sediment Control Plan CSC #31-18, Stream Restoration Analysis (McCarthy and Associates, December, 2006), and Habitat Protection and Management Program (WSSI, November 11, 2016). In addition to these programs, the Sediment Control Plan incorporating redundant/innovative sediment control and/or stormwater management practices into the site design that would offer actual water quality and rare, threatened and endangered species protection (in addition to monitoring). These practices would be implemented where feasible and reasonable (in particular, near areas of documented rare plant populations). Some potential techniques may include the use of parallel rows of super silt fence adjacent to rare plant populations; increasing the size of sediment traps beyond minimum requirements; incorporate the use of Earth dikes, temporary stone outlet structures (TSOS), temporary gabion outlet structures (TGOS), Diversion Fence, and/or increasing the volume of stormwater management facilities to provide additional treatment. The use of these techniques will be beneficial to the protection of downstream water quality, steep slopes protection and documented rare, threatened and endangered species located adjacent to the project site.

- 28. *At the time of Specific Design Plan, the SDP and TCP II shall have the same sheet sections, sheet key, and sheet order. The sheet key shall be placed on all sheets.***

Comment: The SDP and TCPII plan are designed in compliance with this condition.

- 31. *At the time of Specific Design Plan, all planting within the scenic easement shall be native plant material.***

Comment: The Applicant concurs with this condition.

- 33. *The applicant shall dedicate 48± acres of parkland to M-NCPPC, including the Collington Branch and Black Branch Stream Valleys, and 8.5 acres of developable land for active recreation as shown on DPR Exhibit "A."***

Comment: The Applicant concurs with this condition. It should be noted that 1.75± acres of the 48± acres of parkland is located in the adjacent Willowbrook Subdivision.

- 34. *The land to be conveyed to the M-NCPPC shall be subject to the conditions of attached Exhibit "B."***

Comment: The Applicant concurs with this condition.

- 35. *The applicant shall construct recreational facilities on dedicated parkland typical for the neighborhood park. The applicant shall develop the park development concept plan and incorporate into the preliminary plan of the subdivision. The concept plan shall be reviewed and approved by DPR staff.***

Comment: The Applicant concurs with this condition. The concept plan for the park was previously approved by DPR staff at the time of PPS. Construction of the park facilities will occur in a later phase of Locust Hill. The instant SDP only proposes infrastructure for Phase 1 and does not include the land area of the parkland to be dedicated.

- 36. *The applicant shall construct an eight-foot-wide master plan hiker/biker trail along Collington Branch Stream Valley, and six-foot wide feeder trails to the development pods. The applicant shall connect the section of the master planned trail in Locust Hill to the trails in the Beech Tree and Woodside Village developments. The applicant shall construct any needed structure to provide a dry passage.***

Comment: It should be pointed out that the condition incorrectly references the Woodside Village project (which is located in Westphalia and is miles away from Locust Hill). It is essential to note that the master plan trail will not connect to the trail on the Beechtree project because Locust Hill's portion of the trail is not contiguous with Beechtree.

- 37. *The applicant shall construct an eight-foot-wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley, and six-foot-wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek***

trail system. The applicant shall construct any needed structures to provide a dry passage.

Comment: As of the writing of this statement, it is not yet confirmed that trail facilities have been constructed within the Oak Creek development along Black Branch. However, the applicant is willing to provide a trail connection to the Oak Creek trail system provided the trail (on the Oak Creek side) is constructed up to the common property line separating the two developments.

38. *Prior to submission of the Specific Design Plan (SDP), the applicant shall develop detailed construction drawings for park facilities and submit them to DPR for their review and approval, prior to submission of the SDP.*

Comment: The Applicant concurs with this condition. The Applicant submitted detailed construction drawings for park facilities to DPR which were initially reviewed in May of 2017. Revised detailed construction drawings were resubmitted to DPR on September 21, 2017.

39. *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 by DPR.*

Comment: The Applicant concurs with this condition.

40. *The handicapped accessibility of all trails shall be determined during SDP review.*

Comment: The Applicant concurs with this condition.

41. *The applicant shall allocate appropriate and developable areas for the private recreational facilities on Homeowners Association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of the DRD for adequacy and property siting. The private recreational package shall be approved by Planning Board at the time of SDP.*

Comment: The instant SDP is for Phase 1 only and contains 138 +/- acres of open space dedicated to the Homeowners Association (HOA) for recreational purposes. As a result, appropriate and developable areas for private recreational facilities on HOA open space land is provided on the SDP. The subject application is for infrastructure only for Phase 1. Information on the specific recreational facilities that will be provided in Phase 1 will be submitted with future SDP's that include the proposed dwelling units and architectural details.

42. *The applicant shall provide suitable vehicular access to the parkland from realigned Oak Grove Road at the location approved by DPR and DPW&T staff.*

Comment: The Applicant concurs with this condition.

- 43. All additional accesses to the parkland from development pods shall be at least 30 feet wide.**

Comment: The Applicant concurs with this condition.

3. **Preliminary Plan of Subdivision 4-06075:** The relevant Preliminary Plan of Subdivision 4-06075, was approved on January 25, 2007 and adopted by the Planning Board on March 15, 2007, subject to 29 conditions (PGCPB Resolution No. 07-28). The following conditions warrant discussion in relation to the subject SDP:

1. ***In conformance with the Adopted and Approved Bowie and Vicinity Master Plan and approved Basic Plan A-9975, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:***
 - a. ***Construct the master plan trail along the subject site's portion of Collington Branch. Park dedication and the alignment of the trail shall be coordinated with the Department of Parks and Recreation.***
 - b. ***Construct a Class I master plan trail (or side path) along the subject site's entire frontage of Oak Grove Road.***
 - c. ***Construct a Class I master plan trail (or side path) along the subject site's entire frontage of Church Road.***
 - d. ***Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to DPR or within a public use easement on HOA land.***
 - e. ***A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails shall be completed at the time of specific design plan. Trail locations may be affected by the location of environmentally sensitive features and other constrains. Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods shall be provided.***

Comment: The Applicant concurs with this condition. The scenic trail system along existing Oak Grove Road, eight-foot-wide master planned trails along the stream valley, and six-foot-wide internal feeder trails are properly reflected on the submitted SDP. The SDP also shows five-foot-wide sidewalks along both sides of the internal public and private streets.

The required Class I Master Plan trail is reflected on the present SDP along the frontage of Leeland Road. The road section and associated paths within the public right of way will be finalized in coordination with DPIE and DPW&T. This is modeled after the proposed path for Church Road north of Oak Grove Road.

2. ***With the submission of each building permit, the applicant, his heirs, successors or assigns shall pay to Prince George's County a fee calculated as $\$1,550/\text{DU} \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ as its share of costs for improvements to US 301 between MD 725 and MD 214.***

Comment: This is understood. The required fee will be paid at the time of building permit.

3. ***In lieu of the payment of fees required in Condition 2 above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors or assigns may be required to construct a third northbound through lane on US 301 from a point just north of Leeland Road to a point just north of Trade Zone Avenue. Additionally, the improvement may include a third eastbound left turn lane along Leeland Road at its intersection with US 301. The total cost of these improvements, or other variation determined by SHA shall not exceed an amount calculated as $\$2,170,000.00 \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$.***

Comment: The Applicant opts to pay the required fee in Condition #2 above.

9. ***Prior to signature approval of the preliminary plan, and prior to acceptance of the specific design plan, a copy of the revised and approved stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques. The approved concept shall be reflected on the SDP and TCP II.***

Comment: The approved stormwater management concept plan number is provided on Note 13 of the submitted SDP and TCP-2.

18. ***The applicant shall provide sufficient and uninterrupted access to Parcels 2 and 6, either along the existing ingress/egress easement or through some other means mutually agreeable to all parties. This shall be resolved at the time of the SDP affecting this area.***

Comment: The Applicant sent a letter on July 17, 2006, to the owners of Parcels 2 and 6 in an effort to realign the existing easements. The Applicant has been unsuccessful in reaching an agreement with the owners of these adjacent parcels. A proposed alignment for the relocated driveway was provided during the review of Preliminary Plan 4-06075. In the event the Applicant cannot relocate the adjoining property owner's driveway and easement, the Applicant will provide additional dedicated parkland to M-NCPPC to replace the land rendered unusable due to the location of the existing driveway.

20. *Prior to either the 414th Building Permit or 75 percent of the total building permits, whichever comes first, the applicant shall provide two junior soccer fields, one playground, one picnic shelter and 60 parking spaces on the area to be used as an active park.*

Comment: The subject application is for infrastructure only. Information on the specific recreational facilities that will be provided in Phase 1 will be submitted with future SDP's that include proposed structures and architectural details.

22. *The public recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines and the accessibility guidelines in the latest edition of the Americans with Disabilities Act for the Outdoor Development Areas.*

Comment: The Applicant concurs with this condition. The public recreational facilities will be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines and the Americans with Disabilities Act for the Outdoor Development Areas with future phases of the Locust Hill project.

23. *Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of the first specific design plan.*

Comment: The Applicant concurs with this condition. The Applicant submitted detailed construction drawings for park facilities to DPR which were initially reviewed in May of 2017. Revised detailed construction drawings were resubmitted to DPR on September 21, 2017. The subject application is for infrastructure only for Phase 1 of the Locust Hill Development. Information concerning the specific recreational facilities that will be provided on public parkland will be submitted with future SDP's that include proposed structures and architectural details.

27. *With the submission of the specific design plan, the applicant shall submit detailed construction drawings for trail construction to DPR for review and approval. The trail corridor shall be treated as follows:*

- a. *When trails are constructed through wooded areas, all trees shall be removed that are within two feet of the edge of the trail. Within 20 feet of the trail, 1) All trees shall be cleared to 12 feet in height; and 2) Other vegetation obstructing the view from the trail shall be removed (shrubs, fallen trees).*
- b. *When possible, the trail shall be aligned to preserve trees 12 inch or greater caliper.*

- c. *Shallow rooted species, i.e. Maples, should be a minimum of 10 feet from the edge of pavement.*
- d. *The location of the trail shall be staked in the field and approved by DPR prior to construction.*

Comment: The Applicant concurs with this condition. The trails systems have been designed to minimize impacts on environmental buffers, stream valley corridors, water quality and identified rare, threatened, and endangered species to the maximum extent feasible. The sidewalk systems will also be an integral part of the pedestrian network. Connections between neighborhoods will be a priority during future phases of the Locust Hill project, in addition to the connections to the master plan trails.

VII. Relationship to Requirements in the Zoning Ordinance:

Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of a SDP:

- (a) **Prior to approving a Specific Design Plan, the Planning Board shall find that:**
 - (1) **The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);**

Comment: The subject SDP plan conforms to the requirements of CDP-0506 and the density for residential uses approved therein. Specifically, this application proposes residential use types and open space that conforms to the details identified in the approved CDP for the project.

Moreover, lot standards (e.g., width, depth, net lot area and setbacks) for the proposed units in Phase 1 of this project substantially conform to the “Design Concepts” set forth in the approved CDP-0506 design guidelines book. Attached Exhibit “A” reflects how the lot standards shown in this SDP substantially conform to the “Design Concepts” for lots approved in CDP-0506. The subject SDP application also conforms to the 2010 *Prince George’s County Landscape Manual* as demonstrated in the submitted Landscape & Lighting Plan.

- (1.1) **For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;**

Comment: The subject project is not a Regional Urban Community. Therefore, the requirements of this subpart are not applicable.

- (2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program or provided as part of the private development;**

Comment: The proposed plan will have no impact on the previous finding that the project will be adequately served within a reasonable period of time, as was found in the approval of Preliminary Plan 4-06075.

- (3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties; and**

Comment: Site Development Concept Plan No. 42211-2014-01 was approved by the Department of Permitting, Inspection and Enforcement (DPIE) on March 25, 2019. The approved site development concept plan and submitted SDP clearly demonstrate that adequate provisions have been made for draining surface water with no adverse effects on the subject property or adjacent properties. On-site drainage facilities will be built in accordance with the approved plan and any subsequent revisions.

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

Comment: Type-I Tree Conservation Plan, TCPI-24-06-01, was approved by the Prince George's County Planning Board along with Preliminary Plan of Subdivision 4-06075 on March 15, 2007 via Planning Board Resolution No. 07-28. The subject SDP application includes a proposed TCP-II of the site. Said TCP II is consistent with the TCP I approved as part of previous applications.

- (5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible.**

Comment: The proposed SDP preserves all regulated environmental features to the fullest extent practicable and seeks to minimize any impacts to said features through its plan design. An important feature of this project is the significant amount of open space and natural features being preserved by the Applicant.

In sum, approximately 3.52± acres of PMA (from a total of 114.68+ acres of PMA) are proposed to be impacted as part of Phase 1 of the development. There is no disturbance to environmental features within Phase 2 at this time, other than those required to construct stormwater facilities, possible future trail connections and/or sanitary outfalls serving both phases.

- (b) Prior to approving a Specific Design Plan for Infrastructure, the Planning Board shall find that the plan conforms to the approved Comprehensive Design Plan, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.**

Comment: The subject SDP plan conforms to the requirements of CDP-0506 and the density for residential uses approved therein. Specifically, this application proposes residential use types and open space that conforms to the details identified in the approved CDP for the project. The site will be developed in accordance with Site Development Concept Plan No. 42211-2014-01 to ensure that adequate provisions have been made for draining surface water with no adverse effects to the subject property or adjacent properties.

The submitted Type-2 Tree Conservation Plan is consistent with prior approved Type-I Tree Conservation Plan, TCPI-24-06-01, and has been designed to be in substantial conformance with the requirements of the Woodland Conservation Manual which will safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge, therefore preventing property damage and environmental degradation.

- (c) The Planning Board may only deny the Specific Design Plan if it does not meet the requirements of Section 27-528 (a) and (b), above.**

Comment: As discussed above and demonstrated within the contents of this present application, the proposed SDP conforms to this standard.

- (d) Each staged unit (shown on the Comprehensive Design Plan) shall be approved. Later stages shall be approved after initial stages. A Specific Design Plan may encompass more than one (1) stage.**

Comment: The proposed SDP represents a single stage of development. It is anticipated that the balance of the project will be developed in Phase 2 (as reflected in a future SDP application).

- (e) An approved Specific Design Plan shall be valid for not more than six (6) years, unless construction (in accordance with the Plan) has begun within that time period. All approved Specific Design Plans which would otherwise expire during 1994 shall remain valid for one (1) additional year beyond the six (6) year validity period.**

Comment: The Applicant agrees with the above requirement.

- (f) The Planning Board's decision on a Specific Design Plan shall be embodied in a resolution adopted at a regularly scheduled public meeting. The resolution shall set forth the Planning Board's findings.**

Comment: The Planning Board is required to comply with this requirement.

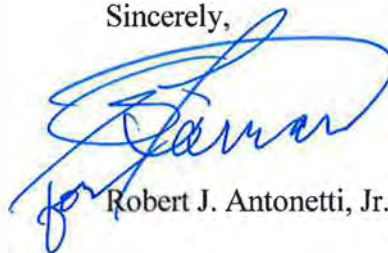
- (g) **A copy of the Planning Board's resolution and minutes on the Specific Design Plan shall be sent to the Clerk of the Council for any Specific Design Plan for the Village Zones.**

Comment: The subject property is in the R-L Zone and is not within a Village Zone.

VIII. Conclusion

Based on the reasons described herein, the Applicant respectfully requests approval of this Specific Design Plan application.

Sincerely,



Robert J. Antonetti, Jr.

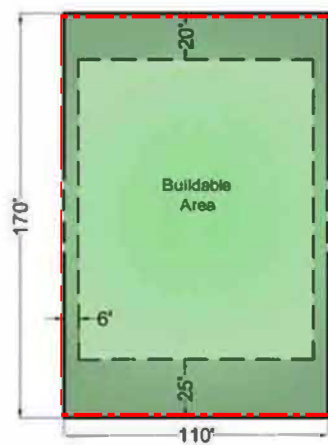
RAJ/jjf

cc: WBLH, LLC

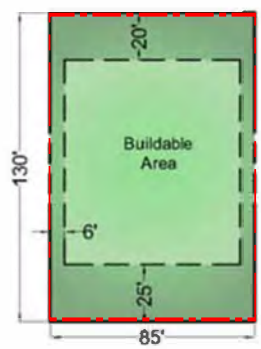
Arthur J. Horne, Jr., Esq.
Chris Rizzi, PLA, Bohler Engineering
Nicholas Speach, P.E., Bohler Engineering
Jonas Cadwallader, Bohler Engineering

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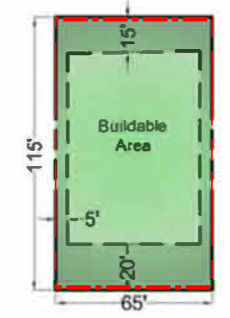
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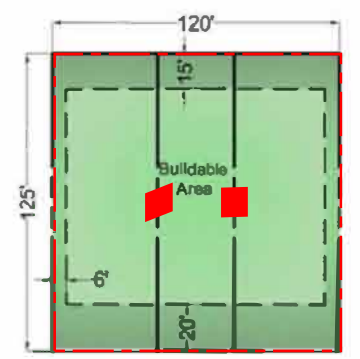
Typical Lot
18,700 sf. (approx)
Market Rate



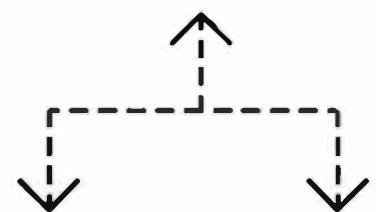
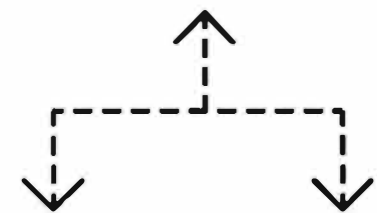
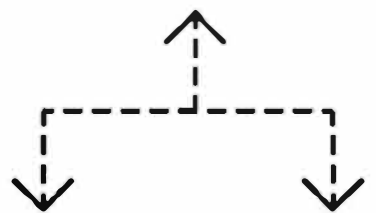
Typical Lot
11,050 sf. (approx)
Market Rate



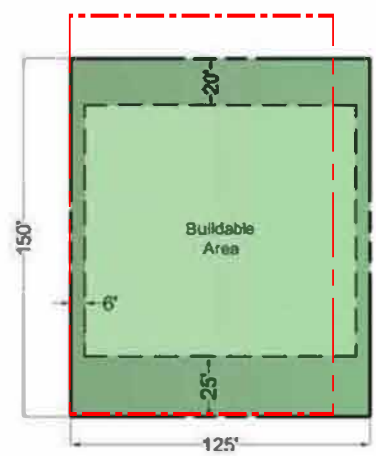
Typical Lot
7,400-9,999 sf.
Market Rate



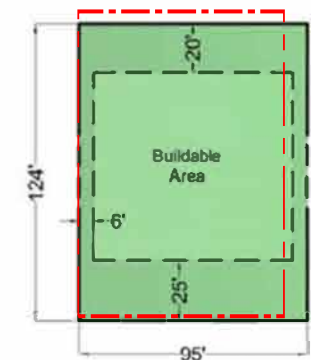
Single Family Attached
(Townhouse)
Market Rate



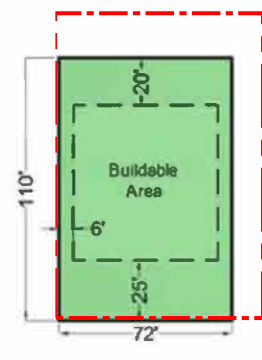
Original Lot Size Comparison in Red



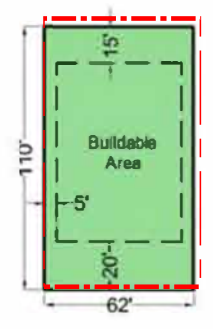
Typical Lot
18,000 sf. (approx)
Market Rate
(Adjacent St. Barnabas)



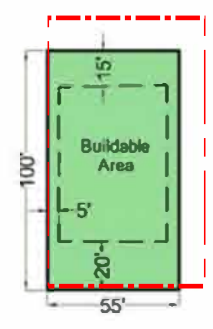
Typical Lot
11,000 sf. (approx)
Market Rate



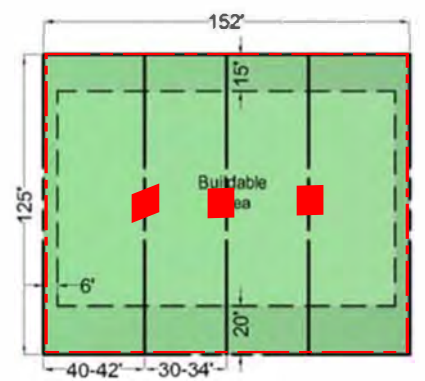
Typical Lot
7,000 sf. (approx)
Market Rate



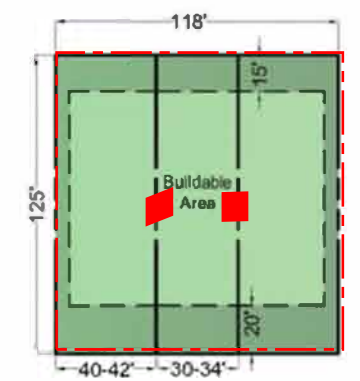
Typical Lot
6,000 sf. (approx)
Market Rate



Typical Lot
5,500 sf. (approx)
Market Rate



Single Family Attached
Carriage
Market Rate



Single Family Attached
Carriage
Market Rate

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Locust Hill Comparison	As Shown on Approved Basic Plan A-9975-01	As Shown on Approved CDP Plan CDP-0506, Approved 4/19/07	As Shown on PB Resolution Plan CDP-0506 & CDP Plan	As Shown on District Council Resolution CDP-0506	As Shown on Preliminary Plan, 4-06075, Approved 03/15/07	As Shown on Preliminary Plan PB Resolution, 4-06075
Acreage of Tract:						
Gross R-L Zone	436.6	503.53	503.53	503.53	503.53	503.53
Floodplain	69.2	68.56	68.56	68.56	68.56	68.56
Adjusted Gross Area	402.00 (Gross - 1/2 FP)	469.25 (Gross - 1/2 FP)	469.25 (Gross - 1/2 FP)	469.25 (Gross - 1/2 FP)	469.25 (Gross - 1/2 FP)	469.25 (Gross - 1/2 FP)
Total Units Proposed:						
Market Rate						
# of Units	505-706 units (65% - 100% SFD; 0% - 35% SFA)	460 - 552 units (Up to 80% SFD; ≤20% SFA)	460 - 552 units (Up to 80% SFD; ≤20% SFA)	460 - 552 units (Up to 80% SFD; ≤20% SFA)	469 - 703 units	469 - 703 units
Density	1.26 - 1.50 units per acre	1.18 units per acre	1.18 units per acre	1.18 units per acre	1.17 units per acre	1.17 units per acre
Unit Mix:						
Total Units Proposed	706 units	552 units	552 units	552 units	550 units	550 units
SFA	units	90 - 110 units	90 - 110 units	90 - 110 units	units	units
SFD	units	370 - 445 units	370 - 445 units	370 - 445 units	units	units
Dedications:						
HOA Dedication - Open Space	acres ±	151.56 acres ±	151.56 acres ±	151.56 acres ±	151.56 acres ±	151.56 acres ±
Dedication to M-NCPPC for Public Park	acres ±	47.50 acres ±	47.50 acres ±	47.50 acres ±	44.32 acres ±	44.32 acres ±
Dedications - Other - Adjacent Church		66.70 acres ±	66.70 acres ±	66.70 acres ±	67.2 acres ±	67.2 acres ±
Dedications - Other - Future Church		8.76 acres ±	8.76 acres ±	8.76 acres ±	8.72 acres ±	8.72 acres ±
Lot Breakdown						
SFD (Min.)		7,400 SF+	7,400 SF+		7,400 SF+	
SFA (Min.)		4,000 SF+	4,000 SF+		4,000 SF+	
Townhouse		4,000 - 5,500 SF	4,000 - 5,500 SF		4,000 - 5,500 SF	
Large		12,751 - 18,700 SF	12,751 - 18,700 SF		18,700 SF+	
Medium		9,999 - 12,750 SF	9,999 - 12,750 SF		11,050 SF+	
Small		7,400 - 9,999 SF	7,400 - 9,999 SF		7,400 - 9,999 SF	

Case No.: A-9975-01
Locust Hill
(Amendment of Basic
Plan and Conditions)

Applicant: WBLH, LLC

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ZONING ORDINANCE NO. 6-2019

AN ORDINANCE to amend the Basic Plan and Conditions previously approved by the District Council in Zoning Map Amendment A-9975-C.

WHEREAS, the District Council in enacting Zoning Ordinance No. 19-2006, approved A-9975-C, an application to rezone approximately 425.2 acres of land in the R-A Zone and 91.8 acres of land in the R-E Zone, north and south of Oak Grove Road and south of Leeland Road, Upper Marlboro, to the R-L Zone, with a basic plan, subject to conditions; and

WHEREAS, A-9975-01 is a request to amend the Basic Plan and Conditions for Locust Hill to increase the proportion of attached dwelling units, to add conventional townhouses, to revise the layout and to revise conditions of approval pursuant to §27-197(c) of the Zoning Ordinance, on approximately 505.81 acres of land, in the R-L (Residential Low Development) Zone, a Comprehensive Design Zone, located on the north and south sides of Oak Grove Road, west of Leeland Road and east of Church Road, approximately 1.2 miles west of US 301 (Robert Crain Highway), Upper Marlboro, Maryland, Councilmanic Districts 6 and 4; and

WHEREAS, the application was advertised and the property was posted prior to public hearings, in accordance with all requirement of law; and

WHEREAS, the application to amend the Basic Plan and Conditions was reviewed by the Planning Department's Technical Staff; and

WHEREAS, Technical Staff recommended that the application be approved with conditions; and

WHEREAS, after consideration of the evidence presented at the public hearing held on September 20, 2018, the Planning Board recommended that the application be approved with conditions; and

WHEREAS, on November 7, 2018, an evidentiary hearing was held on the application to amend the Basic Plan and Conditions before the Zoning Hearing Examiner; and

WHEREAS, on February 14, 2019, the Zoning Hearing Examiner issued a notice of decision, recommending that the application to amend the Basic Plan and Conditions be approved with conditions; and

WHEREAS, a second evidentiary hearing was held on April 2, 2019 before the Zoning Hearing Examiner, which reopened the record in order to include certain documents¹ and the record was closed at the conclusion of the hearing; and

WHEREAS, on April 2, 2019, the Zoning Hearing Examiner issued a notice of decision reflecting the second evidentiary hearing; and

WHEREAS, the Examiner recommended that the application to amend the Basic Plan and Conditions be approved with conditions; and

WHEREAS, as the basis for its final decision, the District Council adopts and incorporates by reference, as if fully stated herein, the Examiner's decision issued on April 2, 2019.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

¹ A technically revised Planning Board Resolution dated February 19, 2019 was included in the record during the second evidentiary hearing, April 2, 2019, which was held for the sole purpose of submitting the revised Planning Board Resolution (Exhibit 50) and a revised Affidavit (Exhibit 51) into the record.

SECTION 1. The request to amend the Basic Plan and Conditions for Locust Hill to increase the proportion of attached dwelling units, to add conventional townhouses, to revise the layout and to revise conditions of approval pursuant to §27-197(c) of the Zoning Ordinance, on approximately 505.81 acres of land, in the R-L (Residential Low Development) Zone, a Comprehensive Design Zone, located on the north and south sides of Oak Grove Road, west of Leeland Road and east of Church Road, approximately 1.2 miles west of US 301 (Robert Crain Highway), Upper Marlboro, Maryland, Councilmanic Districts 6 and 4, is hereby conditionally APPROVED.

SECTION 2. Use of the subject property shall be subject to all requirements in the applicable zones and to the requirements in the conditions herein. Failure to comply with any stated condition shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the rezoning and Basic Plan as conditionally approved; to revoke use and occupancy permits; to institute appropriate civil or criminal proceedings; and/or to take any other action deemed necessary to obtain compliance.

Amendment of the Basic Plan and Conditions in A-9975-01, is subject to the following Conditions and Considerations:

Conditions

1. The Basic Plan shall be revised to show the following land use locations, types and quantities:

Total Area:	505.81 acres
Land in the 100-year floodplain:	69.21 acres
Adjusted Gross Area: (total area less half the floodplain (34.6 acres)	471.21 acres
Density Permitted under the R-L Zone:	1.0-1.5 dwellings (d.u.)/acre
Permitted Dwelling Unit Range:	471-706 d.u.

Approved Land Use Types and Quantities*:

Approved Dwelling Unit Range:	471-706 d.u.
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Residential Single-Family Detached:

Minimum Range (65%)	306-459 d.u
Maximum Range (90%)	424-635 d.u.

Residential Attached Dwellings

(attached dwellings shall not exceed 35 percent of the maximum density):

Minimum Range (10%)	47-71 d.u.
Maximum Range (35%)	165-247 d.u.

Total Dwellings 471-706 d.u.

Public Open Space (parkland and parks, a minimum of 10 acres shall be developable): 58 acres

Private Open Space Buffer: 65 acres

*Maximum achievable density shall be determined at the time of Comprehensive Design Plan (CDP) not to exceed 706 d.u. (Note-single-family detached should include large lot units, with dimensions to be determined at the time of CDP)

2. Development shall preserve the Patuxent River Primary Management Area (PMA) to the fullest extent possible. Impacts to the PMA shall be minimized by limiting the number of road crossings, by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.
3. Alignment of the master planned collector roadway (MC-600) shall be evaluated in detail to determine the location that results in the preservation of the existing natural resources to the fullest extent possible.
4. Natural Resources Inventory (NRI), signed by appropriate staff, shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.
5. A protocol for surveying the locations of all rare, threatened and endangered species within the subject property shall be obtained from the Maryland Department of Natural Resources prior to the acceptance of the CDP and this protocol shall be part of the submittal package. The completed surveys and required reports shall be submitted as part of any Application for Preliminary Plans.
6. The Woodland Conservation Threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I Tree Conservation Plan required with the CDP Application shall focus on the creation of contiguous woodland. Priority areas for tree preservation shall be concentrated in areas within the framework of the

approved Green Infrastructure Master Plan. No woodland conservation shall be provided on any residential lot.

7. Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance. This note shall also be placed on all Tree Conservation Plans.
8. A Marlboro Clay geotechnical report that identifies the location and elevation of the Marlboro Clay layer throughout the site shall be submitted as part of the CDP Application package.
9. A Phase I noise study shall be submitted with the Preliminary Plan Application package. The noise study should address the location of the 65 dBA Ldn noise contour related to the CSX Railroad tracks, and what mitigation measures, if any, will be required to reduce noise impacts to 65 dBA Ldn in outdoor activity areas.
10. If noise mitigation is required to reduce noise levels to below 65 dBA Ldn in outdoor activity areas, a Phase II noise study shall be submitted with the Preliminary Plan Application package. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA Ldn interior.
11. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.
12. The Applicant and its heirs, successors, and/or assignees shall provide the following trail facilities.
 - a. Construct the portion of the 10-foot-wide Master Plan hiker-biker trail located on the subject property's portion of the Collington Branch Stream Valley. The 10-foot width of the Master Plan trail may be modified at appropriate locations to respond to environmental constraints. Trail alignments shall be determined by the Department of Parks and Recreation of the M-NCPPC. Appropriate feeder trail connections from the project to the Master Plan hiker-biker trail shall be determined at CDP.
 - b. Construct the 8-foot wide Master Plan hiker-biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.
 - c. Construct a Class I Master Plan trail (or side path) along the subject property's entire frontage of both Oak Grove Road and Church Road. The location of the Class I Master Plan trail (or side path) will be located along or adjacent to the Oak Grove and Church Road rights-of-way, except where environmental

constraints require otherwise. In the event that environmental constraints require a different alignment, the Master Plan trail shall be routed around said constraint to ensure a continuous connection.

- d. The location of trail facilities shall be determined at the time of Comprehensive Design Plan and Preliminary Plan of Subdivision (PPS) review. Any realignment of trails and/or relocation of stream crossings required under this Condition, due to existing environmental constraints, shall be reviewed and approved by the Department of Parks and Recreation (DPR). Any structures required to ensure dry passage shall be reviewed and approved by DPR at time of Specific Design Plan (SDP).
13. In the event the Applicant elects to develop both Locust Hill and the adjacent Willowbrook communities with shared private recreational amenities, the Applicant shall submit for DPR's approval, prior to the time of CDP approval, appropriate covenants that shall be recorded in the County Land Records at the final plat for both the Locust Hill and Willowbrook properties. The covenants are to ensure that residents within both the Locust Hill and Willowbrooks communities will have equal access to membership in and use of open space and recreational facilities in both developments.
14. At the time of Comprehensive Design Plan and Preliminary Plan of Subdivision submissions, the Applicant or its heirs, successors, and/or assignees shall provide a traffic study that analyzes the following intersections:
- US 301/MD 725
 - US 301/Village Drive
 - US 301/Leeland Road
 - US 301/Trade Zone Avenue
 - Leeland Road/Safeway Access
 - Oak Grove Road/Church Road
 - Oak Grove Road/MD 193
 - MD 202/MD 193
 - Link of Leeland Road-Oak Road, between US 301 and MD 202
15. All stream and wetland mitigation for impacts to environmentally regulated site features shall be provided within the Collington Branch watershed, or, if mitigation sites cannot be found, within the Western Branch watershed, to the fullest extent possible, as determined by the permitting agency.
16. Prior to any ground disturbance or the approval of any grading permits, the Applicant shall ensure that all artifacts recovered from the archeological survey on the subject property are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to the Historic Preservation Section.

17. Prior to approval a PPS for that portion of the subject property that is believed to include a cemetery in the southern portion of Parcel 30, the Applicant shall perform archeological investigations of the site to include geophysical survey(s), such as ground-penetrating radar, electrical resistivity and/or magnetometer survey, or limited shovel testing, hand excavation, and selected shallow surface removal, to determine the possible existence of burials. If it is determined that burials are present, the Applicant shall avoid the area defined as containing burials.
18. If a determination is made at the time of CDP, based on the proposed total density, that the proposed dedication of public parkland and public recreational facilities are insufficient, additional on-site and/or off-site dedication of public parkland and/or public recreational facilities shall be provided to satisfactorily meet the recreational needs of this community.
19. At the time of CDP, the Applicant shall demonstrate the public benefit features above those previously required will be provided to justify the density proposed with this Application.
20. These Conditions of approval shall be printed on the face of the Basic Plan prior to approval and submitted to the Office of the Zoning Hearing Examiner for inclusion in the record.
21. The Basic Plan revised in accordance with these Conditions and Considerations shall be approved by the Zoning Hearing Examiner prior to CDP review.

Considerations

1. A detailed analysis of parkland, Master Plan trails, internal trail networks, sidewalk networks and neighborhood connector trails should be completed at the time of Specific Design Plan review.
2. At the time of CDP review, specific acreage of parkland dedications shall be determined. Such dedication should include the Collington Branch and Black Branch stream valleys and 10 acres of developable land for active recreation as provided in the January 27, 2006, memo from the DPR. (A-9975, Exhibit 30(a))
3. At the time of CDP review the Applicant shall address its plan to grade a 10-acre developable portion of the dedicated parkland on the northeast corner of the property next to the Pennsylvania Railroad right-of-way to accommodate ball fields and a parking lot. The parkland shall have a direct frontage on proposed Oak Grove Road.
4. At the time of CDP review the Application shall provide adequate, private recreational facilities to meet the future subdivision requirements for the proposed development. The private recreational facilities shall be constructed in accordance with the standards outlined in the Park and Recreation Facilities Guidelines.

5. The Applicant shall obtain approval from the Planning Board for any transfer of Locust Hill recreation facilities/funds to be used at the Willowbrook property at the time of CDP approval.
6. Single-family dwelling units shall have a range of lot sizes and lot standards to ensure a variety of housing types.
7. To ensure that the increase from 20 percent to 35 percent in single-family attached units will continue to provide a high-quality suburban development and will be in keeping with previous approvals and surrounding developments in terms of site design, lot size, dwelling units size, even "architecture and scale" (Master Plan page 179), at the next stages of the review process, such as at the time of the CDP, PPS, and SDP, the development proposal shall be carefully reviewed and attention should be given to the design of the project to ensure the site provides various lot sizes, house types, and architectural design that is compatible with surrounding land uses.

To support the residential low (R-L) zoning of the community, but also allow the flexibility requested by the Applicant, a varied housing stock is appropriate. The carriage home lot sizes shall be comparable to the CDP approved lot sizes, to be determined with the CDP. This will ensure a more integrated layout with single-family dwellings on varying lot sizes, attached carriage homes on large lots, and townhouses, which will provide for a varied ownership interest that will support an integrated development. The increase in dwelling units and change in house types will require careful site planning to preserve the natural features of the site.

8. As the original Basic Plan required carriage homes, there shall be some percentage of carriage homes provided.
9. An alternative community or institutional use may be provided in lieu of the church site previously approved with A-9975-C.

SECTION 3. The Ordinance shall become effective upon enactment.

ENACTED this 13th day of May, 2019, by the following vote:

In Favor: Council Members Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter, Taveras, and Turner.

Opposed:

Abstained:

Absent:

Vote: 11-0.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF THE
MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

By: _____
Todd M. Turner, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

Case No.: CDP-0506

Applicant: Mercantile Bank Real Estate Services

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision in Resolution PGCPB No. 06-274 to approve with conditions a comprehensive design plan for 552 single-family attached and detached residential dwelling units, on property known as Locust Hill, described as approximately 503.53 acres of land in the R-L Zone, located on the north and south side of Oak Grove Road, east of Church Road, and east and west of Popes Creek Branch, Upper Marlboro, is:

AFFIRMED, for the reasons stated by the Planning Board in its resolution, which are hereby adopted as the findings of fact and conclusions of law of the District Council.

Affirmance of the Planning Board's decision is subject to the following conditions.

1. If it is determined that potentially significant archaeological resources exist in the project area, prior to Planning Board approval of the 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.
2. Prior to signature approval of the subject Comprehensive Design Plan, applicant shall respond adequately in the opinion of Historic Preservation Section staff, to further comments offered by the HPC regarding the Phase I Archeological Investigation Report.
3. Prior to issuance of any building permits for the subject project the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
 - a. Construct the master trail along the subject site's portion of the Collington Branch. Park dedication and the alignment of the trail shall be coordinated with the Department of Parks and Recreation.
 - b. Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Oak Grove Road.
 - c. Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Church Road.

- d. Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to DPR or within a public use easement on HOA land.
4. A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails will be completed at the time of specific design plan. Trail locations may be contingent upon the location of environmentally sensitive features and other constraints. Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods should be provided.
5. All future submissions to the Development Review Division regarding Locust Hill, CDP-0506 shall indicate the PMA as shown on the NRI submitted with the subject application.
6. All private recreational facilities to be provided for the proposed development shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.
7. With the submission of each building permit, the applicant, his heirs, successors or assignees shall pay to Prince George's County a fee calculated as $\$1,550/\text{DU} \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ as its share of costs for improvements to US 301 between MD 725 and MD 214.
8. In lieu of the payment of fees which otherwise would be required above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors or assignees may be required to construct a third northbound through lane on US 301 from a point just north of Leeland Road to a point just north of Trade Zone Avenue. Additionally, the improvement may include a third eastbound left turn lane along Leeland Road at its intersection with US 301. The total cost of these improvements, or other variation determined by SHA shall not exceed an amount calculated as $\$2,170,000.00 \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$.
9. At the time of preliminary plan, the applicant shall be conditioned to dedicate all rights-of-way for MC-600 (Leeland Road) as identified by the Planning Department.
10. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assignees:
 - a. Leeland Road
 - Construct Leeland Road-Oak Grove Road to provide a minimum of 2 lanes of the ultimate 4-lane master plan alignment between US 301 and MD 193, in accordance with DPW&T standards.

- b. MD 193/Oak Grove Road Intersection (roundabout)
 - The applicant shall provide an exclusive right turn lane at the westbound approach.
 - c. MD 202/MD 193 Intersection
 - Provide a left turn, a shared left/through lane, and a right turn lane on the southbound MD 193 approach.
 - Provide a second left turn on the eastbound MD 202 (towards Upper Marlboro) approach.
11. Prior to the issuance of any building permit, the applicant shall conduct signal warrant studies at the following intersections, and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by DPW&T:
 - Leeland Road/Safeway Access
 - Leeland Road/ Site Access B
 - Leeland Road/ Site Access A
 - Oak Grove Road/ Church Road
 - Oak Grove Road/Whistling Duck Drive
 12. At time of Specific Design Plan submission, each SDP shall include a statement regarding how the proposal uses green building techniques and alternative energy sources.
 13. The following note shall be placed on the preliminary plan and all future Tree Conservation Plans: “All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”
 14. Prior to certification of the CDP, note five of the NRI shall be revised to correctly address all rare, threatened, and endangered species on the site. The NRI shall also be revised to include a wetland delineation that includes the area to the east of the railroad tracks.
 15. Prior to certification of the CDP, the TCP I shall be revised to add the following note below the TCPI worksheet: “The acreage of all clearing within the 100-year floodplain is reflected in the worksheet column for PMA clearing and off-site impacts. PMA clearing for the master planned roadways is included in the site clearing calculations.”
 16. The TCP I submitted with the preliminary plan shall identify each clearing area by type: Net Tract Clearing, PMA Clearing (Master Plan Road), PMA Clearing (includes floodplain), and Off-Site Clearing. Each of the clearing types shall be identified using a different symbol. A chart indicating the type and size of each isolated clearing area in its respective category shall also be added to the plan.

17. At least 30 days prior to Planning Board hearing for the preliminary plan, a detailed geotechnical report based on the existing conditions of the site, including the most current topographical information (or as shown on the NRI) shall be submitted. It shall also address the existing outcrop pattern of Marlboro clays and areas of slope stability concerns with respect to the existing conditions. The study shall provide the appropriate plans and/or exhibits, showing the location of all slope stability cross-sections, and identify the unmitigated 1.5 safety factor lines. The unmitigated 1.5 safety factor lines based on that report shall then be placed on the TCP I and the preliminary plan.
18. At least 30 days prior to any Planning Board hearing on the preliminary plan application, the existing conditions and proposed 1.5 safety factor line shall be shown on the preliminary plan and Type I Tree Conservation Plan. No structures, septic fields, or lots less than 40,000 square feet in area shall be placed within the mitigated 1.5 safety factor line. All subsequent plans shall also show this information. If proposed engineering of the site will change the location of the existing 1.5 safety factor line, the proposed 1.5 safety factor line must also be shown on all plans.
19. At least 30 days prior to any Planning Board hearing for the preliminary plan, the associated TCP I shall be revised to show a 100-foot protection buffer for rare, threatened and endangered species with respect to all streams and wetlands on the site. The PMA shall be revised to include that 100-foot buffer. Impacts shown to the 100-foot buffer and PMA on the TCP I associated with the CDP shall be re-evaluated and reduced or eliminated during the review of the preliminary plan. Impacts should be limited to those that are essential for the development of the site.
20. Prior to signature approval of the preliminary plan, a copy of the stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques.
21. At least 30 days prior to any Planning Board Hearing on the preliminary plan application, a conceptual Habitat Protection and Management Program shall be submitted for approval with the Preliminary Plan of Subdivision. The program shall include, but not be limited to:
 - a. Hydrologic monitoring for a minimum of a year prior to the issuance of the first grading permit to establish a baseline of data, during construction, and post construction for the following elements: water quality, benthic macroinvertebrate, hydrologic flow, sedimentation.
 - b. Monitoring during construction for the following: sediment and erosion control measures, stormwater management controls, special protection measures for rare, threatened and endangered species habitat.
 - c. Monitoring of the rare, threatened and endangered species during and post-construction.

22. At least 30 days prior to any Planning Board hearing on the first SDP application, a detailed Habitat Protection and Management Program shall be submitted to be approved with the first SDP which addresses specific implementation methodologies for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. Prior to issuance of the first grading permit, a minimum of one year of hydrologic monitoring data, as determined by the program, shall be submitted, to establish a baseline for evaluation impacts to the RTE habitat resulting for construction activities, and post development.
23. As part of the submission package for the first SDP, a plan and text shall be submitted that addresses a sediment and erosion control protocol that is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms such as sediment basins stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section staff in coordination with the staff of the Soil Conservation District.
24. Prior to certificate approval of the CDP, the TCP I shall be revised as follows:
 - a. Add the following note: "The limits of disturbance shown on this plan are conceptual and do not depict approval of any impacts to regulated features."
 - b. Clearly identify the proposed master planned trails and show the associated width.
25. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Planning Department.
26. Prior to certification of the CDP, the Type I Tree Conservation Plan, TCP I/24/06, shall be revised as follows:
 - a. Add the following note: "Woodland cleared within the PMA Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance."
 - b. Revise note 1 as follows: "This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements of CDP-0506. The TCP I will be modified by a TCP I in conjunction with the review of the Preliminary Plan of Subdivision and subsequently by a Type II Tree Conservation Plan (TCP II) in conjunction with the approval of a SDP and/or a grading permit application."
 - c. Add the following note: "Reforestation and afforestation areas shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device that is aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP."

- d. Calculate all woodland on lots less than 20,000 square feet as woodland cleared, add lot sizes to the plan, add a table calculating all woodland treatment areas, and label all areas appropriately.
 - e. Eliminate the use of a “proposed tree line” and only use a limit of disturbance.
 - f. Show a continuous match-line for each match-line boundary on each sheet.
 - g. Show one continuous limit of disturbance for all areas proposed for development, particularly the master planned roadway located outside the eastern boundary of the site.
 - h. Remove the proposed structure from the parcel located north of Lot 1, Block G.
 - i. Show the conceptual clearing for Parcels R and T.
 - j. Add the following note: “Prior to contract signing, the seller shall show the prospective buyer a copy of this Type I Tree Conservation Plan or the subsequent Type II Tree Conservation Plan, whichever plan is most current and has received signature approval, as required by CB-60-2005.”
 - k. Revise the worksheet as necessary.
 - l. Have the plans signed and dated by the qualified professional who prepared the plans.
27. Prior to signature approval of the preliminary plan, submit written authorization from the Department of Parks and Recreation for any woodland conservation provided on land to be dedicated.
 28. At the time of Specific Design Plan, the SDP and TCP II shall have the same sheet sections, sheet key, and sheet order. The sheet key shall be placed on all sheets.
 29. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations, and a plan showing the locations where the photos were taken.
 30. At least 30 days prior to Planning Board hearing for the preliminary plan, the TCP I associated with that plan shall be revised to show the scenic easement with a minimum width of 40 feet located outside of the ultimate right-of-way and exclusive of the public utility easement and proposed master planned trail adjacent to the realigned Oak Grove Road.
 31. At the time of Specific Design Plan, all planting within the scenic easement shall be native plant material.

32. At time of final plat, a 40-foot-wide scenic easement shall be established adjacent to Oak Grove Road, and a note shall be placed on the final plat as follows:

“Oak Grove Road is a designated Historic Road. The scenic easement described on this plat is an area 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.”
33. The applicant shall dedicate 48± acres of parkland to M-NCPPC, including the Collington Branch and Black Branch Stream Valleys, and 8.5 acres of developable land for active recreation as shown on DPR Exhibit “A.”
34. The land to be conveyed to the M-NCPPC shall be subject to the conditions of attached Exhibit “B.”
35. The applicant shall construct recreational facilities on dedicated parkland typical for the neighborhood park. The applicant shall develop the park development concept plan and incorporate into the preliminary plan of the subdivision. The concept plan shall be reviewed and approved by DPR staff.
36. The applicant shall construct an eight-foot-wide master plan hiker/biker trail along Collington Branch Stream Valley, and six-foot wide feeder trails to the development pods. The applicant shall connect the section of the master planned trail in Locust Hill to the trails in the Beech Tree and Woodside Village developments. The applicant shall construct any needed structure to provide a dry passage.
37. The applicant shall construct an eight-foot-wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley, and six-foot-wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to provide a dry passage.
38. Prior to submission of the Specific Design Plan (SDP), the applicant shall develop detailed construction drawings for park facilities and submit them to DPR for their review and approval, prior to submission of the SDP.
39. 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 by DPR.
40. The handicapped accessibility of all trails shall be determined during SDP review.
41. The applicant shall allocate appropriate and developable areas for the private recreational facilities on Home Owners Association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of the DRD for adequacy and property siting. The private recreational package shall be approved by Planning Board at the time of SDP.

- 42. The applicant shall provide suitable vehicular access to the parkland from realigned Oak Grove Road at the location approved by DPR and DPW&T staff.
- 43. All additional accesses to the parkland from development pods shall be at least 30 feet wide.
- 44. The applicant shall work with the owners of Parcels 2 and 6 to realign the existing access driveway and easement from Leeland Road to the properties on the north to minimize impacts to the planned park. The final determination of the easement location shall be made at the time of preliminary plan of subdivision.

Ordered this 9th day of April, 2007, by the following vote:

In Favor: Council Members Exum, Bland, Campos, Dean, Dernoga, Harrington, Knotts, Olson and Turner

Opposed:

Abstained:

Absent:

Vote: 9-0

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND, SITTING AS THE DISTRICT COUNCIL FOR THAT PART OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT IN PRINCE GEORGE'S COUNTY, MARYLAND

By: _____
Camille A. Exum, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

R E S O L U T I O N

WHEREAS, a 503.53-acre parcel of land known as Tax Map 76 in Grid E-3 (Parcels 22, 23 and 30), said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned R-L; and

WHEREAS, on August 23, 2006, Mercantile Bank Real Estate Services filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 554 lots and 24 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-06075 for Locust Hill was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on January 25, 2007, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on January 25, 2007, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/24/06-01), and further APPROVED Preliminary Plan of Subdivision 4-06075, Locust Hill, for Lots 1-554 and Parcels A-X with the following conditions:

1. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan and approved Basic Plan A-9975, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
 - a. Construct the master plan trail along the subject site's portion of Collington Branch. Park dedication and the alignment of the trail shall be coordinated with the Department of Parks and Recreation.
 - b. Construct a Class I master plan trail (or side path) along the subject site's entire frontage of Oak Grove Road.
 - c. Construct a Class I master plan trail (or side path) along the subject site's entire frontage of Church Road.

- d. Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to DPR or within a public use easement on HOA land.
 - e. A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails shall be completed at the time of specific design plan. Trail locations may be affected by the location of environmentally sensitive features and other constrains. Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods shall be provided.
2. With the submission of each building permit, the applicant, his heirs, successors or assigns shall pay to Prince George's County a fee calculated as $\$1,550/\text{DU} \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$ as its share of costs for improvements to US 301 between MD 725 and MD 214.
 3. In lieu of the payment of fees required in Condition 2 above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors or assigns may be required to construct a third northbound through lane on US 301 from a point just north of Leeland Road to a point just north of Trade Zone Avenue. Additionally, the improvement may include a third eastbound left turn lane along Leeland Road at its intersection with US 301. The total cost of these improvements, or other variation determined by SHA shall not exceed an amount calculated as $\$2,170,000.00 \times (\text{FHWA Construction Cost Index at time of payment})/(\text{FHWA Construction Cost Index for 2nd quarter, 1989})$.
 4. Prior to the issuance of any building permit, the applicant shall dedicate all rights-of-way for MC-600 (Leeland Road) as identified by the Planning Department.
 5. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assigns:
 - a. **Leeland Road**

Construct Leeland Road-Oak Grove Road to provide a minimum of 2 lanes of the ultimate 4-lane master plan alignment between US 301 and MD 193, in accordance with DPW&T standards.
 - b. **MD 193/Oak Grove Road Intersection (roundabout)**

The applicant shall provide an exclusive right turn lane at the westbound approach.

- c. **MD 202/MD 193 Intersection**
 - 1) Provide a left turn, a shared left/through lane, and a right turn lane on the southbound MD 193 approach
 - 2) Provide a second left turn on the eastbound MD 202 (towards Upper Marlboro) approach
 - 3) Provide two receiving lanes on the eastern leg of the intersection to receive the double left turns from eastbound MD 202
6. Prior to the issuance of any building permit, the applicant shall conduct signal warrant studies at the following intersections, and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by DPW&T;
 - a. Leeland Road/Safeway Access
 - b. Leeland Road/ Site Access B
 - c. Leeland Road/ Site Access A
 - d. Oak Grove Road/Whistling Duck Drive.
7. Prior to signature approval of the preliminary plan, the following note shall be placed on the preliminary plan: "All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."
8. Prior to signature approval of the TCPI, the TCPI shall be revised to eliminate the 0.50 acres of clearing from the column for floodplain clearing, and add it to the column for PMA and off-site impacts.
9. Prior to signature approval of the preliminary plan, and prior to acceptance of the specific design plan, a copy of the revised and approved stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques. The approved concept shall be reflected on the SDP and TCPII.
10. Prior to signature approval of the preliminary plan and the TCPI, both plans shall be revised to add the following note: "Development of this site is subject to a habitat protection and management program, conceptually approved concurrently with the preliminary plan of subdivision. Submittal of a detailed habitat protection and management program for the site is required with the submittal of the first specific design plan for this site, and is also subject to the approval of the Planning Board. The detailed habitat protection and management program shall be based on the conceptual plan, but is not necessarily limited to elements outlined in the

conceptual plan.”

11. Prior to signature approval of the preliminary plan, the TCPI shall be revised to conceptually show the proposed limits of disturbance for the proposed church/school property as identified on the north portion of Parcel J (Sheet 3 of the TCPI). All impacts shall be limited to those only necessary for development. The worksheet shall be adjusted as necessary to accommodate this development.
12. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional shall be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.
13. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC, Planning Department.
14. At time of final plat, bearings and distances shall describe a conservation easement. The conservation easement shall contain the Patuxent River Primary Management Area, and all adjacent preservation and reforestation/afforestation areas, excluding those areas where requests for impacts have been approved, and the final plat shall be reviewed by the Environmental Planning Section prior to approval. 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.”
15. The final plat shall contain the following note:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/24/06-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation and Tree Preservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

16. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the M-NCPPC 44.32± acres of land (Parcels A, E, X and W). Land to be conveyed shall be subject the following:
- a. At the time of final plat the applicant 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, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the Final Plat.
 - b. The 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.
 - c. The boundaries and acreage of land to be conveyed to the M-NCPPC shall be indicated on all development plans and permits, which include such property.
 - d. 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, the 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, The M-NCPPC) shall be submitted to the DPR within two weeks prior to applying for grading permits.
 - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by The M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by The M-NCPPC, the DPR shall review and approve the location and design of these facilities. The DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. The DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
 - g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of the DPR.
 - h. The applicant shall terminate any leasehold interests on property to be conveyed to M-NCPPC.
 - i. No stormwater management facilities, or tree conservation or utility easements shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of the DPR. The DPR shall review and approve the location and/or design of these features. If such proposals are approved by the DPR, a performance bond and an

easement agreement may be required prior to the issuance of grading permits.

17. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 151.56± acres of open space land. Land to be conveyed shall be subject the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
 - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
18. The applicant shall provide sufficient and uninterrupted access to Parcels 2 and 6, either along the existing ingress/egress easement or through some other means mutually agreeable to all parties. This shall be resolved at the time of the SDP affecting this area.
19. Prior to the 301st building permit, the portions of all existing roads that cross through the active park shall be formally abandoned and any interest in this abandoned right-of-way shall be conveyed to M-NCPPC.

20. Prior to either the 414th Building Permit or 75 percent of the total building permits, whichever comes first, the applicant shall provide two junior soccer fields, one playground, one picnic shelter and 60 parking spaces on the area to be used as an active park.
21. Prior to the final plat of subdivision, the applicant shall relocate the existing easement on land to be dedicated to M-NCPPC to minimize the impact on active parkland as shown on DPR's Exhibit A. If the applicant is unsuccessful in relocating this easement, then the applicant shall provide additional dedicated parkland to the M-NCPPC to replace the land rendered unusable due to the location of the existing driveway. The size, location and orientation of this dedication will be determined prior to the final plat of subdivision.
22. The public recreational facilities shall be constructed in accordance with the standards outlined in the *Park and Recreation Facilities Guidelines* and the accessibility guidelines in the latest edition of the *Americans with Disabilities Act for the Outdoor Development Areas*.
23. Construction drawings for the recreational facilities on public parkland shall be reviewed and approved by the Park Planning and Development staff prior to certificate approval of the first specific design plan.
24. Prior to submission of any final plats of subdivision, the applicant shall enter into a public Recreational Facilities Agreement (RFA) with M-NCPPC for the construction of recreation facilities on parkland. 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 plats. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.
25. The applicant shall submit to DPR a performance bond, a letter of credit or other suitable financial guarantee, for the construction of the public recreation facilities in the amount to be determined by DPR, at least two weeks prior to issuance of grading permits.
26. Prior to certification of the preliminary plan, the stormwater management facility shall be moved and redesigned to minimize the impact to parkland. The applicant shall revise the plan to show the stormwater management pond on a parcel to be conveyed to the HOA or DPW&T. The size, configuration and location of the pond shall be revised and approved by DPR. The exhibit shall show adequate landscaping and fencing to serve as a buffer to the active park.

27. With the submission of the specific design plan, the applicant shall submit detailed construction drawings for trail construction to DPR for review and approval. The trail corridor shall be treated as follows:
- a. When trails are constructed through wooded areas, all trees shall be removed that are within two feet of the edge of the trail. Within 20 feet of the trail, 1) All trees shall be cleared to 12 feet in height; and 2) Other vegetation obstructing the view from the trail shall be removed (shrubs, fallen trees).
 - b. When possible, the trail shall be aligned to preserve trees 12 inch or greater caliper.
 - c. Shallow rooted species, i.e. Maples, should be a minimum of 10 feet from the edge of pavement.
 - d. The location of the trail shall be staked in the field and approved by DPR prior to construction.
28. Prior to the issuance of a grading permit for the development, a public safety mitigation fee shall be paid in the amount of \$731,280.00, (\$1,320 x 554 dwelling units). Notwithstanding the number of dwelling units and the total fee payments noted in this condition, the final number of dwelling units shall be as approved by the Planning Board and the total fee payment shall be determined by multiplying the total dwelling unit number by the per unit factor noted above. The per unit factor of \$3,780 is subject to adjustment on an annual basis in accordance with the percentage change in the Consumer Price Index for all urban consumers. The actual fee to be paid will depend upon the year the grading permit is issued.
29. Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assigns:

Church Road / Oak Grove Road relocated (roundabout)

The construction of a roundabout subject to DPW&T approval.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

- 1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
- 2. The property is located on the north and south sides of Oak Grove Road and east of Church Road, east and west of the Popes Creek Branch Railroad tracks. It is undeveloped and predominately

wooded. The 82-acre portion of Locust Hill north of Oak Grove Road is surrounded by undeveloped land that is part of the 890-acre R-L Zoned Oak Creek development.

3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-L	R-L
Use(s)	Vacant	Single-Family & Townhouses
Acreage	503.53	503.53
Lots	0	554
Outlots	0	0
Parcels	3	24
Dwelling Units:		
Single-Family		438
Multifamily	0	0
Townhouses	0	116
Public Safety Mitigation Fee		Yes

4. **Prior Approvals**—The Comprehensive Design Plan for the project was approved by the Planning Board on December 7, 2006 by the Planning Board and PGCPB Resolution 06-274 was adopted by the Planning Board on January 4, 2007, formalizing that approval. The relevant conditions of that approval are listed below in bold face type, followed by staff’s comments:

- 6. All private recreational facilities to be provided for the proposed development shall be constructed in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines.**

Comment: This condition should be carried forward in the preliminary plan approval as follows: Prior to approval of each specific design plan for the project, it shall be ensured that any private recreational facilities to be provided for the proposed development are constructed in accordance with the standards outlines in the Parks and Recreation Facilities Guidelines.

- 36. The applicant shall construct an eight-foot wide master plan hiker/biker trail along Collington Branch Stream Valley and six-foot wide feeder trails to the development pods. The applicant shall connect the section of the master planned trail in Locust Hill to the trails in the Beech Tree and Woodside Village developments. The applicant shall construct any needed structure to provide a dry passage.**

Comment: Plans should be sent to the trails planner for review and comment and the above condition should be brought forward as a recommended condition of approval of the preliminary plan requiring proper attention to the details of the trail’s construction at the time of specific design plan approval.

- 37. The applicant shall construct an eight-foot wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley and six-foot wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to provide a dry passage.**

Comment: Plans should be sent to the trails planner for review and comment and the above condition should be brought forward as a recommended condition of approval of the preliminary plan requiring proper attention to the details of the trail's construction at the time of specific design plan approval.

- 39. 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 by DPR.**

Comment: This condition should be brought forward in the approval of the preliminary plan of subdivision as follows: "At time of specific design plan, it should be assured at all trails are constructed to assure dry passage. If wet areas are to be traversed, suitable structures shall be constructed and their design shall be reviewed and approved by DPR."

- 41. The applicant shall allocate appropriate and developable areas for the private recreational facilities on Home Owners Association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Review Section of the DRD for adequacy and property siting. The private recreational package shall be approved by Planning Board at the time of SDP.**

Comment: The four recreational nodes indicated on the preliminary plan of subdivision, combined with the recreational facilities to be offered in the adjacent Willowbrook subdivision, should be sufficient to serve the needs of the projected population of the subdivision. A recommended condition of the preliminary plan of subdivision should reiterate that the Urban Design Review Section of the DRD shall review the private recreational facilities for adequacy and property siting at time of specific design plan approval and that the private recreational package shall be approved by the Planning Board.

5. **Environmental**—A review of the available information indicates that extensive areas of streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. These features are within the Collington Branch watershed of Western Branch, a major watershed in the Patuxent River Basin. These features and their associated buffers are required to be protected to the fullest extent possible by Section 24-130(b)(5) of the Subdivision Regulations. According to the "Prince George's County Soil Survey" the soils found to occur on this site are in the Adelphia, Bibb, Collington, Ochlockonee, Monmouth, Mixed Alluvial, Sandy Land, Shrewsbury, and Westphalia soil series. According to available information, Marlboro clay occurs on this site. One significant source of noise is from the CSX Railroad tracks, which bisect the eastern portion of the site on the south side of Oak Grove Road.

According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, rare, threatened, and endangered species are known to occur on this property. Oak Grove Road is a designated historic road. The site contains regulated areas, evaluation areas, and network gaps within the green infrastructure network of the Countywide Green Infrastructure Plan. The north section of the site is located within the Bowie & Vicinity Planning Area. The south section of the site is located in the Subregion VI Planning Area. The site is also in the Developing Tier as reflected in the 2002 General Plan.

BASIC PLAN, A-9975, PGCPB. No. 06-61

The following are the conditions of approval of the Basic Plan, A-9975. The text in **bold** reflects the actual text from the conditions. The text in plain type discusses how the condition has been addressed with the current application

- “6. A staff signed natural resources inventory (NRI) shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.**

Comment: The site has a signed Natural Resources Inventory (NRI/47/06-01) that was submitted with this application.

The FSD describes five forest stands totaling 413.60 acres. Stands A, B, C, and E are all immature hardwoods, while Stand D is a successional hardwood forest. Some of the dominant tree species found to occur on this site include sweetgum, red maple, yellow poplar, green ash, river birch, hickory, American beech, southern red oak, white oak, tree of heaven, black cherry, and black locust. Forest stands A and B are considered high priority for retention because they abut sensitive environmental features such as streams and wetlands. Stand C is part of the on-site Forest Interior Dwelling Species (FIDS) habitat and is a high priority for preservation. According to the FSD text, Stand D contains a significant amount of invasive plant species in the herbaceous layer and is not associated with FIDS habitat or sensitive environmental features, and Stand E contains a limited area of FIDS habitat but is not adjacent to any regulated features; however, a review of the NRI shows that both of these stands are associated with regulated features in several areas. Based upon this review, both stands D and E have a moderate to high priority for retention in areas adjacent to regulated features.

All environmental features of the property, which include stream buffers, wetlands, and floodplain, are correctly delineated on the NRI. The PMA has been correctly shown on the NRI. The revised TCPI and preliminary plan are consistent with the NRI.

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

Comment: This condition has been addressed. Because the locations of the rare, threatened and endangered fish species are now known, a protocol or survey for fish species is not required. A completed survey of RTE plant species was submitted as part of the CDP application. The protocol described in the survey was found to address the above condition. Discussion regarding RTE species is detailed in the Environmental Review section.

8. **The woodland conservation threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I tree conservation plan required with the CDP application shall focus on the creation of contiguous woodland. Priority areas for tree preservation shall be concentrated in areas within the framework of the approved Green Infrastructure Master Plan. No woodland conservation shall be provided on any residential lot.**

Comment: This condition has been addressed. The TCPI submitted with this application correctly shows the woodland conservation threshold as 25 percent. The areas of woodland conservation are within the framework of the Countywide Green Infrastructure Plan and no woodland conservation is proposed on any residential lots.

9. **Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance. This note shall also be placed on all tree conservation plans.**

Comment: This condition has been addressed. The TCPI includes a plan identifying all areas proposed for clearing, including areas of clearing on the net tract, within the PMA, off-site, and areas within the PMA for the master planned roadway. The note is correctly shown on the TCPI.

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

Comment: This condition has been addressed. See condition 17 of the CDP condition for detailed information.

11. **A Phase I noise study shall be submitted with the preliminary plan application package. The noise study should address the location of the 65 dBA Ldn noise**

contour related to the CSX Railroad tracks, and what mitigation measures, if any, will be required to reduce noise impacts to 65 dBA Ldn in outdoor activity areas.

Comment: This condition was addressed with the CDP application. The study has predicted the unmitigated 65 dBA Ldn noise contour to be approximately 60 feet from the centerline of the CSX railroad near the horn post. This contour decreases even further as distance from the horn post increases. The unmitigated 65 dBA Ldn noise contour is correctly shown on the TCPI and preliminary plan. Mitigation for the proposed rear outdoor activity areas and indoor living areas is not required for this site.

12. If noise mitigation is required to reduce noise levels to below 65 dBA Ldn in outdoor activity areas, a Phase II noise study shall be submitted with the preliminary plan application package. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA Ldn interior.

Comment: Based on the submitted Phase I noise study, a Phase II noise study will not be required because no lots will be impacted by noise above levels the state standards. The study also finds that special modifications are not necessary to reduce interior noise levels to 45 dBA Ldn or less. Staff concurs with these findings based on the proximity of the proposed structures to the railroad.

13. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.”

Comment: The condition has been addressed with this application.

COMPREHENSIVE DESIGN PLAN, CDP-0506, PGCPB. No. 06-274

The following are the conditions of approval of the Comprehensive Design Plan, CDP-0506. The text in **bold** reflects the actual text from the conditions. The text in plain type discusses how the condition has been addressed with the current application

5. All future submissions to the Development Review Division regarding Locust Hill, CDP-0506 shall indicate the PMA as shown on the NRI submitted with the subject application.

Comment: This condition has been addressed with this application. A revised NRI has been submitted and signed. The PMA is correctly shown on all plans.

12. At time of Specific Design Plan submission, each SDP shall include a statement regarding how the proposal uses green building techniques and alternative energy sources.

Comment: This condition shall be addressed at the time of SDP.

- 13. The following note shall be placed on the preliminary plan and all future Tree Conservation Plans: “All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over.”**

Comment: The note is correctly shown on the TCPI; however, it is not shown on the preliminary plan.

- 14. Prior to certification of the CDP, note five of the NRI shall be revised to correctly address all rare, threatened, and endangered species on the site. The NRI shall also be revised to include a wetland delineation that includes the area to the east of the railroad tracks.**

Comment: This condition has been addressed with this application. A revised NRI, stamped as received by the Environmental Planning Section on December 4, 2006, correctly addresses the information regarding rare, threatened, and endangered species. An addendum to the wetland delineation report has also been submitted and the NRI correctly reflects the delineated wetlands located east of the CSX railroad tracks.

- 15. Prior to certification of the CDP, the TCPI shall be revised to add the following note below the TCPI worksheet: “The acreage of all clearing within the 100-floodplain is reflected in the worksheet column for PMA clearing and off-site impacts. PMA clearing for the master planned roadways is included in the site clearing calculations.”**

Comment: This note is correctly shown on all plans; however, the TCPI worksheet shows the clearing of 0.50 acre of woodland in the column for clearing in the 100-year floodplain. The worksheet needs to be revised to remove this acreage from that column, and add it to the column for PMA and off-site impacts because the floodplain is located within the PMA and the replacement requirement for clearing in each of these areas is the same.

- 16. The TCPI submitted with the preliminary plan shall identify each clearing area by type: Net Tract Clearing, PMA Clearing (Master Plan Road), PMA Clearing (includes floodplain), and Off-Site Clearing. Each of the clearing types shall be identified using a different symbol. A chart indicating the type and size of each isolated clearing area in its respective category shall also be added to the plan.**

Comment: This condition has been addressed with this application.

- 17. At least 30 days prior to Planning Board hearing for the preliminary plan, a detailed geotechnical report based on the existing conditions of the site, including the most current topographical information (or as shown on the NRI) shall be submitted. It shall also address the existing outcrop pattern of Marlboro clays and areas of slope stability concerns with respect to the existing conditions. The study**

shall provide the appropriate plans and/or exhibits, showing the location of all slope stability cross-sections, and identify the unmitigated 1.5 safety factor lines. The unmitigated 1.5 safety factor lines based on that report shall then be placed on the TCPI and the preliminary plan.

Comment: This condition has been addressed with this application. A revised geotechnical report for a preliminary subsurface exploration for the location of the Marlboro clays was submitted. The study is based on the most current topographical information of the site and addresses the actual limits of the Marlboro clays. The delineations of the Marlboro clays are correctly shown on the TCPI and preliminary plan. The study also shows cross sections of areas of potential slope failure based on the existing topography.

The stability of the existing undisturbed slopes containing Marlboro clays was analyzed using the STEDWIN computer program, which calculates the factor of safety. Based on the results of the testing, the factor of safety for the existing slope exceeds the minimum requirement of 1.5. The proposed grading will remove many of the existing steep and severe slopes, which will increase the factor of safety for the site.

Comment: No further information is required regarding Marlboro clay and the unmitigated 1.5 safety factor line.

- 18. At least 30 days prior to any Planning Board hearing on the preliminary plan application, the existing conditions and proposed 1.5 safety factor line shall be shown on the preliminary plan and Type I Tree Conservation Plan. No structures, septic fields, or lots less than 40,000 square feet in area shall be placed within the mitigated 1.5 safety factor line. All subsequent plans shall also show this information. If proposed engineering of the site will change the location of the existing 1.5 safety factor line, the proposed 1.5 safety factor line must also be shown on all plans.**

Comment: A slope stability analysis based on the proposed grading and layout was submitted with this revised preliminary plan package. The exhibit submitted with the report identifies all existing areas of possible slope failure with respect to the proposed design. Based on the layout and proposed grading, the shear strength of the mitigated slopes will not be adversely affected, and will have a factor of safety ranging from 2.75-3.05, which exceeds the minimum of 1.5.

- 19. At least 30 days prior to any Planning Board hearing for the preliminary plan, the associated TCPI shall be revised to show a 100-foot protection buffer for rare, threatened and endangered species with respect to all streams and wetlands on the site. The PMA shall be revised to include that 100-foot buffer. Impacts shown to the 100-foot buffer and PMA on the TCPI associated with the CDP shall be re-evaluated and reduced or eliminated during the review of the preliminary plan. Impacts should be limited to those that are essential for the development of the site.**

Comment: This condition has been addressed with this application. The PMA is correctly shown on all plans in accordance with the above condition. All impacts are discussed in detailed in the Environmental Review section of this memo.

- 20. Prior to signature approval of the preliminary plan, a copy of the stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques.**

Comment: This condition refers to a revised stormwater management concept plan that is required to address protection measures for the rare, threatened and endangered species associated with the on-site stream valley. To date, the Environmental Planning Section has not received a revised stormwater concept plan. This condition should be revised to ensure that the revised concept plan is approved prior to signature approval of the preliminary plan.

- 21. At least 30 days prior to any Planning Board Hearing on the preliminary plan application, a conceptual Habitat Protection and Management Program shall be submitted for approval with the Preliminary Plan of Subdivision. The program shall include, but not be limited to:**
- a. Hydrologic monitoring for a minimum of a year prior to the issuance of the first grading permit to establish a baseline of data, during construction, and post construction for the following elements: water quality, benthic macroinvertebrate, hydrologic flow, sedimentation.**
 - b. Monitoring during construction for the following: sediment and erosion control measures, stormwater management controls, special protection measures for rare, threatened and endangered species habitat.**
 - c. Monitoring of the rare, threatened and endangered species during and post-construction.**

Comment: A conceptual habitat protection and management program as required by Condition 21 of PGCPB Resolution 6-274, was submitted on December 20, 2006. The text submitted provides an overview of the monitoring practices and special protection measures proposed for the site. The program was forwarded to staff members at the Maryland Department of Natural Resources associated with the Maryland Biological Stream Survey, Wildlife and Natural Heritage, and the Environmental Review Unit, but comments have not yet been received. The program submitted is based on the hydrologic monitoring and habitat management frameworks for nearby projects affecting the Collington Branch (Oak Creek Club and Beechtree), and provides an acceptable conceptual framework for the development of a detailed program, but cannot be considered complete at this time because detailed comments from state and federal agencies have not been provided.

A detailed habitat protection and management program is required prior to the submission of the first specific design plan for the site due to conditions of comprehensive design plan approval. Detailed comments from the Maryland Department of Natural Resources, Maryland Biological Stream Survey, and the Maryland Department of Environment based on the species to be protected, and the unique environmental characteristics of this site, will be incorporated into that document. Staff anticipates that comments from these agencies will contribute greatly to the design of an effective program.

- 22. At least 30 days prior to any Planning Board Hearing on the first SDP application, a detailed Habitat Protection and Management Program shall be submitted to be approved with the first SDP which addresses specific implementation methodologies for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. Prior to issuance of the first grading permit, a minimum of one year of hydrologic monitoring data, as determined by the program, shall be submitted, to establish a baseline for evaluation impacts to the RTE habitat resulting for construction activities, and post development.**

Comment: This condition shall be addressed with review of the first SDP.

- 23. As part of the submission package for the first SDP, a plan and text shall be submitted that addresses a sediment and erosion control protocol that is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms such as sediment basins stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section staff in coordination with the staff of the Soil Conservation District.**

Comment: This condition shall be addressed with the first SDP.

- 24. Prior to certificate approval of the CDP, the TCPI shall be revised as follows:**
- a. Add the following note: “The limits of disturbance shown on this plan are conceptual and do not depict approval of any impacts to regulated features.”**
 - b. Clearly identify the proposed master planned trails and show the associated width.**

Comment: This condition has been addressed with this application.

- 25. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits,**

evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Planning Department.

Comment: This condition shall be addressed at the review of grading permits.

- 26. Prior to certification of the CDP, the Type I Tree Conservation Plan, TCPI/24/06, shall be revised as follows:**
- a. Add the following note: “Woodland cleared within the PMA Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance.”**
 - b. Revise note 1 as follows: “This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements of CDP-0506. The TCPI will be modified by a TCP I in conjunction with the review of the Preliminary Plan of Subdivision and subsequently by a Type II Tree Conservation Plan (TCPII) in conjunction with the approval of a SDP and/or a grading permit application.”**
 - c. Add the following note: “Reforestation and afforestation areas shall be delineated on-site through the use of two-rail split-rail fences or some other permanent device that is aesthetically compatible with the development. Fence locations and details shall be specified on the Type II TCP.”**
 - d. Calculate all woodland on lots less than 20,000 square feet as woodland cleared, add lot sizes to the plan, add a table calculating all woodland treatment areas, and label all areas appropriately.**
 - e. Eliminate the use of a “proposed tree line” and only use a limit of disturbance.**
 - f. Show a continuous match-line for each match-line boundary on each sheet.**
 - g. Show one continuous limit of disturbance for all areas proposed for development, particularly the master planned roadway located outside the eastern boundary of the site.**
 - h. Remove the proposed structure from the parcel located north of Lot 1 Block G.**
 - i. Show the conceptual clearing for Parcels R and T.**

- j. Add the following note: “Prior to contract signing, the seller shall show the prospective buyer a copy of this Type I Tree Conservation Plan or the subsequent Type II Tree Conservation Plan, whichever plan is most current and has received signature approval, as required by CB-60-2005.”**
- k. Revise the worksheet as necessary.**
- l. Have the plans signed and dated by the qualified professional who prepared the plans.**

Comment: All of the above conditions have been addressed with the exception of Condition 26(i). The revised TCPI now shows Parcel R designated as Parcel J, and Parcel T is now designated as Parcel D. The proposed clearing and limits of disturbance are shown for the future church proposed on Parcel D. No clearing is shown for the proposed church/school site on the north portion of Parcel J; however, the plans show an undefined area designated for these structures. The proposed reforestation does not appear to reflect the area necessary for the proposed development. The limits of disturbance for the proposed development must be shown for this site so that the woodland conservation requirements and regulated areas are properly evaluated.

- 27. Prior to signature approval of the preliminary plan, submit written authorization from the Department of Parks and Recreation for any woodland conservation provided on land to be dedicated.**

Comment: This condition shall be addressed prior to signature approval of the preliminary plan.

- 28. At the time of Specific Design Plan, the SDP and TCPII shall have the same sheet sections, sheet key, and sheet order. The sheet key shall be placed on all sheets.**

Comment: This condition shall be addressed with all future specific design plans.

- 29. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.**

Comment: This condition should be carried over to this application because the TCPI proposes extensive afforestation to meet the total requirement on-site.

- 30. At least 30 days prior to Planning Board hearing for the preliminary plan, the TCPI associated with that plan shall be revised to show the scenic easement with a minimum width of 40 feet located outside of the ultimate right-of-way and exclusive**

of the public utility easement and proposed master planned trail adjacent to the realigned Oak Grove Road.

Comment: This condition has been addressed with this application.

- 31. At the time of Specific Design Plan, all planting within the scenic easement shall be native plant material.**

Comment: This condition shall be addressed with all future specific design plans.

- 32. At time of final plat, a 40 foot-wide scenic easement shall be established adjacent to Oak Grove Road and a note shall be placed on the final plat as follows: “Oak Grove Road is a designated Historic Road. The scenic easement described on this plat is an area 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.”**

Comment: This condition shall be addressed at the time of final plat.

MASTER PLAN CONFORMANCE

Bowie and Vicinity

In the Approved Master Plan and Sectional Map Amendment for Bowie and Vicinity (February 2006), the Environmental Infrastructure section contains goals, policies and strategies. The following policies have been determined to be applicable to the current project. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1. Protect, preserve and enhance the identified green infrastructure network within the master plan area.

Collington Branch is designated in the Bowie and Vicinity Master Plan as a Primary Corridor, meaning that development within this watershed should seek to protect, enhance or restore the resource. It is located on the east side of the CSX Railroad tracks that run north-south in that area. The extensive stream network on the site feeds directly into Collington Branch. The Countywide Green Infrastructure Plan shows this site as containing significant amounts of regulated areas and almost the entire site is an evaluation area. Because of this site’s prominent location in the network, and because it is directly adjacent to the Collington Branch system, every effort must be made to protect the high quality environmental resources on-site.

Comment: The preservation of the sensitive resources is discussed in detail later in this memorandum.

Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

Comment: The Western Branch Watershed Restoration Action Strategy (WRAS) has identified several sites in need of restoration upstream from the subject property. The problems identified on-site are related to erosion and trash dumping. These sites should be investigated for opportunities for restoration. The areas of restoration within the Collington Branch system will be addressed with the review of the Willowbrook application. Additional recommended conditions in this memorandum address erosion and sediment control requirements to preserve water quality.

Policy 3: Protect and enhance tree cover within the master plan area.

Comment: The TCPI shows that approximately 97 percent of the woodland conservation requirement for this site is being met on-site. There are several areas where the primary management area (the regulated areas adjacent to streams) is proposed to be planted where vegetation does not currently exist.

Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.

Comment: The development is conceptual at the present time. In future applications, the use of these building techniques should be addressed.

Policy 5: Reduce light pollution and intrusion into residential, rural and environmentally sensitive areas.

Comment: The site is adjacent to an environmentally sensitive area (Collington Branch and its tributaries). All street lights in the new subdivision should use full cut-off optics to ensure that light intrusion is minimized.

Policy 6: Reduce adverse noise impacts to meet State of Maryland noise standards.

Comment: The plan shows the placement of structures a considerable distance from the main noise generator: the CSX Railroad tracks to the east. The state noise standards have been met using this design.

Policy 7: Protect wellhead areas of public wells.

The site is not in a wellhead protection area and does not propose any public wells.

Subregion VI Study Area

The following goals, policies and strategies of the Subregion VI Study Area (September 1993), have been determined to be applicable to the current project. The text in **BOLD** is the text from

the master plan and the plain text provides comments on conformance of the current application with this sector plan.

- “1. An open space and conservation area network, based on existing soil conditions, slopes, watercourses, vegetation, natural ecological features, and estimated future population needs, should be established and maintained.**

Comment: The open space and conservation areas as shown on the TCPI are focused in and around the regulated areas of the site and on land to be dedicated to the Department of Parks and Recreation.

- 2. Land dedicated in accordance with the subdivision regulations for the provision of needed recreation facilities should not consist solely of floodplains or other parts of the Natural Reserve Areas.**

Comment: The plans as submitted do not propose any recreation facilities on dedicated lands. The proposed trails on dedicated land are in accordance with the sector plan recommendations. Recreation facilities are being proposed across the street on the Willowbrook project.

- 3. The responsibility for environmentally sound development practices should apply equally to private and public interests; decisions concerning the selection and use of properties should be based on environmental considerations.**

Comment: The proposed use of this property is for a private residential subdivision and special provisions for the preservation and protection of the on-site habitat associated with rare, threatened and endangered fish and plant species are being established as part of this application. This includes enhanced stormwater management, sediment and erosion control mechanisms, and a habitat management program. These requirements are detailed in the conditions of the CDP.

- 4. All public and private development proposals shall be encouraged to capitalize on natural assets through the retention and protection of trees, streams, and other ecological features.**
- 5. Woodlands associated with floodplains, wetlands, stream corridors and steep slopes shall be given priority for preservation.**
- 6. To the extent practicable, large contiguous tracts of woodland should be conserved in both upland and bottomland situations in order to reduce forest fragmentation, maximize woodland interiors, and reduce the edge/area ratio.**
- 7. Natural Reserve Areas, containing floodplain and other areas unsuitable for development, should be restricted from development except for agricultural recreational and similar uses. Landfilling should be normally discouraged. Where permitted for special reasons, all necessary conditions should be imposed.**

- 8. All development proposals should provide effective means for the preservation and protection of natural reserve areas, and development plans for lands containing open space and conservation areas should specify how and by whom these areas will be maintained.**
- 9. Development plans and permits for development within the conditional reserve areas should be carefully reviewed for adherence to the regulations regarding physiographic constraints and natural processes of the land.**

Comment: These guidelines have all been addressed on the current TCPI. The TCPI shows the regulated features have been protected to the fullest extent possible and all woodland conservation is being met on-site through preservation and afforestation/reforestation, focused on the highest priority areas of the site. Floodplains and wooded stream buffers have been protected. Large, contiguous blocks of open space have been preserved.

- 10. In perceptual liability areas, land uses such as schools, residences, nursing homes, and libraries that are sensitive to noise attenuation, air pollution, and other characteristics of excessive vehicular traffic should be protected by suitable construction techniques and by the enforcement of legally mandated standards.**

Comment: Noise associated with the CSX railroad was reviewed as part of the CDP and this plan. Mitigation for noise will not be required due to the location of the unmitigated 65 dBA Ldn noise contour, the proximity of the proposed structures from the railroad tracks, and the expansive wooded buffer between the proposed structures and the railroad tracks. See conditions 11 and 12 of the basic plan for additional information.

- 11. Developers shall be encouraged to include careful site planning and construction techniques which are designed to reduce the adverse impact of point and nonpoint source noise that exceeds the States current maximum standard.**

Comment: As previously discussed, the site has been designed to address this guideline. Noise mitigation for this site is not required.

- 12. Citizens, developers, and others should be encouraged to seek current information on the area's environmental condition, and on all aspects of related regulatory systems and functional programs from the appropriate local, state, and federal agencies."**

Comment: During the review of the CDP, the developers and staff worked together to preserve the rare, threatened, and endangered species habitat on the site. Future preservation and protection measures were also addressed during that review.

The final plat will note the approved Type I tree conservation plan associated with this site and also delineate the location of a permanent conservation easement to protect the sensitive regulated features on the site. In accordance with CB-60-2006, all prospective buyers shall be given a copy of the most current tree conservation plan, which will detail guidelines on the maintenance, and preservation of the natural features on the site with regard to woodland conservation areas.

Green Infrastructure Master Plan

The site contains extensive areas designated as regulated areas and evaluation areas within the green infrastructure network. The TCPI shows some isolated areas of woodland conservation; however, the plan primarily focuses on creating large tracts of contiguous woodland by preserving a significant amount of priority woodland within areas designated as regulated areas and evaluation areas. The proposed woodland conservation areas have been expanded to include a significant portion of the evaluation areas and network gaps that are within or connected to sensitive species habitat and buffers for this habitat on proposed Parcel J. According to the NRI, this area is predominately associated with Forest Stand B, which has a high habitat value and a high priority for retention. The overall design provides significant protection for the sensitive environmental features and the rare, threatened, and endangered species that are known to occur on this site. The TCPI has been found to be in conformance with the Countywide Green Infrastructure Plan.

Rare, Threatened and Endangered Species

During the review of the CDP, the Environmental Planning Section conducted an extensive review of the site with regard to rare, threatened, and endangered species. In a letter dated September 6, 2006, the Department of Natural Resources Natural Heritage Program noted that rare, threatened, and endangered (RTE) species are known to occur on the subject property. The letter specifically addressed three fish species identified as the state-listed endangered Stripeback darter (*Percina notogramma*), the state-listed threatened American brook lamprey (*Lampetra appendix*), and the state-listed threatened Glassy darter (*Etheostoma vitreum*). Also identified on the site was one RTE plant species, **Coville's phacelia** (*Phacelia covillei*), which is listed as endangered by the State of Maryland, and is globally rare. These, along with several other RTE plant species, have been identified in Collington Branch of the Western Branch watershed in the Patuxent River basin, which runs north-south along the eastern portion of the subject site. It should be noted that the distribution of the Stripeback darter in Maryland is limited to Western Branch, which is ranked eighth out of 84 watersheds in Maryland with respect to aquatic biological diversity and priority for conservation. Zekiah Swamp, which is partially located within Prince George's County, is ranked first. The only other known location of this species is along the James River in Virginia. Preservation and protection of the biological integrity of Western Branch is critical to the continued sustainability of this diverse and sensitive community of fish and plant species.

Conditions of approval regarding preservation and protection of the on-site habitat are contained in Resolution 06-274 for the CDP. This includes the expansion of the PMA for all streams and

wetlands, additional stormwater management techniques, enhanced sediment and erosion control mechanisms, and a conceptual habitat protection and management program.

Environmental Impacts and Preservation of the PMA

When a property is located within the Patuxent River watershed, certain designated features comprise the Patuxent River Primary Management Area Preservation Area (PMA). Section 24-130(b)(5) requires that the Planning Board find that the PMA is preserved in its natural state to the fullest extent possible. All disturbances not essential to the development of the site as a whole are prohibited within the PMA. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], road crossings, and so forth, which are mandated for public health and safety; non-essential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Because this site contains fish and plant species designated as threatened and/or endangered, it is very important that impacts be limited to only those areas necessary for development.

All of the proposed impacts as shown on the TCPI and preliminary plan are for the construction of road crossings, public utilities (water and sewer), and stormwater outfalls, which are essential for development. The plans also show impacts for pedestrian trails, which are in accordance with the Bowie and Vicinity Master Plan.

A Letter of Justification with exhibits for 16 impacts were stamped as received on December 20, 2006.

Impacts 1, 4, 11, 12, and 15 are solely for the connection of sanitary sewer lines to existing sewer lines within the stream buffers. These impacts are necessary for the health and safety of the proposed community. The total area of the requested impacts is 127,873 square feet (2.93 acres).

Impacts 2, 3, 9, and 10 are for stormwater outfalls that are necessary to safely convey stormwater to the stream system.

Impact 13 is for a stormwater outfall and sanitary sewer connection, which are both essential impacts. The total area of this impact is 6,627 square feet (0.15 acre).

Impact 5 is for a 10 foot-wide master planned trail located on proposed Parcel E. The total area of this impact is 43,683 square feet (1.0 acre). While this impact could be relocated to be outside the stream buffer, it needs to be connected to other trail segments and as a result this location is preferred.

Impacts 6, 8, and 14 are for internal road crossings, which are necessary to access the largest developable areas for the site. Also associated with exhibit 14 is an impact for the re-alignment of Oak Grove Road and the restoration of this area with reforestation. The total area of impact is 128,761 square feet (2.95 acres). Extensive discussions were held with the applicant regarding

the reduction of impacts for road crossings. The plan recommended for approval represents the least number of crossings to safely provide access to the future residences.

Impacts 7 and 16 are for the realignment and construction of Oak Grove Road, a master planned roadway. Also shown on Exhibit 16 are proposed impacts for a master planned trail, sanitary sewer connection, and stormwater outfall. The total area of impact is 260,786 square feet (5.98 acres). These impacts are all necessary for the construction of the proposed development.

The proposed impacts as requested and shown on the associated exhibits are all necessary and essential for the development of the site. Staff supports all of the requested impacts. It should also be noted that the proposed plans were revised multiple times during the CDP review process in order to minimize the disturbance of sensitive environmental areas.

Woodland Conservation

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.

A Type I Tree Conservation Plan, TCPI/24/06-01, has been submitted for review. The site contains a total of 413.6 acres of existing woodland, of which 67.18 acres are in the floodplain. The woodland conservation threshold (WCT) for this 503.53-acre site in the R-L zone has been correctly calculated at 108.74 acres, or 25 percent of the net tract. The TCPI proposes to clear 201.65 acres of woodland on the net tract, and a total of 9.56 acres of woodland in the PMA preservation area, 100-year floodplain, and off-site. The woodland conservation requirement has been correctly calculated as 168.72 acres. The plan proposes to meet the total requirement on-site by providing 125.93 acres of on-site preservation, and 42.79 acres of reforestation/afforestation. All acreages are correctly reflected on the TCPI worksheet.

Water and Sewer Categories

The water and sewer service categories are W-4 and S-4 in accordance with Council Resolution CR-81-2006 (December 16, 2006), and the site will, therefore, be served by public systems.

6. **Community Planning**—The subject property is located in Planning Areas PA 79/Marlboro and PA 74A/Mount Pleasant. It is subject to the recommendations of the *Subregion VI Study Area Approved Master Plan and Sectional Map Amendment* (1993) and the *Approved Master Plan for Bowie and Vicinity* (2006) which recommend estate residential land use south of Oak Grove/Leeland Road at up to 1.5 dwelling units per acre and low-density residential land use north of Oak Grove/Leeland Road at up to 1.5 dwelling units per acre, respectively. The 2002 General Plan places the site in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The applicant's proposal is in conformance with these recommendations. The proposed density of .87

dwellings per acre is consistent with the low-density residential recommendations of the Master Plan and General Plan.

7. **Parks and Recreation**—The staff of the Department of Parks and Recreation has reviewed the above-referenced preliminary plan for conformance with the conditions of the Basic Plan A-9975 and Conceptual Design Plan CDP-0506, and the approved master plan and sectional map amendment for Bowie and vicinity, the requirements of the R-L Zone and the Subdivision Ordinance as they pertain to public parks and recreation facilities.

Parks Findings

The previous approved phases contained conditions for park and trail development that affect the subject preliminary plan:

Condition 27 of the Conceptual Design Plan CDP-0506, states:

Prior to signature approval of the preliminary plan, submit written authorization from the Department of Parks and Recreation for any woodland conservation provided on land to be dedicated.

Comment: On December 18, 2006 DPR received a letter from the applicant and an exhibit showing proposed tree conservation on land to be dedicated to M-NCPPC. The applicant is proposing to utilize 8.97 acres of future parkland in 10 separate locations. We are in the process of working with the applicant to determine appropriate locations for tree conservation that will not impact potential future development on parkland.

Condition 35 of the Conceptual Design Plan CDP-0506, states:

The applicant shall construct recreational facilities on dedicated parkland typical for the neighborhood park. The applicant shall develop the park development concept plan and incorporate into the preliminary plan of the subdivision. The concept plan shall be reviewed and approved by DPR staff.

Comment: The applicant provided a park concept plan to DPR on January 11, 2007, showing two junior soccer fields, a picnic shelter, a playground and sixty parking spaces on site. We believe that the amenities shown on the concept plan are appropriate for a neighborhood park.

Condition 44 of the Conceptual Design Plan CDP-0506, states:

The applicant shall work with the owners of Parcels 2 and 6 to realign the existing access driveway and easement from Leyland Road to the properties on the north to minimize impacts to the planned park. The final determination of the easement location shall be made at the time of preliminary plan of subdivision.

Comment: The applicant sent a letter on July 17, 2006, to the owners of Parcels 2 and 6 in an effort to realign the existing easements. At the time of this memo, the applicant has been unsuccessful in reaching an agreement with the owners of these adjacent parcels. A proposed alignment for the relocated driveway is shown on Exhibit A. In the event the applicant cannot relocate the adjoining property owner's driveway and easement, the applicant shall provide additional dedicated parkland to the M-NCPPC to replace the land rendered unusable due to the location of the existing driveway.

8. **Trails**—Both applicable master plans include recommendations that impact the subject site. South of Oak Grove/Leeland Road, the subject site is included in the Adopted and Approved Subregion VI Master Plan. North of Oak Grove/Leeland Road, the subject site is within the area included in the Adopted and Approved Bowie and Vicinity Master Plan.

The Subregion VI Master Plan recommends a stream valley trail along Collington Branch. The Department of Parks and Recreation (DPR) has had extensive discussions and field visits with the applicant regarding the alignment of this trail. Currently, in the immediate vicinity of the subject site, it appears that the trail will be located along Collington Branch in both Locust Hill and the adjacent Willowbrook development. This trail will ultimately connect to residential developments both to the north and south of Locust Hill, including Karington and Beech Tree. Staff recommends that the stream valley trail be provided through the subject site per the agreement/discussions between the applicant and DPR. The ultimate trail alignment will be approved by DPR. Significant issues remain to be resolved regarding the location of the trail, impacts to environmental buffers, and the preservation of water quality and rare, threatened and endangered species. Discussion will be necessary to resolve these outstanding issues.

The Adopted Bowie and Vicinity Master Plan also recommends a master plan trail along Black Branch. The trail along Black Branch has also been approved through the Oak Creek Club subdivision. The trail includes several stream crossings and various segments that are along either the east or west side of the stream valley. The adopted plan recommends that this stream valley trail be extended to the southeast to the area including the northern portion of Locust Hill. Staff recommends that this stream valley trail be constructed along the subject site's portion of the Black Branch stream valley. This trail should either be within land dedicated to M-NCPPC, or within a public use easement on HOA land. Similar discussion to those noted above will be required regarding the location of the trail.

The Bowie and Vicinity Master Plan designates both Leeland Road and Church Road as master plan trail/bikeway corridors. The trail along Oak Grove Road is being implemented through the Oak Creek Club subdivision (4-01032) as a side path along the north side of Oak Grove Road (west of Church Road). The trail along Church Road is being implemented as a side path along the east side of Church Road through Oak Creek Club. Staff recommends that these improvements be continued on the subject site's frontages of Church Road and Oak Grove Road.

The approved basic plan addressed this issues and required the construction of the master plan trails along the roads and adjacent to the stream valleys. Condition 15 of approved Basic Plan A-9975 requires the following:

- “15. The applicant and the applicant’s heirs, successors, and/or assignees shall provide the following trail facilities:**
- a. Construct the 8-foot wide master plan hiker-biker trail along the subject property’s portion of the Collington Branch Stream Valley and 6-foot-wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.**
 - b. Construct the 8-foot wide master plan hiker/biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.**
 - c. Construct a Class I master plan trail (or side path) along the subject property’s entire frontage of both Oak Grove Road and Church Road.”**

Staff recognizes that extensive discussions will be necessary between the Environmental Planning Section, DPR, and the applicant to ensure that trails do not have an adverse impact on the environmental buffers, stream valley corridors, water quality, and identified rare, threatened, and endangered species.

A more detailed analysis of the master plan trails and the internal trail network will be completed at the time of SDP. Connections between neighborhoods will be a priority, in addition to the connections to the master plan trails. The sidewalk system will also be an integral part of the pedestrian network, and will be analyzed in more detail at later phases of review.

9. **Transportation**—On October 31, 2006, the District Council heard oral arguments for the basic plan for Locust Hill under ZMA A-9975. The application was approved by the council however, as of this writing, the council’s final order has not been released, hence the conditions of approval are not known at this time.

On March 9, 2006, The Planning Board approved the rezoning application for the subject property (PGCPB No. 06-61 File No.A-9975) with 26 conditions, included the following pertaining to transportation:

- “22. At the time of the submission of a comprehensive design plan/preliminary plan of subdivision, the applicant (or his heir, successors or assignees) shall provide a traffic study that analyzes the following intersections:**

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

Traffic Study Analysis

On May 12, 2006, staff received a traffic study in support of the comprehensive design plan/preliminary plan phases of the subject property. Given the close proximity of the subject property to the Willowbrook property (CDP and preliminary plan applications pending), and the fact that both properties share a common ownership, all of the analyses presented in the traffic impact studies (original and revised) are based on the traffic generated by both the subject application and the proposed Willowbrook applications (CDP-0505 and Preliminary Plan 4-06066). The analyses and findings presented in this memorandum are generally similar (with minor differences) for each Site. The study identified the following link and intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection/Link	(LOS/CLV) AM	(LOS/CLV) PM
Leeland Road (Church Road to US 301)	0.10 – v/c ratio	0.08 – v/c ratio
US 301/Trade Zone Ave.	D/1330	E/1533
US 301/Leeland Road	C/1216	D/1347
US 301/Village Drive	B/1096	D/1304
US 301/MD 725	D/1404	D/1357
MD 202/MD 193	D/1364	B/1077
MD 193/Oak Grove Road (Roundabout)	A/8.2 secs.	A/5.1 secs.
Oak Grove Road/Whistling Duck Drive **	C/15.2 secs.	B/12.2 secs.
Oak Grove Road/Church Road **	C/16.2 secs.	B/10.6 secs.
Leeland Road/Safeway Access **	B/12.3 secs.	B/11.3 secs.
<p>**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable corresponds to a maximum delay of 45 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the <i>Guidelines</i>.</p>		

The study cited seventeen (17) approved background developments that collectively, will impact the above intersections and link during the morning and evening peak hours. An analysis of the background developments was completed based on a 4-year (2010) build-out. Those analyses yielded the following results:

BACKGROUND CONDITIONS		
Intersection/Link	(LOS/CLV) AM	(LOS/CLV) PM
Leeland Road (Church Road to US 301)	0.30 – v/c ratio	0.31 – v/c ratio
US 301/Trade Zone Ave.	F/2196	F/2665
US 301/Leeland Road	F/2186	F/2359
US 301/Village Drive	F/1715	F/2057
US 301/MD 725	F/2214	F/2170
MD 202/MD 193	F/1753	E/1490
MD 193/Oak Grove Road (Roundabout)	E/72.4 secs.	A/7.9 secs.
Oak Grove Road/Whistling Duck Drive **	F/58.9 secs.	D/29.0 secs.
Oak Grove Road/Church Road **	F/149.3 secs.	F/156.6 secs.
Leeland Road/Safeway Access **	F/66.4 secs.	F/62.0 secs.
<p>**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable corresponds to a maximum delay of 45 seconds/car. For signalized intersections, a CLV of 1450 or less is deemed acceptable as per the <i>Guidelines</i>.</p>		

Using the “Guidelines For The Analysis Of The Traffic Impact Of Development Proposals,” the study has indicated that the proposed development (554 dwelling units) will be adding 413 (83 in, and 330 out) AM peak hour trips and 495 (322 in, 173 out) PM peak hour trips at the time of full build-out.

The traffic study also included projected traffic from the proposed Willowbrook Preliminary Plan. Eight hundred and fifty (850) dwelling units are being proposed generating 626 (125 in and 501 out) AM peak hour trips and 743 (483 in, 260 out) PM peak hour trips at the time of full build-out. As was the case for the background analyses, the study assumed full build-out up to the year 2010. Applying a growth rate of 3 percent per year for through traffic along US 301, and combining the site-generated traffic along with background developments, the following results

were determined:

TOTAL CONDITIONS (Without Improvements)		
Intersection/Link	(LOS/CLV) AM	(LOS/CLV) PM
Leeland Road (Church Road to US 301)	0.43 – v/c ratio	0.47 – v/c ratio
US 301/Trade Zone Ave.	F/2316	F/2780
US 301/Leeland Road	F/2306	F/2663
US 301/Village Drive	F/1749	F/2190
US 301/MD 725	F/2333	F/2294
MD 202/MD 193	F/1853	E/1587
MD 193/Oak Grove Road (Roundabout)	E/132.6 secs.	B/19.8 secs.
Oak Grove Road/Whistling Duck Drive **	F/153.3 secs.	F/51.1 secs.
Oak Grove Road/Church Road **	F/419.1 secs.	F/482.1 secs.
Leeland Road/Site Access “A”	F/71.0 secs.	F/82.3 secs.
Leeland Road/Site Access “B”	F/93.3 secs.	F/108.0 secs.
Leeland Road/Safeway Access **	F/201.8 secs.	F/212.9 secs.
<p>**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</p>		

To provide adequate levels-of-service at the facilities mentioned above, the traffic study cited improvements along US 301 between MD 214 and MD 725 which are described in the current Prince George's County *Capital Improvement Program* (CIP) FY 2006 - 2011 (Project FD669161). Specifically, the CIP describes the improvements as **“providing a third through lane north and south bound between MD 214 and MD 725 and further widening, as needed at Trade Zone Avenue, MD 214 and MD 725. Associated intersection improvements at Old Central Avenue, Trade Zone Avenue, Leeland Road and Village Drive West also will be undertaken.”**

The improvements that have been identified in the applicant's traffic impact study as needed to provide adequate levels of service for the 2010 build-out are as follows:

US 301/Trade Zone Avenue

1. Construct an additional northbound left turn lane along US 301
2. Construct a third eastbound left turn lane along Trade Zone Avenue
3. Construct three additional southbound through lanes along US 301
4. Construct two additional northbound through lanes along US 301

US 301/Leeland Road

1. Construct two additional northbound through lanes along US 301.
2. Construct an additional eastbound left turn lane along Leeland Road
3. Construct two additional southbound through lanes along US 301.

US 301/Village Drive

1. Construct two additional northbound through lanes along US 301
2. Construct two additional southbound through lanes along US 301

US 301/MD 725

1. Construct an additional northbound through lane along US 301
2. Construct two additional southbound through lane along US 301
3. Construct an additional eastbound left turn lane along MD 725

4. Construct an additional westbound through lane along MD 725
5. Construct an exclusive westbound right turn lane along MD 725.

Citing these improvements (along US 301), the traffic study projected the following levels of service:

TOTAL CONDITIONS – BOTH DEVELOPMENTS (With CIP Improvements)		
Intersections (All Signalized)	(LOS/CLV) AM	(LOS/CLV) PM
US 301/Trade Zone Ave.	C/1250	D/1370
US 301/Leeland Road	C/1290	D/1450
US 301/Village Drive	B/1077	D/1397
US 301/MD 725	D/1439	D/1422
MD 202/MD 193 (Not part of US 301 CIP)	D/1351	B/1053

Based on the results shown in the aforementioned table, all of the intersections along US 301 were shown to operate at adequate levels of service.

In addition to analyzing the projected levels of service for the intersections along US 301, the traffic study also identified the overall cost of the CIP improvements, the capacity created as a result of the improvements and the site's proportion of the capacity created by the improvements. According to the applicant's traffic study, the total cost of the CIP improvements as used in the analyses would be \$31 million. The study also indicated that approximately 7 percent of the capacity created by the CIP improvements would be needed for the proposed developments (subject property + Willowbrook). The study concludes therefore that a reasonable fair share contribution towards the CIP improvements would be $\$31,000,000.00 \times 7 \text{ percent} = \$2,170,000.00$. The study also suggested that in lieu of actual payment of cash, the pro-rata payment should be applied to construction of improvements along the US 301 corridor, within the limits of the CIP project.

Currently, there are no funded CIP or CTP improvements along the MD 202 or Leeland Road-Oak Grove Road corridor. However, there are several intersections along these corridors that are

projected to operate beyond acceptable levels of service.

At the signalized intersection of MD 202 and MD 193, the applicant has proffered the following improvements:

- Provide a left turn, a shared left/through lane, and a right turn lane on the southbound approach
- Provide a second left turn on the eastbound (towards Upper Marlboro) MD 202 approach
- Provide two receiving lanes on the eastern leg of the intersection to receive the double left turns from eastbound MD 202

The improvements proposed for the MD 202/MD 193 intersection would provide acceptable levels of service.

All of the unsignalized intersections along Leeland Road-Oak Grove Road are projected to operate with delays greater than 50 seconds. Since no specific improvements were proffered by the applicant for these unsignalized intersections, staff will request that a signal warrant study be done for all of the unsignalized intersections along this corridor with the exception of the roundabout at the intersection of MD 193 and Oak Grove Road.

Transportation Staff Review and Comments

Upon review of the applicant's traffic study (including revisions) staff does not totally concur with its findings and conclusion. In addition to the planning staff, the May 12, 2006 study was reviewed by two other agencies, the State Highway Administration (SHA) and the Department of Public Works and Transportation (DPW&T). In a June 13, 2006 memorandum to staff (*Issayans to Burton*), all of the comments expressed by Mr. Issayans—the county's chief Traffic Engineer—were confined to issues relating to Leeland Road-Oak Grove Road, a county maintained facility. While most of those issues are operational and engineering related, DPW&T did indicate that the future access points of the property will operate with failing levels of service, and should therefore conduct the appropriate signal warrant studies. Staff supports this request.

In several correspondences from SHA, including an October 4, 2006 memorandum to staff (*Foster to Winters*), the SHA has indicated that the financial contribution (\$2.17 million) proposed by the applicant will not result in adequate levels of service along the US 301 corridor. The memorandum recommended that improvements should be constructed along US 301, between MD 214 and MD 725 (a similar recommendation was made during the Specific Design Plan (SDP) phase of the Beech Tree development).

Staff is in general support of SHA's position regarding the fact that the applicant's contribution represents only 7 percent of the total cost of the improvements required to provide an acceptable level of service. However, there is a provision in the CIP project that allows for developers to

make contributions towards the total cost of the CIP project. Previous actions by the Planning Board have established precedents for the use of developer contributions in the case of Beechtree (PGCPB 98-50) and other nearby subdivisions along the US 301 CIP project. To date, the Beechtree, Buck Property and Karington developments have all been conditioned to provide various improvements along US 301. The applicant provided staff with an exhibit that indicated how the various sets of improvements could be coordinated. Staff and SHA are fully supportive of this proposal.

Transportation Findings

1. The application is a preliminary plan for a residential development consisting of 554 single-family dwelling units. For the purpose of determining adequacy, and given the fact that the subject application shares a common ownership with the adjacent Willowbrook development, and the fact that both developments are in close proximity to each other, the projected traffic from both developments are being combined. Willowbrook is a residential development proposing 623 single family and 227 town homes. The combined developments (1,400 DU) would generate 1,039 AM (208 in, 831 out) and 1,238 PM (805 in, 433 out) peak hour vehicle trips as determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”
2. The traffic generated by the proposed developments would impact the following intersections and links:
 - Link – Leeland Road – Church Road to US 301
 - US 301/MD 725
 - US 301/Village Drive
 - US 301/Leeland Road
 - US 301/Trade Zone Avenue
 - MD 202/MD 193
 - Oak Grove Road/ MD 193
 - Oak Grove Road/Whistling Duck Drive
 - Oak Grove Road/Church Road
 - Leeland Road/Safeway Access
3. Four of the intersections (along US 301) identified in number 2 above are programmed for improvement with 100 percent construction funding within the next six years in the current (FY 2007 - 2012) Prince George's County *Capital Improvement Program* (CIP). While the CIP identifies this project as being fully funded, there is also a provision for developer contributions should funding from the State of Maryland be delayed. This applicant has proffered a contribution of \$2,170,000.00 or \$1,550/DU. To date the following developments have made financial commitments towards the aforementioned CIP improvements through Planning Board resolutions:

Collington (Safeway)	4-97044	PBR97-214(C)	\$456,000.00
Marlboro Square	4-96084	PBR96-342	\$30,880.00
Meadowbrook	4-89227	PBR90-102	\$106,948.31
Karington	4-04035	PBR04-247(C)	\$725,094.25
Beechtree	CDP-9706	PBR98-50	\$1,194,805.08
Buck Property (Balmoral)	4-03100	PBR04-21	\$172,252.64
TOTAL			\$2,685,980.28

4. The subject property is located within the Developing Tier as defined in the *Prince George's County Approved General Plan*. 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.
5. The following intersections identified above, when analyzed with the programmed improvements above and with total future traffic as developed using the guidelines, were **not** found to be operating at LOS D or better:
 - MD 193/MD 202
 - MD 193/Oak Grove Road
 - Oak Grove Road/Whistling Duck Drive
 - Oak Grove Road/Church Road
 - Leeland Road/Safeway Access
6. The applicant has agreed to provide the following improvements to the intersections, in consideration of the findings above:

At the signalized intersection of MD 202 and MD 193

- Provide a left turn, a shared left/through lane, and a right turn lane on the southbound MD 193 approach
- Provide a second left turn on the eastbound (towards Upper Marlboro) approach
- Provide two receiving lanes on the eastern leg of the intersection to receive the double left turns from eastbound MD 202

At the unsignalized intersection of Oak Grove and MD 193 (roundabout)

- Provide an exclusive right turn lane at the westbound Oak Grove Road approach (towards MD 202)
7. The intersections identified in Finding 6 above will both operate acceptably as a result of the improvements proffered by the applicants. All of the remaining unsignalized intersections along Oak Grove Road-Leeland Road will operate with delays greater than 50 seconds in at least one movement. Consequently, those intersections will require signal warrant analyses.

Transportation Staff Conclusions

The Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required by Section 24-124 of the Prince George's County Code if the application is approved with conditions consistent with the above findings.

10. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations, CB-30-2003, and CR-23-2003 and concluded the following.

Impact on Affected Public School Clusters

Affected School Clusters	Elem School Cluster 4	Middle School Cluster 2	High School Cluster 2
Dwelling Units	543 sfd	543 sfd	543 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	130.32	32.58	65.16
Actual Enrollment	3,965	7,218	10,839
Completion Enrollment	176	112	223
Cumulative Enrollment	938.64	235.92	472.92
Total Enrollment	5,209.96	7,598.5	11,600.08
State-Rated Capacity	4,140	6,569	8,920
Percent Capacity	125.84%	115.67%	130.05%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I- 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,671 and \$13,151 to be paid at the time of issuance of each building permit.

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

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003, CB-31-2003, and CR-23-2003.

11. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance.

The Prince George's County Planning Department has determined that this preliminary plan is beyond the required seven-minute response time for the first due fire station Kentland, Company 46, using the Seven-Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire Department.

Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

In accordance with Section 24-122.01 of the Subdivision Regulations, Preliminary Plan 4-06075 fails to meet the standards for fire and rescue response times. The Planning Board may not approve a preliminary plan until a mitigation plan between the applicant and the county is entered into and filed with the Planning Board in accordance with the County Council’s adopted “Guidelines for the Mitigation of Adequate Public Facilities for Public Safety Infrastructure.”

12. **Police Facilities**—The preliminary plan is located in Police District II. The response standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on August 23, 2006.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-07/05/06	10.00	22.00
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met on March 5, 2006. Pursuant to CR-69-2006, the Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

13. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision and reminds the applicant that raze permits are required prior to demolition of any structure on the site. The Health Department also noted that wells and septic systems to be abandoned must be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04.
14. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A stormwater management concept plan has been approved for this site, CSD 47462-2005-00 (May 9, 2006). Development must be in accordance with that approved plan to ensure that development of this site does not result in on-site or downstream flooding.
15. **Historic**—A Phase I archeological survey was completed for the above-reference property. Four

copies of a revised final report, "A Phase I Archaeological Survey of the Locust Hill Property Prince George's County, Maryland Preliminary Plan 4-06075," were submitted to staff on December 22, 2006. No archeological sites were identified and no further archeological work is recommended.

Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

16. **Easements**—There is an existing 20-foot-wide easement across the subject property to provide access to two otherwise landlocked parcels (Parcel 2, Parcel 6, the D'Aulerio Property). The applicant provides for the easement partially within its descriptive location on the preliminary plan, but shows a portion of it to be relocated. Such access must be provided either along the existing ingress/egress easement or through some other means mutually agreeable to all parties.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Vaughns, with Commissioners Eley, Vaughns, Squire and Parker voting in favor of the motion, and with Commissioner Clark absent at its regular meeting held on Thursday, January 25, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 15th day of March 2007.

R. Bruce Crawford
Executive Director

By Frances J. Guertin
Planning Board Administrator

RBC:FJG:TL:bjs

MEMORANDUM

DATE: March 20, 2020

TO: Thomas Burke, Urban Design Section
Development Review Division

VIA: Howard Berger, Supervisor, Historic Preservation Section
Countywide Planning Division

FROM: Jennifer Stabler, Archeology Master Planner, Historic Preservation Section
Tyler Smith, Senior Planner, Historic Preservation Section

SUBJECT: **SDP-1705, Locust Hill, Phase I, Infrastructure Only
(adjacent to St. Barnabas' Episcopal Church and Cemetery, Leeland, 79-059)**

Background

The subject property comprises 505.81 acres located on the north and south sides of Oak Grove Road and south of Leeland Road between Church Road and Collington Branch, approximately 1.2 miles west of US 301 in Upper Marlboro, Maryland. The subject application for Phase I is for infrastructure only for 285 single-family detached and 53 single-family attached residential lots. The subject property is zoned R-L (Residential-Low).

Phase I of the Locust Hill project comprises the developable portions of the property south of Oak Grove Road and west of the existing railroad right-of-way. The subject application proposes infrastructure only for the Phase I portion of the overall Locust Hill project. A separate application will be submitted for the architecture of the detached units under "umbrella architecture."

Findings

Historic Preservation

1. The subject property is adjacent to the St. Barnabas Church, Leeland and Cemetery Historic Site (79-059). Built in 1774, St. Barnabas' Episcopal church is a two-story brick structure, with hip-on-hip roof, modillion cornice and walls laid in Flemish bond. The third church on the site, it was built during the tenure of ardent Tory rector Jonathan Boucher. Victorianized in the 1850s, St. Barnabas' was restored in 1974. Among its furnishings are items from the original church: the marble baptismal font and silver communion service (1718) and "The Last Supper" painting by Gustavus Hesselius (1721). St. Barnabas' is associated with some of the county's most prominent families, many of whom are buried in the adjoining graveyard.

2. Portions of the subject property were owned by prominent families in Prince George's County, including members of the Belt, Bowie, and Clarke families. The Bowies owned the northern portion of the subject property, which they called "Locust Hill" and the family of Daniel Clarke owned the southern portion, along with land to the east of the railroad tracks, which they called "Willow Brook." The 1861 Martenet Map shows a house belonging to Dr. Seton Belt within the subject property, as well as a mill belonging to Daniel Clarke on a western tributary of Collington Branch. The 1878 Hopkins map identifies three structures belonging to Benjamin Lee Belt and John Belt on the subject property. Several of these structures were probably tenant houses. The 1894 Hopkins Map again identifies several buildings on the subject property under the ownership of Benjamin Lee Belt, along with several structures at Leeland Station, a stop on the Baltimore and Potomac Railroad.
3. Single-family detached houses are proposed to be located on the western portion of the site to provide an appropriate transitional buffer between the project and the adjacent St. Barnabas Church and Cemetery Historic Site. The higher density residences are proposed to be located primarily in the central and eastern portions of the site away from sensitive environmental and cultural resources. The subject application is for infrastructure only. Architecture for all structures will be submitted with a future detailed site plan.

Archeology

1. Phase I archeology survey was conducted on the subject property from July to September 2005 and in February 2006. A total of 1,147 shovel tests pits was excavated within 20 acres selected for subsurface testing. Another 24 acres were investigated by pedestrian reconnaissance. The survey resulted in the identification of five historic period sites, eight historic isolated finds, and two prehistoric isolated finds. Many artifacts were concentrated in areas around several of the late-nineteenth to twentieth-century tenant houses (18PR810, 18PR811 and 18PR812), the Seton Belt house (18PR814), and the remains of the Brick Church railroad station (18PR813). Based on the lack of intact subsurface deposits, none of these sites was recommended as eligible for listing in the National Register of Historic Places or for meeting the criteria to be designated a Prince George's County Historic Site.
2. Due to its proximity to the graveyard surrounding St. Barnabas Episcopal Church, a ground penetrating radar survey was conducted in a wooded area to the east of the church cemetery in February 2006. Three anomalies were encountered in the survey. Ground-truthing of these anomalies indicated that two were due to natural phenomena, while no explanation could be found for the third. However, no human remains were located at any of the three anomalies.
3. Based on the findings of the Phase I archeological survey and the ground penetrating radar survey, the applicant's consultant recommended no further work on the five archeological sites identified.
4. Historic background research indicates that portions of the subject property were part of a land patent known as Brock Hall, patented to Edward Brock in 1672. Edward Brock died in 1714 and left a will, which seemed to indicate that his wife was not living, as she was not mentioned. His land was devised to his children who were then living, and to his grandchildren. A 1756 deed that conveys a portion of this land reserved "the graveyard"

from the conveyance. An examination of aerial photographs from 1938 indicated that there was possibly a cemetery located in the southern portion of Parcel 30 on the subject property. Additional archeological investigations were requested by Historic Preservation staff.

Additional archeological investigations in 2018 were concentrated on the small wooded knoll identified in historic aerial photographs and topographic maps. The approximately ½-acre survey area was defined by the landform. A general pedestrian reconnaissance was conducted, and 26 shovel test pits were excavated at 7.5 m (24.6 ft.) intervals across the crest and upper side-slopes of the knoll. Shovel tests yielded no cultural material or evidence of features that indicate the landform was previously the site of a dwelling or other structure.

The landform was further examined through the excavation of eight of 0.5 m (1.6 ft.) wide slit trenches placed across the crest of the knoll. The length of the trenches ranged between 2-5 m (6.6-16.4 ft.) depending on their location on the landform and their proximity to trees. Trenches were judgmentally located to provide adequate coverage across the knoll, as well as to examine areas of higher potential likely located near the center of the knoll. Trenches were placed between shovel test transects and were intended to complement data obtained during the shovel testing. The trenches were oriented to magnetic north to maximize the potential for identifying unmarked graves, which are typically oriented east-to-west.

Two burial shafts were identified within Trench 4, located in the approximate center of the knoll. To verify that Feature 4-01 was a burial shaft and to assess its integrity, the shaft was bisected, and the eastern half was removed. The base of the shaft was encountered at 107 cm or 1.7 m (42.1" or 3.5') below datum. An inner coffin cavity and impressions of at least seven decayed wooden grave arches were exposed. Excavation was halted at this point. The coffin cavity was not excavated, and no parts of the coffin were exposed. Feature 4-02 was the northernmost grave shaft of the pair and was very poorly defined. As exposed, the shaft measured 1.13 m (3.7 ft.) in width and at least 2.4 m (7.9 ft.) in length. Based on the dimensions of the shaft, this burial was thought to be an adult. Feature 4-02 was not bisected. The grave shaft remains intact and contains an intact burial. Based on the results of the testing, one archeological site, 18PR1124, was identified. Because the exact extent of the burial ground was not delineated in these investigations, an area measuring 30 x 35 m (98 x 11 ft.) or approximately ¼ acre, was included in the site boundary.

Conclusions

Historic Preservation

1. Because the subject property shares a property boundary with the St. Barnabas Church and Cemetery Environmental Setting, the *Prince George's County Landscape Manual* requires that a 50-foot building setback and a 40-foot tree buffer be retained or planted on the developing property wherever it adjoins a Historic Site. The applicant submitted a viewshed exhibit that demonstrates that the existing woodland and proposed afforestation will provide a sufficient vegetative buffer between the St. Barnabas Church, Leeland and Cemetery Historic Site (79-059) and the proposed development. Further, any new construction visible from the St. Barnabas Church and Cemetery Historic Site (79-059)

should be the subject of a limited detailed site plan review for scale, mass, proportion, materials, architecture, and lighting as they would impact the character of the historic site.

Archeology

1. Four copies of the final report for Phase I archeological investigations on the Locust Hill Property, Phase IB Archaeological Survey of the Locust Hill Property in Prince George's County, Maryland, Preliminary Plan 4-06075, were received and accepted by the Planning Department on January 5, 2007. All comments were addressed. Staff concurs that no further archeological work should be required by the Planning Board on the property. With the submittal of the final report, the applicant has satisfied Condition 23 of the Prince George's County Planning Board Resolution No. 06-61, dated March 30, 2006 in relation to Zoning Case A-9975 and Condition 1 of the Prince George's County Planning Board Resolution No. 06-274 dated January 4, 2007 for CDP-0506. No further archeological investigations are recommended.
2. Additional archeological investigations were conducted in 2018 in an area identified from the 1938 aerial photographs as a possible cemetery site. Portions of three grave shafts were identified on a small knoll in the southern portion of the subject property. The subject application sets aside the area containing the burials and has placed it in woodland conservation.
3. The artifacts from the Phase I archeological investigations were never curated at the Maryland Archaeological Conservation Lab in Calvert County. Therefore, one condition from Zoning Map Amendment (Basic Plan), A-9975-C-01, still applies to the subject application:
 16. *Prior to any ground disturbance or the approval of any grading permits, the Applicant shall ensure that all artifacts recovered from the archeological survey on the subject property are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to the Historic Preservation Section.*

Comment: This condition still applies and should be satisfied prior to the issuance of a grading permit.

4. Protective fencing should be placed around the limits of disturbance around the recently discovered burial ground (18PR1124) in the southern portion of the subject property. The fencing should remain in place throughout the course of construction and the applicant should provide proof of installation of the fencing prior to the commencement of grading.

Recommendations

Historic Preservation staff recommends to the Planning Board approval of SDP-1705, Locust Hill Phase 1, with the following conditions:

1. Note 15 on the Landscape Plan and Note 11 on the Specific Design Plan cover sheets shall be changed to read: "The subject property is adjacent to St. Barnabas Episcopal Church and Cemetery, Leeland, Historic Site 79-059." A separate note shall be provided that states


“Archeological site 18PR1124, the Oak Grove Burial Ground, is located on the subject property.”

2. Prior to any ground disturbance or the approval of any grading permits, the Applicant shall ensure that all artifacts recovered from the archeological survey on the subject property are curated in a proper manner and deposited with the Maryland Archeological Conservation Lab at the Jefferson Patterson Park and Museum in St. Leonard, MD. Proof of disposition of the artifacts shall be provided to the Historic Preservation Section.
3. Prior to the commencement of grading, the applicant shall install a super silt fence around the boundary of the burial ground, archeological site 18PR1124. The applicant shall provide proof of installation of the super silt fence to Historic Preservation staff.
4. The Detailed Site Plan for architecture shall be referred to the Historic Preservation Commission for its review and approval.

February 21, 2020

MEMORANDUM

TO: Thomas Burke, Planner Coordinator, Urban Design Section, Development Review Division

VIA: David A. Green, MBA, Master Planner, Community Planning Division 

FROM: Samuel L. White, Jr., Senior Planner, Neighborhood Revitalization Section, Community Planning Division *sw*

SUBJECT: **SDP-1705 Locust Hill – Phase 1**

FINDINGS

Pursuant to Part 8, Division 4, Subdivision 2 of the Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Specific Design Plan

Location: The property is located on the north and south sides of Oak Grove Road, west of the intersection with Leeland Road.

Size: 505.681 acres

Existing Uses: Undeveloped

Proposal: The applicant is proposing to construct 285 single-family detached dwelling units and 53 single-family attached dwelling units.

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is located within the Established Communities policy area. Plan 2035 describes Established Communities as areas appropriate for context-sensitive infill and low-to -medium density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met (p. 20).

Master Plan: The 2013 *Approved Subregion 6 Master Plan* recommends residential low future land use on the subject property.

SDP-1705 Locust Hill – Phase 1

Planning Area: 79

Community: Upper Marlboro & Vicinity

Aviation/MIOZ: This application is not located within an Aviation Policy Area or the Military Installation Overlay Zone.

SMA/Zoning: The 2013 *Approved Subregion 6 Sectional Map Amendment* retained the subject property into the R-L (Residential Low Development) Zone.

MASTER PLAN CONFORMANCE ISSUES:

None

c: Long-range Agenda Notebook

Frederick Stachura, J.D., Supervisor, Neighborhood Revitalization Section, Community Planning Division

Transportation Planning Section
Countywide Planning Division

301-952-3650

March 9, 2020

MEMORANDUM

TO: Tom Burke, Planner Coordinator, Urban Design Section, DRD
VIA: Tom Masog, Master Planner, Transportation Section, CWPD
FROM: Glen Burton, Planner Coordinator, Transportation Section, CWPD
SUBJECT: SDP-1705: Locust Hill, Phase 1

Proposal:

The applicant proposes the construction of 338 residential units within phase 1 of the Locust Hill development. This application seeks approval of the infrastructure as well as the dwelling unit type(s), quantity and layout.

Background:

This property has been the subject of several evaluations and approvals including basic plan zoning map amendment (A-9975), comprehensive design plan (CDP-0506) and preliminary plan of subdivision (PPS 4-06075). On April 9, 2007, the District Council affirmed the Planning Board's approval of CDP-0506 with several transportation-related conditions. On January 25, 2007 the Planning Board approved the Preliminary Plan of Subdivision (4-06075) for the subject property with transportation conditions that were consistent with the previously approved CDP. Based on the PGCPB No. 08-28, the PPS was approved with the following conditions:

2. *With the submission of each building permit, the applicant, his heirs, successors or assigns shall pay to Prince George's County a fee calculated as $\$1,550/DU \times (FHWA \text{ Construction Cost Index at time of payment}) / (FHWA \text{ Construction Cost Index for 2nd quarter, 1989})$ as its share of costs for improvements to US 301 between MD 725 and MD 214.*

Status: This fee will be paid at the time of permit review.

3. *In lieu of the payment of fees required in Condition 2 above, and subject to approval by the Department of Public Works & Transportation (DPW&T) and the State Highway Administration (SHA), the applicant, his heirs, successors or assigns may be required to construct a third northbound through lane on US 301 from a point just north of Leeland Road to a point just north of Trade Zone Avenue. Additionally, the improvement may include a third eastbound left turn lane along Leeland Road at its intersection with US 301. The total cost of these improvements, or other variation determined by SHA shall not exceed an amount calculated as $\$2,170,000.00 \times (FHWA \text{ Construction Cost Index at time of payment}) / (FHWA \text{ Construction Cost Index for 2nd quarter, 1989})$.*

Status: This fee will be paid at the time of permitting

4. *Prior to the issuance of any building permit, the applicant shall dedicate all rights-of-way for MC-600 (Leeland Road) as identified by the Planning Department.*
5. *Prior to the issuance of any building permit, the following improvements shall be in place, under construction, bonded (or letter of credit given to the appropriate agency for construction), 100 percent funded in a CIP/CTP or otherwise provided by the applicant, his heirs, successors or assigns:*
 - a. *Leeland Road*

Construct Leeland Road-Oak Grove Road to provide a minimum of 2 lanes of the ultimate 4-lane master plan alignment between US 301 and MD 193, in accordance with DPW&T standards.
 - b. *MD 193/Oak Grove Road Intersection (roundabout)*

The applicant shall provide an exclusive right turn lane at the westbound approach.
 - c. *MD 202/MD 193 Intersection*
 - 1) *Provide a left turn, a shared left/through lane, and a right turn lane on the southbound MD 193 approach*
 - 2) *Provide a second left turn on the eastbound MD 202 (towards Upper Marlboro) approach*
 - 3) *Provide two receiving lanes on the eastern leg of the intersection to receive the double left turns from eastbound MD 202*
6. *Prior to the issuance of any building permit, the applicant shall conduct signal warrant studies at the following intersections, and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by DPW&T:*
 - a. *Leeland Road/Safeway Access*
 - b. *Leeland Road/ Site Access B*
 - c. *Leeland Road/ Site Access A*
 - d. *Oak Grove Road/Whistling Duck Drive.*

Status: Conditions 4-6 will be addressed at the time of permit review.

More recently, on May13, 2019, the District Council approved Basic Plan Amendment A-9975-01. This amendment sought approval for a density range of 471-706 dwelling units. The PPS was

evaluated and approved for 554 dwelling units. The pending DSP application (phase 1) proposes 338 dwelling units. Therefore, this proposal will not exceed the PPS maximum density.

Site Layout Review:

Upon review of the pending application, the applicant is proposing a road network that represents a reasonable alternative to the network on which the approved preliminary plan was based.

Regarding on-site circulation, staff has no issues. The property straddles Oak Grove Road and Leeland Road which are recommended to be upgraded to a major collector road (MC-600) on the Subregion 6 master plan. While the alignment as proposed, represents a minor change from the master plan, its functionality is not affected by the new alignment. MC-600 is shown as a 100-foot right-of-way, which is consistent with the master plan recommendation.

Transportation Staff Conclusion:

The Transportation Planning Section concludes that the SDP application is deemed acceptable from the standpoint of transportation.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
 Transportation Planning Section


14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 www.mncppc.org/pgco


301-952-3680

March 10, 2020

MEMORANDUM

TO: Thomas Burke, Planner Coordinator, Urban Design Section, Development Review Division

VIA: Bryan Barnett-Woods, Supervisor, Transportation Planning Section, Countywide Planning Division 

FROM: Noelle Smith, Planner, Transportation Planning Section, Countywide Planning Division 

SUBJECT: Specific Design Plan Review for Pedestrian and Bicyclist Transportation Master Plan Compliance

The following specific design plan (SDP) was reviewed for conformance with the *Approved Countywide Master Plan of Transportation 2009 (MPOT)* and the *2013 Approved Subregion 6 Master Plan* and sectional map amendment to provide the appropriate pedestrian and bicycle transportation recommendations. Subsequent phases of the development will include recommendations from the *2006 Approved Master Plan for Bowie and Vicinity* and sectional map amendment for Planning Areas 71A, 71B, 74A, 74B.

Specific Design Plan Number: SDP-1705

Development Case Name: Locust Hill – Phase 1

Type of Master Plan Bikeway or Trail

Private R.O.W.	_____	Public Use Trail Easement	_____
County R.O.W.	_____	Nature Trails	_____
SHA R.O.W.	_____	M-NCPPC – Parks	_____
HOA	_____	Bicycle Parking	_____
Sidewalks	_____	Trail Access	_____
Add'l Connections	<u> X </u>	Bikeway Signage	_____

Specific Design Plan Background	
Building Square Footage (non-residential)	n/a
Number of Units (residential)	285
Abutting Roadways	Oak Grove, Leeland and Church Roads
Abutting or Nearby Master Plan Roadways	MC-600
Abutting or Nearby Master Plan Trails	Side path along Oak Grove, Leeland and Church Roads
Proposed Use(s)	Single Family Residential
Zoning	R-L
Centers and/or Corridors	n/a
Prior Approvals on Subject Site	A-9975, CDP-0506, 4-06075

Previous Conditions of Approval

Approved A-9975 included the following condition related to pedestrian and bicycle transportation applicable to the subject application:

15. The applicant and the applicant’s heirs, successors, and/or assignees shall provide the following trail facilities:
 - a. Construct the 8-foot wide master plan hiker-biker trail along the subject property’s portion of the Collington Branch Stream Valley and 6-foot-wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.
 - b. Construct the 8-foot wide master plan hiker/biker trail (extension from Oak Creek development) along the Black Branch stream valley and 6-foot wide feeder trails to the development pods in Locust Hill. Trail alignments shall be determined by the Department of Parks and Recreation.
 - c. Construct a Class I master plan trail (or side path) along the subject property’s entire frontage of both Oak Grove Road and Church Road.

Approved CDP-0506 included the following conditions related to pedestrian and bicycle transportation applicable to the subject application:

3. Prior to issuance of any building permits for the subject project the applicant and the applicant’s heirs, successors, and/or assignees shall provide the following:
 - a. Construct the master trail along the subject site’s portion of the Collington Branch. Park dedication and the alignment of the trail shall be coordinated with the Department of Parks and Recreation.
 - b. Construct a Class I Master Plan Trail (or side path) along the subject site’s entire frontage of Oak Grove Road.

- c. Construct a Class I Master Plan Trail (or side path) along the subject site's entire frontage of Church Road.
 - d. Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to DPR or within a public use easement on HOA land.
4. A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails will be completed at the time of specific design plan. Trail locations may be contingent upon the location of environmentally sensitive features and other constraints. Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods should be provided.
36. The applicant shall construct an eight-foot wide master plan hiker/biker trail along Collington Branch Stream Valley and six-foot wide feeder trails to the development pods. The applicant shall connect the section of the master planned trail in Locust Hill to the trails in the Beech Tree and Woodside Village developments. The applicant shall construct any needed structure to provide a dry passage.
37. The applicant shall construct an eight-foot wide hiker/biker trail (extension from Oak Creek) along Black Branch Stream Valley and six-foot wide feeder trails to the development pods. The applicant shall connect the master plan trail to the Oak Creek trail system. The applicant shall construct any needed structures to provide a dry passage.

Approved 4-06075 included the following condition related to pedestrian and bicycle transportation applicable to the subject application:

1. In conformance with the Adopted and Approved Bowie and Vicinity Master Plan and approved Basic Plan A-9975, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
 - a. Construct the master plan trail along the subject site's portion of Collington Branch. Park dedication and the alignment of the trail shall be coordinated with the Department of Parks and Recreation.
 - b. Construct a Class I master plan trail (or side path) along the subject site's entire frontage of Oak Grove Road.
 - c. Construct a Class I master plan trail (or side path) along the subject site's entire frontage of Church Road.
 - d. Construct the master plan trail along the subject site's portion of Black Branch. This trail shall either be within land dedicated to DPR or within a public use easement on HOA land.
 - e. A detailed analysis of the master plan trails, internal trail network, sidewalk network, and neighborhood connector trails shall be completed at the time of specific design plan. Trail locations may be affected by the location of environmentally sensitive features and other constraints.

Connector trails to the master plan trails, to other park and recreation facilities, and between neighborhoods shall be provided.

Comment: The submitted plans include six-foot wide feeder trails within the development and a 10-foot-wide side path along the north side of the proposed Leeland Road. The planned eight-foot wide hiker/biker trails along the Collington Branch Stream Valley and the Black Branch Stream Valley, as well as the side path along Church Road will be included in subsequent phases of the Locust Hill development.

The applicant provided an exhibit of the overall trail connection, confirming that the major trail alignments do not impact Phase 1 of the Locust Hill development. The specific alignment of those trails is to be further discussed with the Department of Parks and Recreation (DPR) during subsequent phases.

Review of Proposed On-Site Improvements

The subject application proposes five-foot sidewalk along both sides of all the internal roadways and six-foot feeder trails throughout the subject site.

Review of Connectivity to Adjacent/Nearby Properties

The subject site is adjacent to residential communities, a church, and undeveloped land, connected via Oak Grove Road/ Leeland Road.

The subject application is for Phase 1 of the Locust Hill development. Phase 2 of this development is located on the north side of the relocated Leeland Road. The crossing treatments along Leeland Road will be significant in the connection between Phase 1 and 2, and the planned trails. Staff recommend an exhibit detailing the specifications of the crosswalks at all crossings along Leeland Road be provided prior to certification of this application.

Review of Master Plan of Transportation Compliance

One master plan trail impacts Phase 1, including a side path along Oak Grove Road/Leeland Road. The Complete Streets element of the MPOT reinforces the need for multimodal transportation and includes the following policies regarding the accommodation of pedestrians and bicyclists (MPOT, p. 9-10):

Policy 1:

Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2:

All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Comment: The subject application proposes sidewalk along both sides of the internal roadways which fulfill the intent of Policy 1. The proposed street sections for the relocated Leeland Road includes shoulder widths of six and ten feet as well as a 10-foot wide side path along the north side of proposed Leeland Road, which fulfill the intent of Policy 2.

The side path along the north side of Leeland Road will enhance connectivity to the future trail network included in subsequent phases of development, tying into the trail network at the Oak Creek community. The side path will furthermore support a connection to the planned trails and park to be constructed by DPR, serving the nearby neighborhoods of Oak Creek, Locust Hill and the approved Willowbrook community. A side path was initially recommended on both sides of the relocated Leeland Road, however, per the Department of Permitting and Inspections Enforcement (DPIE), the south side of the roadway is impacted by wetland restrictions, which prompted implementing wide shoulders to accommodate hiker/biker activities, where feasible.

Review of Area Master Plan Compliance

The 2013 *Approved Subregion 6 Master Plan* and sectional map amendment includes the following recommendation related to pedestrian and bicycle transportation (p. 105-109):

Policy 7: Expand, encourage and promote hiker/biker/equestrian recreational activities.

Policy 9: Provide multiuse trails, accommodating hikers, bikers and equestrians along major stream valley corridors.

Comment: The submitted plans include six-foot wide feeder trails within the community to be constructed within Phase 1 of development. Subsequent phases of development will include an additional trail network that will connect to Phase 1 via crosswalk treatments across the proposed Leeland Road, at the site entrances. Staff recommend detailed exhibits of the crossing treatments, across Leeland Road, be provided prior to the acceptance of any specific design plans for subsequent phases of the Locust Hill development.

Recommended Conditions of Approval

1. Prior to certification, provide a detailed exhibit of the crossing treatments across Leeland Road, connecting the north and south portions of the development.

March 3, 2020

MEMORANDUM

TO: Thomas Burk, Urban Design

FROM: Tempi Chaney, Permit Review Section

SUBJECT: Locust Hill – Phase 1, SDP-1705

1. Will architectural elevations be reviewed and approved as part of this SDP? If so, they should be included in the SDP package.
2. A template sheet should be provided. Each proposed house type to be built in the development should be on the template sheet showing all dimensions of each house, square footage of each house, and all options with the dimensions.
3. Provisions for decks and fences for individual lots should be included in the review and shown on the cover sheet.
4. Will signage be reviewed as part of this SDP? I cannot find any signage information in the package, but I can only see the cover sheet of the landscape plans. However, in the Comprehensive Design Zones, the Design Standards for advertising, directional, and permanent real estate signs shall be determined by the Planning Board for each individual development at the time of Specific Design Plan review.

March 23, 2020

MEMORANDUM

TO: Thomas Burke, Planner Coordinator, Urban Design Section, DRD

VIA: Megan Reiser, Acting Supervisor, Environmental Planning Section, CWPD

FROM: Kim Finch, Master Planner, Environmental Planning Section, CWPD

SUBJECT: **Locust Hill, Phase 1
SDP-1705 and TCPII-027-2015-01**

The Environmental Planning Section has reviewed the above referenced Specific Design Plan and revised Type II Tree Conservation Plan, accepted for review on January 30, 2020. Preliminary comments were provided at an SCRC meeting held February 21, 2020. Revised plans were received on March 6, 2020, and a Statements of Justification for modified primary management impacts were received digitally on March 13, 2020.

The Environmental Planning Section recommends approval of SDP-1705 and TCPII-027-2015-01 subject findings and conditions recommended in this memorandum.

Background

Development Review Case	Tree Conservation Plan	Approval Authority	Status	Action Date	Approval Document
A-9975	NA	District Council	Approved	3/30/2006	Order of Approval
NA	NRI-047-06	Staff	Approved	4/21/2006	NA
A-9975-C	NA	District Council	Approved	10/31/2006	Order of Approval
NA	NRI-047-06-01	Staff	Approved	12/22/2006	NA
CDP-0506	TCP1	Planning Board	Approved	1/4/2007	PGCPB No. 06-274
4-06075	TCP1	Planning Board	Approved	3/15/2007	PGCPB No. 07-28
NA	TCPII-027-2015	Staff	Approved	12/3/2015	NA
NA	NRI-047-06-02	Staff	Approved	2/25/2016	NA
NA	NRI-047-06-03	Staff	Approved	2/26/2018	NA
A-9975-C-01	NA	District Council	Approved	5/13/2019	NA
SDP-1705	TCPII-027-2015-01	Planning Board	Pending	Pending	Pending

The Environmental Planning Section has previously reviewed a rezoning application (A-9975) for this site from the R-A and R-E zones to the R-L zone, which was approved with conditions by the District Council. The site has also been reviewed for a Comprehensive Design Plan (CDP-0506), which was approved with conditions by the Planning Board on December 7, 2006, and a Preliminary Plan of Subdivision (PPS 4-06075) for the creation of residential lots and parcels.

Proposed Activity

The current application is for the approval of a specific design plan and revised TCPII for Phase 1 of a residential development on a 505.81-acre site in the Residential -Low (R-L) zone.

Grandfathering

The project is not subject to the requirements of Subtitle 24 and 27 that became effective September 1, 2010 and February 1, 2012 because a comprehensive design plan and preliminary plan were approved prior to those dates. The project is also not subject to the current requirements of Subtitle 25, Division 2, the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has a previously approved Type I and II tree conservation plans.

Site Description

This 503.53-acre site in the R-L zone is located on the north and south side of Oak Grove Road near its intersection with Church Road. A review of the available information indicates that extensive areas of streams, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are found to occur on the property. These features are within the Collington Branch watershed of Western Branch, a major watershed in the Patuxent River Basin, and are required to be protected to the fullest extent possible. According to the "Prince George's County Soil Survey" (1967) the soils found to occur on this site are in the Adelpia, Bibb, Collington, Ochlockonee, Monmouth, Mixed Alluvial, Sandy Land, Shrewsbury, and Westphalia soil series. According to available information, Marlboro clay occurs on this site. One significant source of noise is from the CSX Railroad tracks, which bisect the eastern portion of the site on the south side of Oak Grove Road. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program (DNR NHP), Rare, Threatened, and Endangered (RTE) species are known to occur on this property. Leeland Road and Oak Grove Road are designated scenic and/or historic roads. The site contains Regulated Areas and Evaluation Areas within the green infrastructure network of the *Approved Countywide Green Infrastructure Plan* (2017). The north section of the site is located within the Bowie & Vicinity Planning Area (2007). The South section of the site is in the *Approved Subregion 6 Master Plan Area* (2013).

According to information obtained from the DNR NHP, a Sensitive Species Project Review Area (SSPRA) as delineated on the SSPRA GIS layer is found to occur near this property. Further information received from the Wildlife and Heritage staff indicated known records related to three RTE aquatic species in Collington Branch, and the possible presence of several RTE plants.

The site is located within Environmental Strategy Area 2 of the Regulated Environmental Protection Areas Map and within the Established Communities Growth Policy Area as designated by *Plan Prince George's 2035 Approved General Plan*.

CONFORMANCE WITH PREVIOUS CONDITIONS OF APPROVAL

The following is staff's analysis of the environmental conditions from prior approvals applicable to the current application. The applicable text from prior approvals has been shown in **BOLD** typeface, while the evaluation has been shown in standard typeface.

Zoning Map Amendment (Basic Plan A-9975-C-01)

Amended Basic Plan, A-9975-C-01 was approved by the District Council May 3, 2019 subject to 21 conditions and nine considerations. Fifteen conditions and no considerations were found to be environmentally applicable to review of the current application. The text in **bold** reflects the actual text from the conditions. The text in plain type discusses how the condition has been addressed with the current application.

Conditions

- 2. Development shall preserve the Patuxent River Primary Management Area (PMA) to the fullest extent possible. Impacts to the PMA shall be minimized by limiting the number of road crossings, by making all necessary road crossings perpendicular to the streams, and by using existing road crossings to the extent possible.**

The primary management area (PMA) has been correctly shown on the most current NRI, and the impacts proposed with the current SDP application for Phase 1 are consistent with CSP-0506 and environmental impacts approved with the preliminary plan. This condition will also be carried forward for future evaluation if amended CDP and PPS applications are proposed.

- 3. Alignment of the master planned collector roadway (MC-600) shall be evaluated in detail to determine the location that results in the preservation of the existing natural resources to the fullest extent possible.**

The avoidance and minimization of impacts to Regulated Environmental Features (REF) to the fullest extent possible is always pursued during the development process, but other interests must also be weighed in balancing competing interests. Improvements to an existing and master planned collector in this location cannot fully avoid all impacts to environmental features associated with the Collington Branch.

The Planning Board did not support a downgrade of MC-600 with the amended Basic Plan and the full dedication width is shown on the on the plan. The decision for the cross-section to be built within the dedicated right-of-way and timing is the responsibility of the county Department of Permitting, Inspections and Enforcement (DPIE).

Stream and wetland permits are required from the Maryland Department of the Environment (MDE) for the construction of the master-planned roadway, and other environmental impacts proposed with the current application. Appropriate environmental protections, minimization, and mitigation will be addressed through the permitting process for environmental impacts under federal and state jurisdiction. The applicant will be

required to submit copies of federal and state permits, as well as plans for required mitigation, prior to the issuance of grading permits so consistency with locally approved plans can be demonstrated.

- 4. Natural Resources Inventory (NRI), signed by appropriate staff, shall be submitted with the CDP. All subsequent plan submittals shall clearly show the PMA as shown on the signed NRI.**

The site has a valid and approved Natural Resources Inventory (NRI-047-06-03) that was submitted with this application. All environmental features of the property, which include stream buffers, wetlands, and floodplain, are correctly shown on the revised NRI, and the PMA has been correctly delineated. The current SDP application and revised TCPII are consistent with the most recent NRI approval.

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

This condition was addressed when a complete survey of RTE plant species was submitted as part of the CDP application. The protocol described in the survey was found to address the above condition. The RTE survey was updated recently to respond to the 2016 Stream Monitoring Report and an updated Habitat Protection and Management Program prepared by Wetland Studies and Solutions (WSSI) dated November 11, 2016 was submitted.

- 6. The Woodland Conservation Threshold (WCT) shall be 25 percent. The WCT requirements shall be met on-site. The Type I Tree Conservation Plan required with the CDP Application shall focus on the creation of contiguous woodland. Priority areas for tree preservation shall be concentrated in areas within the framework of the approved Green Infrastructure Master Plan. No woodland conservation shall be provided on any residential lot.**

This condition has been addressed with the prior TCP approval and with the review of the revised TCPII with this application. The TCPII submitted with this current application correctly shows the woodland conservation threshold as 25 percent met on-site, and areas of interconnected woodlands are proposed within the framework of the *Countywide Green Infrastructure Plan*. No woodland conservation is proposed on residential lots.

- 7. Woodland cleared within the PMA's Preservation Area shall be mitigated on-site at a ratio of 1:1 for all impacts associated with development of the subject parcels. Woodland cleared within the PMA for the construction of the master planned roadway shall be mitigated in conformance with the standards of the Woodland Conservation Ordinance. This note shall also be placed on all Tree Conservation Plans.**

This condition has not been fully addressed with the revised TCPII. The previous approved TCPI included a plan identifying all areas proposed for clearing, including areas of clearing

on the net tract, within the PMA, off-site, and areas within the PMA for the master planned roadway. Note 18 on the coversheet of the revised TCPII reiterates this condition, but the phased woodland conservation worksheet (WC worksheet) has not been revised to include lines to separately quantify PMA impacts, and calculate the increased mitigation rate required. This will be discussed under Woodland Conservation in the Environmental Review section of this memo.

- 8. A Marlboro Clay geotechnical report that identifies the location and elevation of the Marlboro Clay layer throughout the site shall be submitted as part of the CDP Application package.**

This condition was previously addressed. See condition 17 of the CDP condition for detailed information. Due to site layout changes proposed, the submittal of updated information and studies related to Marlboro clay on-site was required by the Department of Permitting, Inspections and Enforcement (DPIE). A Report of Geotechnical Exploration for Locust Hill dated November 28, 2018 prepared by Geo-Technical Associated was submitted with the current application. Further discussion is provided under the soils section of this memo.

- 9. A Phase I noise study shall be submitted with the Preliminary Plan Application package. The noise study should address the location of the 65 dBA Ldn noise contour related to the CSX Railroad tracks, and what mitigation measures, if any, will be required to reduce noise impacts to 65 dBA Ldn in outdoor activity areas.**

This condition was previously addressed with the CDP application. The study had predicted the unmitigated 65 dBA Ldn noise contour to be approximately 60 feet from the centerline of the CSX railroad near the horn post. This contour decreases as distance from the train horn post increases. The unmitigated 65 dBA Ldn noise contour was correctly shown on the TCPI and preliminary plan. Mitigation for noise impacts on residential units is not required for the proposed rear outdoor activity areas or for indoor living areas within Phase 1 as currently delineated on this site. This condition may need to be revisited with future applications if significant revisions to the lotting pattern are proposed, or the residential development of future phases.

- 10. If noise mitigation is required to reduce noise levels to below 65 dBA Ldn in outdoor activity areas, a Phase II noise study shall be submitted with the Preliminary Plan Application package. The Phase II noise study shall address how noise has been mitigated to 65 dBA Ldn in outdoor activity areas and 45 dBA Ldn interior.**

Based on the previously submitted Phase I noise study, a Phase II noise study was not required because no lots will be impacted by noise above levels the state standards. The study found that special modifications were not necessary to reduce interior noise levels to 45 dBA Ldn or less.

- 13. No residential lots shall be located within 150 feet of the centerline of the CSX Railroad tracks.**

The condition was addressed at time of preliminary plan.

15. **All stream and wetland mitigation for impacts to environmentally regulated site features shall be provided within the Collington Branch watershed, or, if mitigation sites cannot be found, within the Western Branch watershed, to the fullest extent possible, as determined by the permitting agency.**

The environmental consultant for the Locust Hill projects previously confirmed that there are no on-site or off-site wetland mitigation banks within the Cullington Branch watershed, or within the Western Branch watershed. The absence of banks does not mean that there are not potential mitigation/restoration sites. In fact, the Western Branch Watershed Characterization (December 2003) prepared in support for *The Prince George's County and City of Bowie Watershed Restoration Action Strategy (WRAS) for the Western Branch Watershed* identified numerous project locations within the Western Branch watershed.

The Wetlands and Waterways Program of the Maryland Department of the Environment is responsible for the review of stream and wetlands permits and the determination of appropriate quantity, type and location for the mitigation of impacts, in accordance with the Maryland Nontidal Wetland Mitigation Guidance document (Second edition, January 2011).

While it is desirable to have the mitigation occur in the same subwatershed where the impacts occur, especially because of the water dependent RTEs that occur on-site, the most appropriate mitigation methods and location will be determined by MDE which will issue the required permits with associated conditions.

COMPREHENSIVE DESIGN PLAN, CDP-0506, PGCPB. No. 06-274

The following are the conditions of approval of the Comprehensive Design Plan, CDP-0506. The text in **bold** reflects the actual text from the conditions. The text in plain type discusses how the condition has been addressed with the current application

5. **All future submissions to the Development Review Division regarding Locust Hill, CDP-0506 shall indicate the PMA as shown on the NRI submitted with the subject application.**

A -03 revision to the NRI has been recently approved and was submitted with the current application, and the correct PMA delineation has been shown on the plans.

13. **The following note shall be placed on the preliminary plan and all future Tree Conservation Plans: "All community lighting shall use full cut-off optics and be directed downward to reduce glare and light spill-over."**

Note 24 on the cover sheet of the TCPII submitted with the current application addresses this condition.

16. **The TCPI submitted with the preliminary plan shall identify each clearing area by type: Net Tract Clearing, PMA Clearing (Master Plan Road), PMA Clearing (includes**

floodplain), and Off-Site Clearing. Each of the clearing types shall be identified using a different symbol. A chart indicating the type and size of each isolated clearing area in its respective category shall also be added to the plan.

This condition was addressed with approval of the preliminary plan and TCPI, but identification of woodland clearing using the typology used on the TCPI has not been included on the TCPII. Identification of the differing types of clearing is necessary for the correct calculation of the woodland conservation requirement and will be requested with recommended conditions of approval.

- 17. At least 30 days prior to Planning Board hearing for the preliminary plan, a detailed geotechnical report based on the existing conditions of the site, including the most current topographical information (or as shown on the NRI) shall be submitted. It shall also address the existing outcrop pattern of Marlboro clays and areas of slope stability concerns with respect to the existing conditions. The study shall provide the appropriate plans and/or exhibits, showing the location of all slope stability cross-sections, and identify the unmitigated 1.5 safety factor lines. The unmitigated 1.5 safety factor lines based on that report shall then be placed on the TCPI and the preliminary plan.**
- 18. At least 30 days prior to any Planning Board hearing on the preliminary plan application, the existing conditions and proposed 1.5 safety factor line shall be shown on the preliminary plan and Type I Tree Conservation Plan. No structures, septic fields, or lots less than 40,000 square feet in area shall be placed within the mitigated 1.5 safety factor line. All subsequent plans shall also show this information. If proposed engineering of the site will change the location of the existing 1.5 safety factor line, the proposed 1.5 safety factor line must also be shown on all plans.**

A slope stability analysis based on the proposed grading and layout was submitted with the preliminary plan. The exhibit submitted with the report identified all existing areas of possible slope failure with respect to the proposed design. Based on the layout and proposed grading at that time, no further information was required regarding Marlboro clay and the unmitigated 1.5 safety factor line.

Due to site layout changes proposed with the current application, the submittal of updated information and studies related to Marlboro clay on-site was required by the Department of Permitting, Inspections and Enforcement (DPIE). A Report of Geotechnical Exploration for Locust Hill dated November 28, 2018 prepared by Geo-Technical Associated was submitted to DPIE and is under review. Note 19 has been added to the TCP2 by the applicant stating that the mitigated 1.5 factor of safety line is not applicable to this plan; however, approval from DPIE is needed to confirm this conclusion.

- 19. At least 30 days prior to any Planning Board hearing for the preliminary plan, the associated TCPI shall be revised to show a 100-foot protection buffer for rare, threatened and endangered species with respect to all streams and wetlands on the site. The PMA shall be revised to include that 100-foot buffer. Impacts shown to the 100-foot buffer and PMA on the TCPI associated with the CDP shall be re-evaluated**

and reduced or eliminated during the review of the preliminary plan. Impacts should be limited to those that are essential for the development of the site.

This condition has been addressed with the approval of a revised NRI-047-06-04 on August 30, 2019. The revised PMA is correctly shown on all plans in accordance with the above condition. All impacts are discussed in detailed in the Environmental Review section of this memo.

- 21. At least 30 days prior to any Planning Board Hearing on the preliminary plan application, a conceptual Habitat Protection and Management Program shall be submitted for approval with the Preliminary Plan of Subdivision. The program shall include, but not be limited to:**
- a. Hydrologic monitoring for a minimum of a year prior to the issuance of the first grading permit to establish a baseline of data, during construction, and post construction for the following elements: water quality, benthic macroinvertebrate, hydrologic flow, sedimentation.**
 - b. Monitoring during construction for the following: sediment and erosion control measures, stormwater management controls, special protection measures for rare, threatened and endangered species habitat.**
 - c. Monitoring of the rare, threatened and endangered species during and post-construction.**

A conceptual Habitat Protection and Management Program as required by Condition #21 of PGCPB Resolution 6-274, was submitted with the previously approved application. The text submitted provided an overview of the monitoring practices and special protection measures proposed for the site. The program was forwarded to staff members at the Maryland Department of Natural Resources associated with the Maryland Biological Stream Survey, Wildlife and Natural Heritage, and the Environmental Review Unit. The management program submitted was based on the hydrologic monitoring and habitat management frameworks for nearby projects affecting the Collington Branch (Oak Creek Club and Beech Tree), and provided an acceptable conceptual framework for the development of a detailed program.

A Detailed Habitat Protection and Management Program was required prior to the submission of the first Specific Design Plan for the overall site due to conditions of Comprehensive Design Plan approval and was submitted and approved with SDP-1603 for Willowbrook, Phase 1. The applicant has appropriately submitted the same Detailed Habitat Protection and Management Program for this phase (phase 1 of Locust Hill) of the overall development covered by the CDP.

- 22. At least 30 days prior to any Planning Board Hearing on the first SDP application, a detailed Habitat Protection and Management Program shall be submitted to be approved with the first SDP which addresses specific implementation methodologies for the long-term protection and assessment of the rare, threatened and endangered**

species habitat on this site. Prior to issuance of the first grading permit, a minimum of one year of hydrologic monitoring data, as determined by the program, shall be submitted, to establish a baseline for evaluation impacts to the RTE habitat resulting for construction activities, and post development.

This condition was addressed with review of the first SDP, which was SDP-1603 for Willowbrook, Phase 1.

- 23. As part of the submission package for the first SDP, a plan and text shall be submitted that addresses a sediment and erosion control protocol that is more stringent than the minimum required. It shall include phasing of the site in such a way that the erosion prevention and sediment control mechanisms such as sediment basins stay in place until the last lot is built in the phase. The plan shall incorporate additional control measures and inspections to ensure maximum filtration of runoff and complete implementation of the plan. The package will be reviewed by the Environmental Planning Section staff in coordination with the staff of the Soil Conservation District.**

Since the approval of the CDP, more stringent sediment and erosion control regulations have been mandated by law, and the applicant's present proposal has been designed to comply with the current requirements which meet the expectations of the above condition. The property is the subject of a Site Development Concept Plan 42211-2014-01, Concept Grading, Erosion and Sediment Control Plan CSC#31-18, a Stream Restoration Analysis (McCarthy and Associates, March 30, 2007) and a Habitat Protection and Management Program (WSSI, November 11, 2016).

- 25. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the Planning Department.**

This condition shall be addressed during the review of grading permits which impact wetlands, wetland buffers, streams or Waters of the U.S.

- 28. At the time of Specific Design Plan, the SDP and TCPII shall have the same sheet sections, sheet key, and sheet order. The sheet key shall be placed on all sheets.**

Consistency has been provided between the SDP, TCPII and Landscape Plan with regards to the sheet sections, sheet key and sheet order, and a sheet key has been provided on all sheets.

- 29. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos**

identifying the locations and a plan showing the locations where the photos were taken.

This condition is retained for implementation prior to the issuance of building permits.

30. **At least 30 days prior to Planning Board hearing for the preliminary plan, the TCPI associated with that plan shall be revised to show the scenic easement with a minimum width of 40 feet located outside of the ultimate right-of-way and exclusive of the public utility easement and proposed master planned trail adjacent to the realigned Oak Grove Road.**
31. **At the time of Specific Design Plan, all planting within the scenic easement shall be native plant material.**

Further coordination concerning the provision of the required scenic/historic buffering along Oak Grove Road and Leeland Road, and the re-alignment of Leeland Road will be provided between the TCPII and the Landscape Plan. The applicant has indicated agreement with the provision of native plant materials within the scenic easement.

32. **At time of final plat, a 40-foot-wide scenic easement shall be established adjacent to Oak Grove Road and a note shall be placed on the final plat as follows: "Oak Grove Road is a designated Historic Road. The scenic easement described on this plat is an area 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."**

This condition shall be addressed at the time of final plat.

PRELIMINARY PLAN OF SUBDIVISION 4-06075, PGCPB. No. 07-28(C)(A)

PGCPB No. 07-28 (C)(A) was approved by the Planning Board on February 15, 2018 subject to conditions of approval. The following conditions of approval are environmental in nature, have not yet been fully addressed and/or are applicable to this SDP. The conditions are provided in **bold** font, and the comments are provided in standard font:

9. **Prior to signature approval of the preliminary plan, and prior to acceptance of the specific design plan, a copy of the revised and approved stormwater management concept plan shall be submitted. The plan shall include the use of sheet flow buffers, vegetated channels, and rooftop and non-rooftop disconnection to the fullest extent possible in addition to other stormwater management techniques. The approved concept shall be reflected on the SDP and TCPII.**

A revised Stormwater Management Concept Approval Letter (Case #: 42211-2014-01) and plans has been submitted with the current application, and the proposed SWM elements have been shown on the SDP and TCP2.

10. **Prior to signature approval of the preliminary plan and the TCPI, both plans shall be**

revised to add the following note: "Development of this site is subject to a habitat protection and management program, conceptually approved concurrently with the preliminary plan of subdivision. Submittal of a detailed habitat protection and management program for the site is required with the submittal of the first specific design plan for this site and is also subject to the approval of the Planning Board. The detailed habitat protection and management program shall be based on the conceptual plan but is not necessarily limited to elements outlined in the conceptual plan."

The following note shall be added to the SDP and TCP2 prior to certification:

"Development of this site is subject to a Habitat Protection and Management Program for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. The plan was prepared by McCarthy and Associates, Inc. (March 30, 2007) and revised by Wetland Studies and Solutions, Inc. (WSSI) (November 11, 2016) to include both the Locust Hill and Willowbrook development. Prior to the issuance of the first grading permit, a minimum of one year of hydrologic monitoring data shall be submitted to establish a baseline for evaluation impacts to the RTE habitat resulting from construction activities and post-development."

- 12. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional shall be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.**

This condition will be addressed at time of permitting.

- 13. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC, Planning Department.**

This condition will be addressed at time of permitting.

- 14. At time of final plat, bearings and distances shall describe a conservation easement. The conservation easement shall contain the Patuxent River Primary Management Area, and all adjacent preservation and reforestation/afforestation areas, excluding those areas where requests for impacts have been approved, and the final plat shall be reviewed by the Environmental Planning Section prior to approval. 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.”

15. The final plat shall contain the following note:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI-024-06-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved tree conservation plan and will make the owner subject to mitigation under the Woodland Conservation and Tree Preservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

The above conditions shall be complied with at time of final plat.

ENVIRONMENTAL REVIEW

Natural Resource Inventory/Existing Conditions

A revised Natural Resources Inventory, NRI-047-06-03 for the subject property was approved on February 26, 2018. The regulated environmental features as shown on the revised NRI have been correctly shown on the current specific design plan and Type II tree conservation plan.

Woodland Conservation

The property is subject to the provisions of the 1993 Prince George’s County Woodland Conservation Ordinance (WCO) because the site has previously approved development applications and associated Tree Conservation Plans. A TCPI, TCPI-024-06-01, was approved with CDP-0506 and was revised with the approval of PPS 4-06075.

TCPII-027-2015 was originally approved on February 9, 2016 for the limited purpose of placing a real estate sales trailer on Parcel A, located in the northeast corner of the intersection of Oak Grove Road and Church Road. A revised TCPII (TCPII-027-2015-01) was accepted for review with the current application for Phase 1 of Locust Hill, and the required Leeland Road realignment improvements.

The Residential-Low (R-L) zone has a woodland conservation threshold of 25 percent or 109.15 acres based on a net tract area of 436.60-acres, which is correctly reflected in the TCP2 worksheet. The amount of on-site woodland conservation meets condition 6 of the Basic Plan (A-9975-C-01) which requires the woodland conservation threshold to be met on-site.

The 505.81-acre site contains 349.89 acres of existing woodland on the net tract and 66.56-acres of

woodland within the 100-year floodplain. Proposed clearing consists of 188.70-acres on the net tract, 2.76 acres of clearing in the on-site floodplain, and 2.38- acres of clearing off-site. The worksheet does not include a calculation line for clearing of the PMA, which requires replacement at a ratio of 1:1, so the worksheet has not correctly calculated the woodland conservation requirement, which will be greater than 161.47-acres indicated.

The woodland conservation worksheet indicates the woodland conservation requirement will be fulfilled with 223.44 acres of preservation and 22.83-acres of on-site afforestation/reforestation. Based on the amount of clearing proposed on the net tract, the amount of woodland preserved on the net tract cannot be larger than 161.19 acres. The total woodland conservation provided on-site in preservation and afforestation does not exceed 184.03-acres.

The TCPII plan requires numerous technical revisions to be in conformance with the requirements of the Environmental Technical Manual (ETM), which are addressed in the recommended conditions provided with this memo.

Removal of Specimen Trees

As previously stated, the property is largely forested. A revised Natural Resources Inventory (NRI-047-06-03) was approved on February 26, 2018 and identifies 422.72 acres of woodland and 335 specimen trees on or adjacent to the property. The site is grandfathered from the requirement to obtain a variance for the removal of specimen, champion or historic trees on-site by the approval of TCP 1-24-06 on March 22, 2009, which precedes the effective date of September 1, 2010 for the most current Woodland and Wildlife Habitat Conservation Ordinance. Ninety-nine (99) specimen trees were approved to be removed.

With the current application, a variance request was submitted for the removal of twenty-four (24) additional specimen trees, previously indicated to be saved, and the retention of fourteen (14) of the specimen trees previously approved for removal, resulting in a net loss of ten (10) additional specimen trees on the site. The requirement for a variance for removal of specimen trees is moot on this site because it is grandfathered from the requirements of the current WCO. The applicant has been advised to withdraw the Subtitle 25. Variance request.

The applicant argues that there are special conditions on this site which limit the area available for development, with 30 percent of the site within the PMA, and the presence of Marlboro clay and steep slopes which creates the need for additional grading to mitigate slope failure. The presence of over three hundred specimen trees scattered throughout the property makes the removal of some specimen trees necessary for any development on the site. The requirement to construct Leeland Road, a master-planned roadway, and a master-planned trail along Collington Branch have also expanded the grading envelop and resulted in the need to remove additional specimen trees.

Staff agrees with the applicant that the site presents special hardship due to the amount specimen trees present and the regulated environmental features of the site, commends the retention of fourteen additional specimen trees if possible, and supports the removal of ten additional specimen

trees with the development of Phase 1 as consistent with the previously approved and modified environmental impacts supported through this application.

Environmental Impacts and Preservation of the PMA

When a property is located within the Patuxent River watershed, certain designated features comprise the Patuxent River Primary Management Area Preservation Area (PMA). This application is grandfathered from the provisions outlined in Section 24-130(b)(5) which requires that the Planning Board find that the PMA is preserved in its natural state to the fullest extent possible. However, numerous conditions of the CDP and PPS apply to the protection of the PMA for this case. All disturbances not essential to the development of the site are prohibited within the PMA. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], road crossings, and so forth, which are mandated for public health and safety; non-essential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Because this site contains fish and plant species designated as threatened and/or endangered, it is very important that impacts be limited to only those areas necessary for development.

With previously approved PPS 4-06075, All the proposed impacts as shown on the TCPI and preliminary plan were for the construction of road crossings, public utilities (water and sewer), and stormwater outfalls, which were deemed essential for development. The plans also showed impacts for pedestrian trails, which are in accordance with the Bowie and Vicinity Master Plan. A Letter of Justification with exhibits for sixteen (16) impacts totaling 260,786 square feet (5.98 acres) was submitted. The proposed impacts as requested were determined to be necessary and essential for the development of the site, and all the requested impacts were approved.

With the current SDP application, a statement of justification (SOJ) for the “modification of previously approved PMA impacts” dated February 25, 2020, was submitted on March 13, 2020. The SOJ requests approval of twenty (20) impacts to the Primary Management Area (PMA). Justification and specific reasons for each impact is provided below. The total on-site PMA impacts proposed with Phase 1 of the Locust Hill site is 97,240.58 square feet (2.23 acres. Future PMA impacts located outside of Phase 1, will require review with the development of future phases, and modifications to impacts if necessary, will be provided with the associated development process for that phase.

There are also PMA impacts necessitated by the realignment of the Leeland Road centerline and road improvement from the centerline of the Collington Branch to the centerline of the CSX railroad totaling 201,086.04 square feet (4.62 AC).

A total of 298,326.72 SF (6.85 AC) of PMA impacts are proposed which includes PMA impacts on the Locust Hill site and PMA impacts for Leeland Road/Locust Hill frontage Improvements. A portion of the PMA impacts, 72,484.08 square feet (1.67 AC), was previously justified under the approved Willowbrook Subdivision (SDP-1603). After taking this into account, the PMA Impact proposed with Phase 1 development (which includes Leeland Road Impacts) is 225,478.64 square feet (5.18 AC). It is anticipated that the PMA impacts located outside of Phase 1 at the time of preliminary plan will be required at the time of the future phases, and modification to previously approved

impacts, if necessary, will be provided with the SDP for future phases. The PMA for the site was expanded after approval of the PPS by the approval of a revised NRI which expanded the required stream buffer due to the presence of RTEs.

SPECIFIC IMPACTS

PMA Impacts			
Impact ID	Purpose (Same Locations as PMA Impacts)	Proposed Impact (Sq. Ft.)	Proposed Impact (Ac.)
1	Roadway Connection to Proposed Leeland Road	19781.70	0.45
2	Stormwater Outfall	723.52	0.02
3	Roadway Connection to Proposed Leeland Road	14250.81	0.33
4	Stormwater Outfall	10020.60	0.23
5	Utility Connection - Sanitary Sewer	1745.25	0.04
6	Stormwater Outfall	2288.24	0.05
7	Utility Connection - Recreation Trail	786.11	0.02
8	Utility Connection - Sanitary Sewer	6854.67	0.16
9	Proposed Leeland Road Improvements (LH)	6339.37	0.15
11	Recreation Trail	1469.16	0.03
12	Stormwater Outfall	2810.86	0.06
13	Utility Connection - Sanitary Sewer	5980.22	0.14
14	Utility Connection - Sanitary Sewer	4554.74	0.10
15	Stormwater Outfall & Utility Connection - Sanitary Sewer	7158.88	0.16
16	Utility Connection - Sanitary Sewer	7761.72	0.18
17	Stormwater Outfall	2314.88	0.05
18	Stormwater Outfall	1473.84	0.03
19	Stormwater Outfall	926.01	0.02
Total		97240.58	2.23

PMA Impacts			
Impact ID	Purpose (Same Locations as PMA Impacts)	Proposed Impact (Sq. Ft.)	Proposed Impact (Ac.)
10	Proposed Leeland Road Improvements (LH)	128,238.06	2.94
10B	Proposed Leeland Road Improvements (WB)*	72,848.08	1.67
Total		201,086.14	4.62

Evaluation of Proposed PMA Impacts

Impacts 5, 8, 9, 13, 14, 15, and 16 are solely for the connection of sanitary sewer lines to existing sewer lines within the PMA. These impacts are necessary for the health and safety of the proposed development. The total area of the requested impacts is 34,055.46 square feet (0.78 acres), and these impacts have been minimized to the fullest extent possible.

Impacts 2, 4, 6, 12, 17, 18 and 19 are for impacts related to stormwater outfalls that are necessary to safely convey stormwater to the stream system. The total area of requested impacts is 10,537.35 square feet (0.24 acres), and these impacts have been minimized to the fullest extent possible.

Impacts 1, 3, 9, 10 and 10B are for impacts related to disturbance for connections to and necessary improvements to Leeland Road. These disturbances will allow for the realignment of the existing road at the western end of the property, development of a pedestrian/bike trail, and the installation of turn lanes at both ends to provide access to the subject property, based on master plan requirements. Due to the location of the existing and expanded right-of-way and the necessary safety improvements to the road, these impacts have been found to be minimized to the fullest extent possible.

In general, the revised layout has been shaped to avoid and minimize disturbance to the PMA. The impacts shown are those required to provide necessary infrastructure such as the expansion to the master planned road, trail connections as required by the Master Plan and previous approvals, stormwater management outfalls, utility connections and one submerged gravel wetland.

The existing sewer line runs from North to South along the east, north and south side of the project, and both existing lines are within the PMA. As a result, PMA impacts to connect to the sewer line are necessary.

There is little room between the Marlboro clay outcrop and the PMA. All stormwater management (SWM) facilities are required to be located below the Marlboro clay outcrop. Thus, outfalls and two submerged gravel wetlands need to encroach into the PMA.

Per the approved Preliminary Plan, a 50 to 100 foot-wide dedication for the Leeland Road Right of Way and the adjoining Public Utility Easement is required, and the applicant is required to construct two lanes of the Leeland Road improvements. Lastly, per the Adopted and Approved Bowie and Vicinity Master Plan, a stream valley trail is required along the Collington Branch. As this trail is a stream valley trail, it will be located within the PMA.

The modified PMA impacts shown on the Phase 1 SDP for Locust Hill are in general conformance with the impacts approved with the PPS, and are consistent, and are generally the same size and for the same purposes as the previous approval. These impacts are necessary for the construction of the proposed development and have been minimized to fullest extent possible. Staff supports all the requested impacts.

Rare, Threatened and Endangered Species/Habitat Protection and Management Program

During the review of the CDP, the Environmental Planning Section conducted an extensive review of the site regarding rare, threatened, and endangered species. In a letter dated September 6, 2006, the Department of Natural Resources Natural Heritage Program (DNR NHP) noted that Rare, Threatened, and Endangered (RTE) species are known to occur on the subject property. The letter specifically addressed three fish species identified as the state-listed endangered Stripeback darter (*Percina notogramma*), the state-listed threatened American brook lamprey (*Lampetra appendix*), and the state-listed threatened Glassy darter (*Etheostoma vitreum*). Also identified on the site was one RTE plant species, Coville's phacelia (*Phacelia covillei*), which is listed as endangered by the State of Maryland and is globally rare. These, along with several other RTE plant species, have been identified in Collington Branch of the Western Branch watershed in the Patuxent River basin, which runs north-south along the eastern portion of the subject site. It should be noted that the distribution of the Stripeback darter in Maryland is limited to Western Branch, which is ranked eighth out of 84 watersheds in Maryland with respect to aquatic biological diversity and priority for conservation. Zekiah Swamp, which is partially located within Prince George's County, is ranked first. The only other known location of this species is along the James River in Virginia. Preservation and protection of the biological integrity of Western Branch is critical to the continued sustainability of this diverse and sensitive community of fish and plant species.

Conditions of approval regarding preservation and protection of the on-site habitat are contained in Resolution 06-274 for the CDP. This includes the expansion of the PMA for all streams and wetlands, additional stormwater management techniques, enhanced sediment and erosion control mechanisms, and a development of a Habitat Protection and Management Program.

A "Habitat Protection and Management Program for Willowbrook (CDP-0505) and Locust Hill (CDP-0506) in Prince George's County" (March 30, 2007) was prepared by McCarthy & Associates, Inc., in consultation with the Environmental Planning Section and the staff of the Maryland DNR NHP. The program addressed baseline monitoring of the site prior to the commencement of construction, monitoring of hydrology, sediment, and protective mechanisms during construction, and long-term monitoring of the sensitive species habitat after construction to assess the success of the mechanism proposed. The program included, but was not limited to, hydrologic monitoring for a minimum of one year prior to issuance of the first grading permit to establish a baseline of data during construction and post-construction for the following elements: water quality, benthic macroinvertebrate, hydrologic flow, and sedimentation. Also included was monitoring during construction for the following: sediment and erosion control measures, stormwater management controls, special protection measures for Rare, Threatened, and Endangered (RTE) species habitat, and monitoring of the RTE species during and post construction.

With the review of SDP-1603, A "Review Habitat Protection and Management Program for Willowbrook (CDP-0505) and Locust Hill (CDP-0506) in Prince George's County" (November 11, 2016) was prepared by Wetland Studies and Solutions, Inc. (WSSI) and approved by the Planning Board, fulfilling all prior conditions.

The following note shall be added to the SDP and TCP2 prior to certification:

"Development of this site is subject to a Habitat Protection and Management Program for the

long-term protection and assessment of the rare, threatened and endangered species habitat on this site. The plan was prepared by McCarthy and Associates, Inc. (March 30, 2007) and revised by Wetland Studies and Solutions, Inc. (WSSI), November 11, 2016, to include both the Locust Hill and Willowbrook development. Prior to the issuance of the first grading permit, a minimum of one year of hydrologic monitoring data shall be submitted to establish a baseline for evaluation impacts to the RTE habitat resulting from construction activities and post-development.”

Marlboro Clay

This property is in an area with extensive amounts of Marlboro clay that is known as an unstable, problematic geologic formation when associated with steep and severe slopes. The presence of this formation raises concerns about slope stability and the potential for the placement of structures on unsafe land. Based on information available, it was projected that the top elevation of the Marlboro clay varies from an elevation of approximately 110 feet to approximately 120 feet on this site.

The original CDP application package included a Report of Preliminary Geotechnical Exploration prepared by Geotechnology Associates, Inc. and dated September 2005. The initial geotechnical study was determined inadequate, because it was based on an insufficient number of borings and failure to address the requirements contained in “Criteria for Soil Investigations and Reports on the Presence and Effect of Marlboro Clay upon Proposed Developments.” The extent of impacts on the proposed design could not be determined without a Detailed Geotechnical Report, establishment of a 1.5 safety factor line based on existing conditions, identification of problem areas, and the establishment of a 1.5 safety factor line based on conceptual grading.

A memorandum from Ben Dinsmore, Geotechnology Associates, Inc. to Nand Gupta, Toll Brothers, dated June 20, 2006, and an Exploration Location/Slope Stability Evaluation Plan, dated June 20, 2006, were submitted and stamped received on June 22, 2006. The memorandum summarized 114 additional borings that have occurred on the site. The Exploration Location/Slope Stability Evaluation Plan showed the location of the additional boreholes.

A further memorandum from Ben Dinsmore, Geotechnology Associates, Inc. to Nand Gupta, Toll Brothers, dated September 12, 2006, and an Exploration Location/Slope Stability Evaluation Plan, dated September 12, 2006, was submitted and stamped as received on September 29, 2006, as part of the first NRI revision. In summary, the memorandum states that Marlboro clay is present over a large portion of the site at elevations generally on the order of 80 to 120 feet. A mitigated 1.5 safety factor line was proposed based on a grading plan provided on August 16, 2006. The stability of the Marlboro clay needs to be re-evaluated as revisions to the design and grading are proposed through the development process.

Since 2006, extensive experience with Marlboro clay outcroppings on the adjacent Beech Tree development, located in the southwest quadrant of the intersection of Leeland Road and US 301, has developed expertise in County staff at the review of grading issues which has resulted in a cooperative process between the developer and County staff in addressing potential unsafe land issues, and in recommending stormwater management techniques suited to these unique situations.

Due to site layout changes proposed with the subject application, the submittal of updated information and studies related to Marlboro clay on-site was required by the Department of Permitting, Inspections and Enforcement (DPIE). A Report of Geotechnical Exploration for Locust Hill dated November 28, 2018 prepared by Geo-Technical Associated is under review by DPIE. Conformance to the County's guidelines for over consolidated clay must be reviewed and approved by DPIE prior to certification of the SDP and TCP2.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The Environmental Planning Section recommends approval of SDP-1705 and TCPII-027-2015-01 subject findings and conditions provided below.

Recommended Findings

1. The plan demonstrates that the regulated environmental features of the site have been preserved in general conformance with the previous CDP-0506 and PPS 4-06075 approvals.
2. TCPII-027-2015-01 can be found in general conformance with TCP1-024-06-01 but requires revisions in accordance with recommended conditions to be in conformance with A-9975, CDP-0506, PPS 4-06075, and the 1993 Woodland Conservation Ordinance (WCO).

Recommended Conditions

1. Prior to certification of the SDP and TCPII, conformance to the County's guidelines for over consolidated clay shall be demonstrated, as determined by DPIE, for the layout shown on the SDP and TCPII. Any resulting mitigated 1.5 factor of safety line shall be shown on the plan. Any resulting building restriction lines shall also be shown, as determined by DPIE.
2. Prior to the certification of the SDP, the TCPII shall be revised as follows:
 - a. The TCPII shall identify each clearing area by type on the plan: Net Tract Clearing, PMA Clearing (Master Plan Road), PMA Clearing (includes floodplain), and Off-Site Clearing. Each of the clearing types shall be identified using a different symbol. A chart indicating the type and size of each isolated clearing area in its respective category shall also be added to the plan. This table will be used to calculate the amount of on-site PMA impacts that are subject to 1:1 replacement.
 - b. On each sheet, the types of clearing identified in (a) above shall be included in the Sheet Summary Table. Correct the classifications used in the sheet summary table; the use of "M-NCPPC woodland preservation" and "Non-M-NCPPC" does not appear to be correctly applied. If these categories need to be identified separately, this should be indicated with a different graphic or labeling on the plan sheet.
 - c. The woodland conservation worksheet shall be revised to include calculations for the 1:1 replacement requirement for on-site PMA in the column for clearing of on-site 100-year floodplain,
 - d. The woodland conservation worksheet shall show the correct amount of woodland preserved after clearing, and the amount of woodland conservation being provided.
 - e. The plan title shall be corrected to TCPII-027-2015, without a revision number.
 - f. The worksheet TCPII number shall be corrected to TCPII-027-2015. .

- g. The EPS approval block TCP number shall be corrected to TCPII-027-2015.
 - h. The current DRD approval block shall be provided on all sheets.
 - i. On Sheet 1, revise Note 3 to correctly identify DPIE as the appropriate contact for a pre-construction meeting.
 - j. Make spelling corrections to Notes 6 and 18.
 - k. Correct note numbers as needed.
 - l. Provide and label the required 40-foot wide scenic buffer on both sides of Leeland Road, and on the east side of Church Road. Where woodland preservation or afforestation/reforestation is not proposed, provision of the scenic buffer shall be addressed on the landscape plan.
 - m. Provide a complete and consistent legend on all plan sheets identifying all graphic features used on the sheet using standard Environmental Technical Manual (ETM) manual symbols and labeling.
 - n. Show correct Bufferyard "E" width of a 60-foot building restriction line with 50-feet of landscaping adjacent to environmental setting of historic sites.
 - o. Revise the plan as needed to appropriately identify correct use of temporary tree protection devices and permanent tree protection devices.
 - p. Add a planting schedule for the afforestation/reforestation proposed which does not include red maples and includes a minimum of two oak varieties.
 - q. Add a root pruning detail to the details and describe in notes where it will be applied on-site.
 - r. Add a disposition column to the Specimen Tree Table, and identify those specimen trees which will be "Removed" in the column.
 - s. If retaining walls are proposed on-site, provide the top and bottom elevations, locate the retaining walls no closer than 10-feet to the PMA, and no closer than 10-feet to a woodland conservation area to allow for access and maintenance.
 - t. Remove Natural Regeneration Notes from Sheet C310. Afforestation/reforestation will be provided by the planting of seedlings, and not by seeding.
 - u. Make any other revisions and technical corrections needed to be consistent with the requirements of the WCO and the ETM.
 - v. After revisions to other plans (SDP and LSP) are made, revise the TCPII as needed so that plans are consistent. With regards to limit of disturbance, grading, and other site elements.
 - w. Correct tables and worksheets as needed to correctly show the woodland conservation requirement for the size, and how the woodland conservation requirement is being fulfilled.
 - x. Revise note 19 regarding Marlboro Clay as needed to address geotechnical requirements as determined by DPIE.
 - y. Have the revised plan signed and dated by the qualified professional who prepared it.
3. The following note shall be added to the SDP and TCP2 prior to certification:
"Development of this site is subject to a Habitat Protection and Management Program for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. The plan was prepared by McCarthy and Associates, Inc. (March 30, 2007) and revised by Wetland Studies and Solutions, Inc.

(WSSI) dated November 11, 2016, to include both the Locust Hill and Willowbrook development. Prior to the issuance of the first grading permit, a minimum of one year of hydrologic monitoring data shall be submitted to establish a baseline for evaluation impacts to the RTE habitat resulting from construction activities and post-development.”

4. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC, Planning Department.
5. Prior to the issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken.

If you have any questions concerning these comments, please contact me at 301-952-3650 or by e-mail at kim.finch@ppd.mncppc.org.



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

March 5, 2020

TO: Thomas Burke, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E. Associate Director
Site/Road Plan Review Division, DPIE

neg 3/9/2020

Re: Locust Hill
Specific Design Plan No. SDP-1705

CR: Oak Grove Road
CR: Church Road
CR: Leeland Road

In response to Specific Design Plan No. SDP-1705, the Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located on the north and south sides of Oak Grove Road, west of its intersection with Leeland Road.
- Church Road and Oak Grove Road are County-maintained roadways.
- Church Road is to be improved as per the Department of Public Works and Transportation (DPW&T) Scenic and Historic Rural 4-Lane Collector Road Standard with a 90-foot right-of-way width. Therefore, a right-of-way dedication is required.
- Right-of-way dedication of 100-foot width and frontage improvements in accordance with DPW&T's 4-lane Urban Major Collector Roadway Standards are required for Leeland Road.

- Leeland Road two-way, two-lane plan layout shown on the Specific Design Plan does not match with the plan that was agreed between DPW&T and DPIE. The developer should make sure to provide Leeland Road cross-section agreed by DPIE and DPW&T during permit application.
- The proposed full access entrance at Station 120+50 of Leeland Road is too close to the intersection of Oak Grove Road and Church Road. It is also not advisable to drop the second eastbound lane of Leeland Road as "left only" at the entrance. Therefore, this access is to be changed to right-in/right-out with appropriate channelization. The proposed lane transition on second eastbound of Leeland Road as previously approved is to still be provided.
- On the northbound approach of Church Road at Oak Grove Road intersection, a right turn lane with a minimum length of 100-feet is to be provided.
- There are old stormwater management (SWM) plans included in the acceptance folder which do not match with the agreed cross-section of Leeland Road.
- All improvements within the public right-of-way as dedicated to the County, are to be in accordance with the County Road Ordinance, DPW&T's Specifications and Standards and the Americans with Disabilities Act (ADA).
- Full-width, 2-inch mill and overlay for all County roadway frontages is required.
- Conformance with DPW&T street tree and street lighting standards is required.
- Cul-de-sacs are required to allow, as a minimum, turning movement for a standard WB-40 vehicle and a standard-length fire truck. When considering turning movement, it is assumed that parking is provided on the outside edge of the radius of the cul-de-sac.

- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- Street construction permits are required for improvements within public roadway rights-of-way and for the proposed private internal roadways. Maintenance of private streets is not the responsibility of DPW&T.
- The proposed Specific Design Plan layout for the internal roadways and buildings and the limit of disturbance are not consistent with the approved Stormwater Management Concept Plan No. 42211-2014-01. A revision to the Stormwater Management Concept Plan is required.
- All storm drainage systems and facilities are to be in accordance with DPW&T's and the Department of the Environment (DoE) requirements.
- Proposed culverts are to be designed to convey the 100-year storm event.
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluations for public streets is required.
- This site contains Marlboro Clay. The following requirements must be addressed during or prior to site development grading permits through DP&E.
 - a) A geotechnical report for site grading, roads and stormwater management ponds shall be provided. The ponds should be analyzed for geotechnical impacts on the proposed roads and structures in the vicinity.
 - b) The site should be evaluated for the presence of Marlboro Clay and slope stability for slopes steeper than or equal to 5:1.
 - c) The geotechnical report shall also analyze the proposed grading in Marlboro Clay areas, and recommend maximum allowable slopes. Any slope in excess of 5H:1V shall be specifically evaluated, and recommendations shall be provided.

Thomas Burke
March 5, 2020
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- d) The 1.5 factor of safety (FS) line shall be shown on the plan. Structures are to be located at least 25 feet from the 1.5 FS line.
- e) Grading in Marlboro Clay areas must not exceed 5H:1V without specific geotechnical analysis that proves its stability.
- f) Permit plans of both site grading, storm drain, and paving shall comply with the recommendations of the geotechnical report.
- g) Compliance with recommendations from the geotechnical report shall be verified on the plans by the preparer of the geotechnical report, and in the field by the geotechnical engineer.
- h) Due to Marlboro Clay field investigation, lab testing, engineering analysis and preparation of geotechnical reports and site plans shall be in compliance with DPIE's 005-2018, techno-gram.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2060.


MA:SJ:csw


cc: Rene' Lord-Attivor, Chief, Traffic Engineering, S/RPRD, DPIE
Mariwan Abdullah, P.E., District Engineer, S/RPRD, DPIE
Salman Babar, CFM, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
MJ Labban, Engineer, S/RPRD, DPIE
Selam Jena, Engineer, S/RPRD, DPIE
Bohler Engineering, 16701 Melford Boulevard, Suite 310,
Bowie, Maryland 20715
WBLH, LLC, 7164 Columbia Gateway Drive, Columbia, MD 21046

March 11, 2020

MEMORANDUM

TO: Thomas Burke, Planner Coordinator, Urban Design Section, Development Review Division

VIA:  Whitney Chellis, Acting Planning Supervisor, Special Projects Section, Countywide Planning Division

FROM:  Ivy R. Thompson, Senior Planner, Special Projects Section, Countywide Planning Division

SUBJECT: **SDP-1705 Locust Hill**

Project Summary:

This project is to review Phase I development for infrastructure only for 285 single-family detached and 53 single-family attached residential lots. This property is located outside the I-495 Beltway.

This Specific Design Plan was accepted for processing by the Planning Department on January 30, 2020.

Section 27-528(a)(2) of the Prince George's County Code of Ordinances requires a finding prior to approval that development will be adequately served within a reasonable period of time with existing or programmed public facilities. Subtitle 24 of the County Code provides the only methodology for testing adequate public facilities as set forth below.

RESIDENTIAL

Water and Sewer:

Using Section 24-122.01(b)(1) of the Prince George's County Code of Ordinances, Subdivision Regulations which states "the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval." The 2018 *Water and Sewer Plan* placed this property in the 2018 *Water and Sewer Plan* placed this property in the Water and Sewer Category 3, Community System.

Capital Improvement Program (CIP):

The Prince George's County FY 2020-2025 Approved CIP identifies one CIP Fire- EMS Department project, Fire-EMS Department Facility Construction – Beech Tree Fire/EMS Station is located at 16014 Leland Road, in Planning Area 79- Upper Marlboro & Vicinity.

Police Facilities:

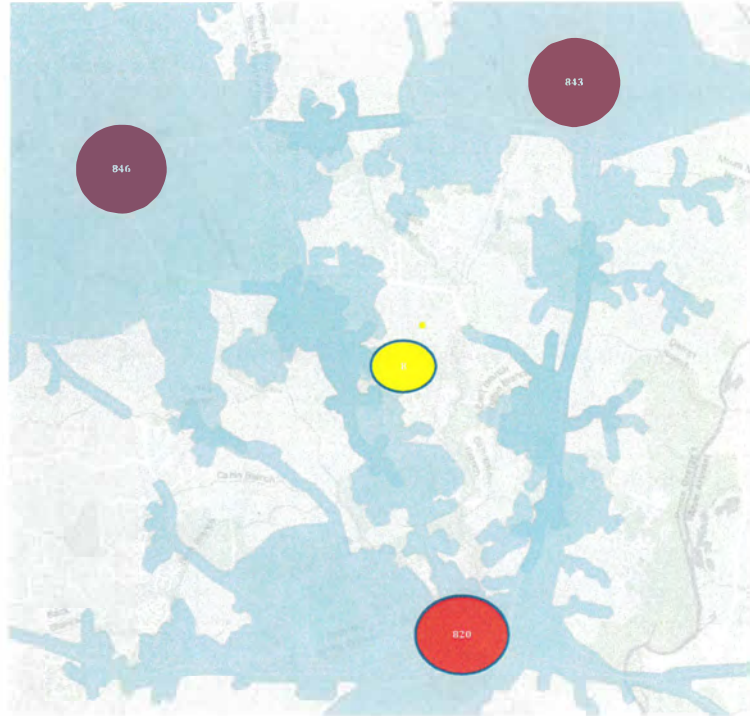
This Specific Design Plan was reviewed for adequacy of police services in accordance with Section 24-122.01(c) of the Subdivision Regulations. The subject property is in Police District II, Bowie, located at 601 Crain Highway, in Upper Marlboro, Maryland. The response time standards established by Section 24-122.01(e) is ten-minutes for emergency calls and 25-minutes for non-emergency calls. The test is applied on the date the application is accepted or within the following three (3) monthly cycles, pursuant to Section 24-122.01(e)(2). The times are based on a rolling average for the preceding 12 months. The SDP was accepted for processing by the Planning Department on January 30, 2020.

Reporting Cycle	Effective 12 Month Cycle	Priority	Non- Priority
Acceptance Date <i>January 30, 2020</i>			
Cycle 1 February 10, 2020		9	6
Cycle 2 March 9, 2020		9	6
Cycle 3			

The response time standards of 10 minutes for priority calls and 25 minutes for non-priority calls were met in the first monthly cycle following acceptance. Pursuant to CR-69-2006, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels. The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

Fire and Rescue:

This Specific Design Plan was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) of the Subdivision Regulations. The response time standard established by Section 24-122.01(e) is a maximum of seven-minutes travel time from the first due station. Prince George's County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of February 20, 2020 the proposed project fails the seven-minute travel time standard from the three closest stations: Bowie Volunteer Fire/EMS Co. 843 located at 16498 Pointer Ridge Road; Kentland Volunteer Fire/EMS Co. 846 located at 10400 Campus Way South; and Marlboro Volunteer Fire/EMS Co. 820 located at 14815 Pratt Street.



Section 24-122.01(d)(1)(B) of the Subdivision Regulations allows for development when the County CIP is programmed with 100 percent of the expenditures for the construction of a fire and rescue facility. The Prince George’s County FY 2020-2025 Approved CIP provides full funding (FY 2023) to the Fire- EMS Department (pg. 310) for the construction of the Beech Tree Fire/EMS Station to be located at 16014 Leland Road, which once constructed, will serve this subdivision. The project is currently in the planning and design stages, construction is expected to begin in 2021 and the project completed by 2023 [see attachments]. Therefore, mitigation is not required.

Schools

This Specific Design Plan was reviewed for impact on school facilities in accordance with Section 24-122.02 of the Prince George’s County Code of Ordinances, Subdivision Regulations, and CR-23-2001 and CR-38-2002, *Amended Adequate Public Facilities Regulations for Schools*. This property is located outside the I-495 Beltway. Staff conducted an analysis and the results are as follows:

Impact on Affected Public School Clusters by Dwelling Unit Type

	Affected School Cluster		
	Elementary School Cluster 4	Middle School Cluster 4	High School Cluster 4
Total Proposed Dwelling Units (DU)	338 DU	338 DU	338 DU
Single-Family Detached DU	285	285	285
Pupil Yield Factor	0.158	0.098	0.127
Total [PYF*DU]	45	28	36
Single-Family Attached	53	53	53

Pupil Yield Factor	0.114	0.073	0.091
Total [PYF*DU]	6	4	5
Total Future Subdivision Enrollment	51	32	41
Adjusted Student Enrollment 9/30/2019	12,927	9,220	7,782
Total Future Enrollment [TFE]	12,978	9,252	7,823
State Rated Capacity [SRC]	15,769	9,763	8,829
Percent Capacity [TFE/SRC]	82%	95%	89%

Section 10-192.01 establishes school surcharges and an annual adjustment for inflation, unrelated to the provision of Subtitle 24. The current amount is \$9,741 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$9,741 per dwelling if the building is included within a Basic Plan or Conceptual Site Plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$16,698 per dwelling for all other buildings. This fee is to be paid to Prince George's County at the time of issuance of each building permit.

Fire/EMS Department

AGENCY OVERVIEW

Agency Description

The Fire/Emergency Medical Services (EMS) Department is responsible for fire suppression, emergency medical services (EMS), fire prevention, research and training and the coordination of the Volunteer Fire Companies. The Fire/EMS Department was established by Section 13 of the Schedule of Legislation for the Prince George's County Charter. The Fire Chief is responsible for its operation.

The Fire/EMS Department consists of a combination of sworn and civilian staff, in addition to more than 1,200 active volunteers, united under the operational authority of the County Fire Chief. Together these two labor forces combine to operate 45 fire and EMS stations, as well as several Fire/EMS Department support facilities that are located throughout the County. Each Volunteer Fire/Rescue Corporation operates at least one station. The Fire/EMS Department is organized into four operational commands: Emergency Services, Administrative Services, Support Services and Volunteer Services.

Facilities

The Fire/EMS Department's headquarters is located at the Largo Government Center (LGC) in Largo, Maryland. Staff is also located at several other County locations, including buildings in Forestville, Largo and Landover Hills. Training personnel are located at the Fire/EMS Training Academy in Cheltenham, although training classes are provided at various locations throughout the County. Currently, the Fire/EMS Training Academy is utilizing an administration building with classrooms for adjunct instructors to provide course curriculum for staff training. The Department operates 45 fire and EMS stations throughout the County.

Needs Assessment

The Office of Central Services – Facilities Operation and Management (FOM) Division has provided a complete assessment of the mechanical systems and the condition of the roofs of all stations. Based on that assessment the replacement of these mechanical systems has been

prioritized and the most critical are included in the Fire Station Renovations project. Also, based on the roof assessment and a review of the existing roof warranties, a roof replacement schedule has been developed, which will enable replacements to eventually become proactive, as opposed to reactive to water infiltration and damage. Funding for these improvements are included in the Fire Station Roof Renovations project.

Five stations have been identified as requiring extensive renovation to meet existing and projected service needs. Nine stations have been identified as requiring replacement, due to age, inadequate space, and facilities, which makes renovation or rehabilitation cost ineffective. Some of these stations will be strategically relocated or consolidated to accommodate commercial and residential growth, which will improve our ability to meet our response time goals. In addition, four additional stations are planned to meet future service demand while improving our ability to meet our response time goals. All new stations and renovations will include station alerting systems designed to reduce stress on personnel and reduce response times, separate male/female sleeping facilities and will comply with the American Disability Act (ADA).

FY 2020 Funding Source

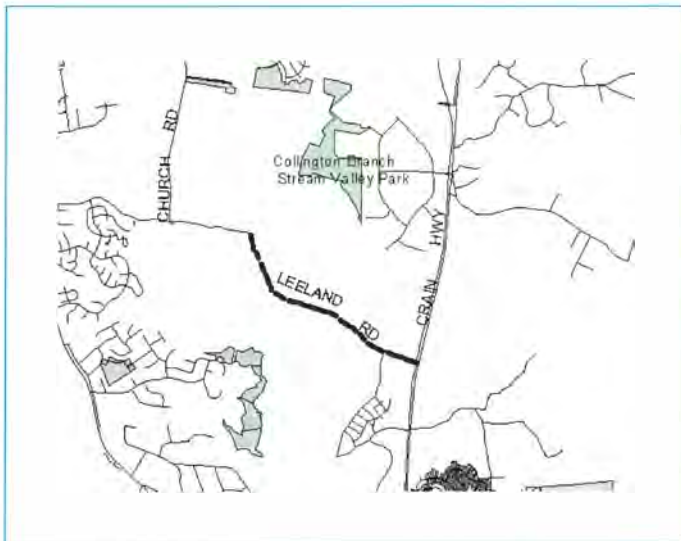
- General Obligation Bonds – 66.6%
- Other – 33.4%

FY 2020-2025 Program Highlights

- Fire Station Renovations – construction for renovations will continue at the Accokeek, Berwyn Heights, Glenn Dale, Marlboro and Silver Hill stations as well as the Training Academy.
- Fire Station Roof – construction for renovations will continue.
- Beechtree Fire/EMS Station (\$500,000) – planning will continue.
- Construction for the new Hyattsville Fire/EMS Station will continue.

Project Listing

CIP ID#	Project Name	Address	Planning Area	Council District	Project Class	Total Project Cost (000)	Completion Date
4.51.0023	Allentown Fire/EMS #832	8709 Allentown Road, Ft. Washington	Henson Creek	Eight	Rehabilitation	\$3,600	TBD
3.51.0015	Apparatus Maintenance Facility	Location Not Determined	Not Assigned	Not Assigned	Replacement	15,500	TBD
3.51.0012	Aquasco Fire/EMS	Location Not Determined	Not Assigned	Nine	New Construction	8,200	TBD
3.51.0003	Beechtree Fire/EMS Station	Leeland Road, Upper Marlboro	Upper Marlboro & Vicinity	Six	New Construction	9,295	FY 2023
3.51.0009	Beltsville Fire/EMS #831	Beltsville Area, Beltsville	Fairland Beltsville	One	Replacement	8,909	TBD
3.51.0016	Berwyn Heights Fire/EMS #814	8811 60th Avenue, Berwyn Heights	Greenbelt & Vicinity	Three	Rehabilitation	3,600	FY 2024
4.51.0026	Bowie Fire/EMS #839	15454 Annapolis Road, Bowie	City of Bowie	Four	Rehabilitation	3,600	TBD
3.51.0010	Branchville Fire/EMS #811	Location Not Determined	Not Assigned	One	New Construction	8,200	TBD
3.51.0013	Camp Spring Fire Station #827	Location Not Determined	Not Assigned	Eight	Replacement	8,000	TBD
3.51.0017	Chillum Fire/EMS #834	7411 Riggs Road, Hyattsville	Takoma Park - Langley Park	Two	Rehabilitation	8,900	TBD
4.51.0015	Chillum Fire/EMS #844	Sargent Road Area, Hyattsville	Hyattsville & Vicinity	Two	Rehabilitation	3,400	FY 2023
4.51.0025	Clinton Fire/EMS #825	9025 Woodyard Road, Clinton	Clinton & Vicinity	Nine	Rehabilitation	3,600	TBD
3.51.0008	Fire Department Headquarters	Presidential Parkway, Upper Marlboro	Westphalia & Vicinity	Six	New Construction	15,000	TBD
4.51.0007	Fire Roof Renovations	Countywide	Not Assigned	Countywide	Rehabilitation	10,399	FY 2026
4.51.0018	Fire Services Building	6820 Webster Street, Hyattsville	Defense Hgts.-Bladensburg & Vicinity	Three	Rehabilitation	6,000	TBD
4.51.0008	Fire Station Renovations	Countywide	Not Assigned	Countywide	Rehabilitation	49,405	FY 2026
3.51.0027	Forestville Fire/EMS Station (Westphalia)	Presidential Parkway Near Route 4, Upper Marlboro	Westphalia & Vicinity	Six	Replacement	8,300	FY 2026
3.51.0014	Greenbelt Fire/EMS Station #835	Greenbelt Area, Greenbelt	Greenbelt & Vicinity	Four	Replacement	8,300	TBD
3.51.0001	Hyattsville Fire/EMS Station #801	6200 Belcrest Road, Hyattsville	Hyattsville & Vicinity	Two	Replacement	21,767	FY 2023
4.51.0014	Kentland Fire/EMS Station #833	7701 Landover Road, Hyattsville	Landover Area	Five	Rehabilitation	3,600	TBD
4.51.0024	Kentland Fire/EMS Station #846	10400 Campus Way South, Largo	Largo-Lottsford	Six	Rehabilitation	3,600	FY 2024



Description: This project provides funding for a new, 3-bay Fire/EMS Station, which will house an engine, an ambulance, and a future special service. The station will include a station alerting system designed to reduce response times, an exercise room, separate male and female sleeping/locker rooms, office space, an emergency generator and a training room.

Justification: This station will improve Fire/EMS response times along the Rt. 301 corridor between Bowie and Upper Marlboro, which are currently at unacceptable levels. The new station is consistent with the approved (March 2008) Public Safety Facilities Master Plan (MNCPPC) and is listed as a high priority.

Highlights: Expenditures include funding for signalization to facilitate safe ingress and egress from the station and a training tower, which will enable personnel to conduct training evolutions on site. Included in 'Other' expenditures is an authorization equal to at least 1% of the construction cost to be utilized for works of art.

Location		Status	
Address	Leeland Road, Upper Marlboro	Project Status	Design Not Begun
Council District	Six	Class	New Construction
Planning Area	Upper Marlboro & Vicinity	Land Status	Site Selected Only

PROJECT MILESTONES

	Estimate	Actual
1 st Year in Capital Program		FY 2004
1 st Year in Capital Budget		FY 2004
Completed Design	FY 2020	
Began Construction	FY 2021	
Project Completion	FY 2023	

Enabling Legislation: CB-32-2019

CUMULATIVE APPROPRIATION (000'S)

Life to Date	FY 2019 Estimate	FY 2020	Total
\$0	\$1,020	\$500	\$1,520

Project Summary

Category/Description	Total Project Cost	Life to Date Actual	FY 2019 Estimate	Total 6 Years	Budget Year FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Beyond 6 Years
EXPENDITURE											
PLANS	\$500	\$—	\$—	\$500	\$500	\$—	\$—	\$—	\$—	\$—	\$—
LAND	1,020	—	1,020	—	—	—	—	—	—	—	—
CONSTR	7,275	—	—	7,275	—	2,800	2,000	2,475	—	—	—
EQUIP	—	—	—	—	—	—	—	—	—	—	—
OTHER	500	—	—	500	—	300	—	200	—	—	—
TOTAL	\$9,295	\$—	\$1,020	\$8,275	\$500	\$3,100	\$2,000	\$2,675	\$—	\$—	\$—
FUNDING											
GO BONDS	\$9,295	\$—	\$1,020	\$8,275	\$500	\$3,100	\$2,000	\$2,675	\$—	\$—	\$—
TOTAL	\$9,295	\$—	\$1,020	\$8,275	\$500	\$3,100	\$2,000	\$2,675	\$—	\$—	\$—
OPERATING IMPACT											
PERSONNEL	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—
OPERATING	—	—	—	—	—	—	—	—	—	—	—
DEBT	—	—	—	—	—	—	—	—	—	—	—
OTHER	—	—	—	—	—	—	—	—	—	—	—
TOTAL	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—	\$—



Division of Environmental Health/Disease Control

Date: February 13, 2020

To: Thomas Burke, Urban Design, M-NCPPC

From: Adebola Adep^oju, Environmental Health Specialist, Environmental Engineering/Policy Program

Re: SDP-1705, Locus Hill Phase 1

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health impact assessment review of the specific design plan submission for the Locus Hill Phase 1 project, and has the following comments / recommendations:

1. During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
2. During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Environmental Engineering/Policy Program
Largo Government Center
9201 Basil Court, Suite 318, Largo, MD 20774
Office 301-883-7681, Fax 301-883-7266, TTY/STS Dial 711
www.princegeorgescountymd.gov/health



**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY
POLICE DEPARTMENT**



M E M O R A N D U M

DATE: February 19, 2020
TO: Planning Coordinator, Urban Design Application Section
Development Review Division
FROM: Captain Wendy Contic, Assistant Commander, Planning & Research Division
SUBJECT: SDP-1705 Locust Hill

Upon review of these site plans, there are no comments at this time.

MEMO



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Department of Parks and Recreation, Prince George's County

March 10, 2020

TO: Thomas Burke, Planner Coordinator
Urban Design Section
Development Review Division
Planning Department

VIA: Helen Asan, Supervisor
Land Acquisition/Management & Development Review Section
Administration and Development *HA*
Department of Parks and Recreation

FROM: Thomas Zyla, Landscape Architect *TZ*
Land Acquisition/Management & Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **SDP-1705, LOCUST HILL-PHASE ONE (Infrastructure Only)**

The staff of the Department of Parks and Recreation (DPR) has reviewed and evaluated the above referenced Infrastructure Only Specific Design Plan (SDP) for conformance with the requirements and recommendations of the Approved Prince George's County General Plan, Approved Subregion 6 Master Plan and Sectional Map Amendment, Basic Plan Amendment (A-9975-01), Comprehensive Design Plan (CDP-0506), Preliminary Plan of Subdivision (PPS) (4-06075), the Land Preservation, Parks and Recreation Plan (LPPRP) for Prince George's County and the Formula 2040 Functional Master Plan for Parks, Recreation and Open Space; as policies in these documents pertain to public parks and recreational facilities.

FINDINGS

This Infrastructure Only SDP application for Phase One is located on the south side of proposed realigned Leeland Road, approximately between Church Road and the CSX rail line in Upper Marlboro, Maryland. DPR staff has reviewed this application and has determined it to be in conformance with the previous Basic Plan and CDP approvals and conditions, as related to DPR-related issues including mandatory dedication of parkland and on-site public recreational facilities. More specifically, the realigned Leeland Road will still provide the opportunity for the dedication of 10+ acres of developable parkland on the northern end of the overall Locust Hill subdivision.

Locust Hill SDP-1705 (Locust Hill)

Proposed Revised Conditions

1. Prior to certification of this specific design plan (SDP) the applicant shall:
 - c. Revise the cross section of Leeland Road to be consistent with the Site Development Concept Plan for Phase I, as agreed upon with the Prince George's County Department of Public Works and Transportation and the Prince George's County Department of Permitting, Inspections and Enforcement.
 - h. Add the following note to the SDP and Type II tree conservation plan.

“Development of this site is subject to a Habitat Protection and Management Program for the long-term protection and assessment of the rare, threatened and endangered species habitat on this site. The plan was prepared by McCarthy and Associates, Inc. (March 30, 2007) and revised by Wetland Studies and Solutions, Inc. (WSSI) dated November 11, 2016, to include both the Locust Hill and Willowbrook development. The required hydrologic monitoring data was provided in a Stream Monitoring at Willowbrook and Locust Hill report prepared by WSSI dated December 20, 2017. ~~Prior to the issuance of the first grading permit, a minimum of one year of hydrologic monitoring data shall be submitted to establish a baseline for evaluation impacts to the RTE habitat resulting from construction activities and post-development.”~~
 - i. Revise the Type II tree conservation plan (TCPII), as follows:
 - (12) Provide and label the required 20 ~~40~~-foot-wide scenic buffer on both sides of Leeland Road, and on the east side of Church Road. Where woodland preservation or afforestation/reforestation is not proposed, provision of the scenic buffer shall be addressed on the landscape plan.
2. Prior to issuance of the building permits for lots adjacent to planting areas, all afforestation and associated fencing shall be installed. A certification prepared by a qualified professional may be used to provide verification that the afforestation and fence installation have been completed. It must include, at a minimum, photos of the afforestation areas and the associated fencing for each lot, with labels on the photos identifying the locations and a plan showing the locations where the photos were taken. Notwithstanding the above, if afforestation planting is not feasible due to seasonal planting restrictions, the applicant may install the required afforestation and associated fencing during the next available planting season.

~~Strikethrough~~ represents deleted language
Underline represents added language

~~Strikethrough~~ represents deleted language
Underline represents added language