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Upper Marlboro, Maryland 20772
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July 11, 2023

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: James Hunt, Chief, Development Review Division *JRH*
Jeremy Hurlbutt, Acting Supervisor, Urban Design Section
Development Review Division

FROM: Andrew Shelly, Planner II, Urban Design Section *AS*
Development Review Division

SUBJECT: Planning Board Agenda July 13, 2023 – Staff Revisions to Technical Staff Report
Item 9 – Comprehensive Design Plan CDP-0303-01
Kenwood Village

This supplemental memorandum provides staff's revised findings (added text underlined, deleted text [~~striketrough~~]), and the following adjustments are recommended to the technical staff report dated June 29, 2023.

Proposed revisions to Finding 7:

7. **Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01:** The District Council approved Basic Plans A-9802-C-01 and A-9803-C-01 on February 27, 2023, for development of up to 124 single-family detached dwelling units in the prior R-S Zone. Both approved basic plans were subject to the same 16 conditions and 4 considerations. The conditions that are relevant to the review of this CDP are provided, as follows:
 13. **The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.**

The applicant shall demonstrate conformance to this condition, at the time of SDP acceptance. ~~[when a revised geotechnical report will be required.]~~ A prior geotechnical report was submitted with the prior SDP, and was found to be geographically suitable for the proposed development. The condition has been revised and included herein to state that “prior to acceptance of the specific design plan, a geotechnical report shall be provided to determine the suitability of the soils for the proposed development.”

- 14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.**

The provided CDP demonstrates two recreational facility areas, with one in each development envelope. A condition has been included herein, requiring the applicant to provide dog waste stations at appropriate locations within the subject property. The applicant shall also be required to further explore, at the time of SDP, the construction and location of a dog park. ~~[an area for a dog park and dog waste stations within the site, which will be further evaluated with future applications.]~~

Proposed revisions to Finding 9:

- 9. Comprehensive Design Plan CDP-0303:** The District Council affirmed the Planning Board’s approval of CDP-0303 (PGCPB Resolution No. 05-65) on October 17, 2005, with 37 conditions and two considerations. CDP-0303 proposed development of 84 single-family detached dwelling units. Exhibit D, provided by the applicant in the SOJ and incorporated herein for reference, examines the conditions from CDP-0303. Staff find that the conditions of the subject approval entirely supersede those contained in CDP-0303.

- 4. The preliminary plan of subdivision application shall include a detailed soils study demonstrating that the site is geologically suitable for the proposed development.**

This condition was met with the previously approved PPS. There are no areas proposed for development under this application that had not been included in prior approvals. Therefore, staff find this condition is no longer applicable and should be removed. ~~[However, amended Basic Plans A-9802-C-01 and A-9803-C-01 require that a detailed soils study be submitted with the CDP. Therefore, staff still find the condition applicable, as included herein.]~~

- 7. The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.**

A wetland study was provided with PPS 4-06159. As part of the approved natural resources inventory (NRI-001-2023), an updated wetland study, which satisfies this condition, was submitted. Staff find this condition has been satisfied and may be removed. ~~[An updated wetland study shall be submitted with future development applications. Staff find that this condition should then be carried forward, as written, and included herein.]~~

- 11. A copy of the approved stormwater management concept plan and approval letter shall be submitted with the preliminary plan of subdivision application.**

This condition was previously satisfied with approval of the prior PPS. However, an updated approved SWM concept plan and letter shall be submitted no later than 40 days prior to the hearing of the PPS. ~~[with the new PPS and subsequent SDP.]~~ Staff find that this condition shall be carried forward, as revised ~~[written]~~, and included herein.

- 27. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.**

Staff find that this condition remains applicable, as ~~[written, and included herein.]~~ M-NCPPC is conducting studies and acquiring right-of-way, in support of this master plan facility. The condition has been revised herein, stating that the plans will include the location of a future 8-foot-wide asphalt trail connection, since it has yet to be constructed as of the writing of this technical staff report.

- 36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.**

As referenced above, regarding Condition 27, staff anticipates that the facility will be constructed in the future. ~~However, staff find that Condition 36 should be revised to state that if a trail connection is approved on the subject property outside the public right-of-way, then prior to the approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall execute a public use easement agreement. This public use agreement shall be to the benefit of the Maryland-National Capital Park and Planning Commission (M-NCPPC), to allow for the eventual construction of the trail connection to the Chesapeake Beach Railroad right-of-way. The easement agreement shall be recorded among the Prince George's County Land Records, with the Liber/folio shown on the final plat, prior to recordation. The final plat shall then reflect the location and extent of the easement. This condition allows for a timeline to be established to dedicate the land needed for the proposed trail connection, if it is approved on the subject property, via a public use easement agreement.~~ ~~[and that the condition still applies, as written, and included herein. This condition may be further explored during the review of a new PPS.]~~

Proposed revisions to Finding 13:

- 13. Referral Comments:** This application was referred to the following agencies and divisions. The referral comments are summarized, as follows:

- b. **Transportation Planning**—In a revised memorandum dated June 29, 2023 (Yang to Shelly), incorporated herein by reference, the Transportation Planning Section provided a comprehensive review of the application's conformance with the

requirements of previous approvals, the prior Zoning Ordinance, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the TIS dated October 13, 2022, summarized as follows:

The Transportation Planning Section concludes that the development will not be an unreasonable burden on available public facilities, as required by Section 27-521, if the application is approved with four conditions included herein. These include providing the amount of right-of-way dedication, in accordance with the MPOT, on the PPS, and [road improvements at the time of PPS. In addition, the applicant shall demonstrate] demonstrating the shared-use path and the specifications and details for all master plan facilities, along the frontage of White House Road, on the SDP, unless modified by the appropriate operating agency with written correspondence. Prior to the approval of the first building permit, the Transportation Planning Section recommends two roadway improvements based on the review of the provided traffic impact analysis. The first roadway improvement is the reconstruction of westbound White House Road at Harry S Truman Drive to have one through only lane and one right turn lane. The second roadway improvement is the installation of an eastbound right turn only lane along White House Road, at the site access. Prior to the approval of the first building permit, both transportation improvements shall have full financial assurances, been permitted for construction through the operating agency's access permit process, and have an agreed upon timeline for construction with the appropriate operating agency. The Transportation Planning Section also recommended the continuance of Condition 28 of the prior CDP, which has been included herein.

- c. **Environmental Planning**—In a memorandum dated June 23, 2023 (Rea to Shelly) incorporated herein by reference, the Environmental Planning Section provided a review of this CDP application, which is summarized herein. A proposed condition has been included herein, requiring the applicant to provide the approved Natural Resources Inventory Equivalency Letter, NRI-135-05-01, prior to certification of the proposed CDP. In addition, conditions have been provided regarding subsequent future applications. Conditions 4 through 8, in the Environmental Planning memorandum, recommend the continuance of certain CDP conditions and have been analyzed within Finding 9.

Soils

The predominant soils found on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Collington-Wist complex, Widewater, and Issue soils, frequently flooded. Unsafe soils containing Marlboro or Christiana clays have not been identified on this property. A condition has been included herein, requiring the applicant to submit a geotechnical report to determine the suitability of the soils for the proposed development, prior to acceptance of the SDP.



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

Note: Staff reports can be accessed at <https://www.mncppc.org/883/Watch-Meetings>

Comprehensive Design Plan Kenwood Village

CDP-0303-01

REQUEST	STAFF RECOMMENDATION
<p>This case was continued from the Planning Board hearing date of June 29, 2023 to July 13, 2023.</p> <p>Development of 124 single-family detached dwelling units.</p>	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none"> •APPROVAL of Comprehensive Design Plan CDP-0303-01 •APPROVAL of Type 1 Tree Conservation Plan TCP1-017-04-03

Location: At the southeast and southwest quadrants of the proposed intersection of White House Road and Harry S Truman Drive.	
Gross Acreage:	63.1
Zone:	LCD
Zone Prior	R-S
Reviewed per prior Zoning Ordinance	Section 27-1704(h)
Dwelling Units:	124
Gross Floor Area:	N/A
Planning Area:	78
Council District:	06
Municipality:	N/A
Applicant/Address: BHC, Inc. 11611 Old Georgetown Road, 2nd Floor Rockville, MD 20852	
Staff Reviewer: Andrew Shelly Phone Number: 301-952-4976 Email: Andrew.Shelly@ppd.mncppc.org	



Planning Board Date:	07/13/2023
Planning Board Action Limit:	09/19/2023
Staff Report Date:	06/29/2023
Date Accepted:	04/26/2023
Informational Mailing:	01/27/2023
Acceptance Mailing:	04/14/2023
Sign Posting Deadline:	05/30/2023

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: Comprehensive Design Plan CDP-0303-01
Type 1 Tree Conservation Plan TCP1-017-04-03
Kenwood Village

The Urban Design Section has completed the review of the comprehensive design plan and appropriate agency referrals. The following evaluation and findings lead to a recommendation of APPROVAL with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION CRITERIA

This property is within the Legacy Comprehensive Design (LCD) Zone; however, this application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1704(h) of the Zoning Ordinance. Section 27-1704(h) allows any property in the LCD Zone to proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of the Zoning Ordinance, subject to the terms and conditions of the development approvals, which it has received. This comprehensive design plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the prior Prince George's County Zoning Ordinance governing development in the Residential Suburban Development (R-S) Zone;
- b. The requirements of Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01;
- c. The requirements of Comprehensive Design Plan CDP-0303;
- d. The requirements of Preliminary Plan of Subdivision 4-06159;
- e. The requirements of Specific Design Plan SDP-0805 and its amendments;
- f. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George's County Tree Canopy Coverage Ordinance;
- g. Referral comments; and
- h. Community feedback.

FINDINGS

Based upon the evaluation and analysis of the subject application, the Urban Design staff recommend the following findings:

1. **Request:** This comprehensive design plan (CDP) amendment proposes to develop a 63.10-acre site with up to 124 single-family detached residential dwelling units.
2. **Development Data Summary:**

Zone(s)	LCD (Prior R-S)
Gross tract area	63.1 acres*
100-year floodplain	11.8 acres**
Net Comprehensive Design Zone (CDZ) Area***	57.2 acres
Density permitted	(1.6 to 2.6 du/ac)
Base density of the prior R-S-zoned property (1.6 du/ac x 63.1 acres less 50% of the floodplain) in terms of number of dwelling units	91 dwelling units
Maximum density (2.6 du/ac x 63.1 acres less 50% of the floodplain) in terms of number of dwelling units	148 dwelling units
Proposed density (2.17 du/ac x 63.1 acres less 50% of the floodplain) in terms of dwelling units	124 dwelling units

Notes: *A condition has been included herein, requiring the applicant to revise the site acreage in General Note 2, on the coversheet of the CDP, to conform with the approved basic plans.

**A condition has been included herein, requiring the applicant to provide the 100-year floodplain acreage and net tract area acreage, on the coversheet of the CDP, to conform with the approved basic plans.

***Per Section 27-486(a) of the prior Zoning Ordinance, residential density determinations in the R-S Zone shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain.

3. **Location:** This subject property is located south of the proposed intersection of White House Road and Harry S Truman Drive in Upper Marlboro, Maryland, and within Planning Area 78 and Council District 6.
4. **Surroundings:** The site is bounded to the north by White House Road, with single-family residences in the Residential, Single-Family-95 (RSF-95) Zone beyond; to the south by agricultural land in the Agricultural-Residential (AR) Zone; to the east by a vacant parcel zoned Residential Estate (RE); and to the west by a single-family detached dwelling in the RE Zone and Marlboro Road beyond.

5. **Previous Approvals:** The overall site was rezoned by the Prince George’s County District Council in November 1992, from the Residential Estate (R-E) Zone to the Residential Suburban Development (R-S) Zone, through Zoning Map Amendments (Basic Plans) A-9802-C and A-9803-C (Zoning Ordinance Nos. 50-1992 and 51-1992, respectively) for 92 to 126 dwelling units, subject to 14 conditions and 4 considerations.

A Comprehensive Design Plan, CDP-0303, was approved by the Prince George’s County Planning Board on March 3, 2005. Subsequently, on October 17, 2005, CDP-0303 was approved by the District Council, subject to 37 conditions and 2 considerations, for development of 84 single-family detached dwelling units.

A Preliminary Plan of Subdivision (PPS 4-06159) was approved by the Planning Board on September 13, 2007, subject to 33 conditions. A Specific Design Plan, SDP-0805, was approved by the Planning Board on March 28, 2013 and; subsequently, approved by the District Council on July 24, 2013, subject to 11 conditions, for development of 72 single-family detached dwelling units. SDP-0805 was amended twice via the Planning Director; SDP-0805-01 was approved on August 1, 2014 and SDP-0805-02 was approved on February 23, 2015.

Basic Plans A-9802-C and A-9803-C were later amended by the District Council on February 27, 2023. These amendments titled, A-9802-C-01 and A-9803-C-01, respectively, amended the prior conditions of approval and added new conditions of approval. The amendments were requested to allow resubdivision of this subject property into as many as 124 lots, to accommodate a new narrow-frontage detached single-family dwelling type, which was suggested to provide a more affordable housing type than currently available detached dwellings, but a larger and more commodious dwelling type than single-family attached (townhouse) dwellings. The amendments were approved, subject to 16 conditions and 4 considerations that supersede the prior approved basic plans for this property.

The density range permitted with these revised amendments was 92 to 148 dwelling units. This calculation was determined by Section 27-486(a) of the prior Prince George’s County Zoning Ordinance. Residential density determinations in the prior R-S Zone shall be based on an average number of dwelling units per gross acre, minus 50 percent of the density attributed to any land located within a 100-year floodplain. The gross acreage is 63.1 acres and the area of 100-year floodplain is 11.8 acres, 50 percent of which is 5.9 acres. Therefore, the net comprehensive design zone area (net CDZ) is 57.2 acres. The R-S Zone permits a minimum density of 1.6 dwelling units per acre and a maximum density of 2.6 dwelling units per acre. A project may only reach 2.6 dwelling units per acre, if an applicant achieves public benefit features and density increment factors. The density range permitted and proposed calculations are, - as follows:

Density Range Permitted

Minimum density calculation permitted (1.6 du/acre x 57.2 acres) = 92 dwelling units

Maximum density calculation permitted (2.6 du/acre x 57.2 acres) = 148 dwelling units

Density Range Proposed

Minimum density calculation proposed (1.6 du/acre x 57.2 acres) = 92 dwelling units

Maximum density calculation proposed (2.17 du/acre x 57.2 acres) = 124 dwelling units

An approved stormwater management (SWM) concept plan was not submitted with this application. Instead, unapproved SWM Concept Plan 19807-2022 was submitted, showing two submerged gravel wetlands. A SWM concept letter and plan approved by the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) will be required to be submitted with future applications. SWM is required to meet environmental site design, to the maximum extent practicable, for water quantity and quality control measures.

The subject property was rezoned Legacy Comprehensive Design (LCD) through the approved Countywide Sectional Map Amendment via Prince George's County Council Resolution CR-136-2021, effective April 1, 2022.

6. **Design Features:** This CDP amendment is to increase the proposed number of single-family detached units to 124, through a decrease in the minimum lot size. Development Envelopes A through D will have lot sizes decrease from 6,000 square feet to 4,200 square feet and Envelope E lot sizes will decrease from 10,000 square feet to 4,200 square feet. This CDP also proposes revising the provided landscape buffer widths, reducing the southern property boundary landscape width from 50 feet to 25 feet, and allowing disturbance in the buffer to permit construction of SWM facilities located approximately 550 feet from the right-of-way of White House Road. The CDP amendment then shows the location of a second entrance onto Harry S Truman Drive, a proposed master-planned arterial roadway. It is not anticipated that Harry S Truman Drive will be constructed in conjunction with this development, but a connection can be made once the road is constructed in the future. These proposed revisions are consistent with the latest approved basic plan amendments (A-9802-C-01 and A-9803-C-01), which were approved by the District Council on February 27, 2023.

The subject property has a gross acreage of 63.1 acres, of which 19.4 acres in the western portion of the development have been dedicated to the Maryland-National Capital Park and Planning Commission (M-NCPPC). The site has 11.8 acres of 100-year floodplain, which provides a net lot CDZ area of 57.2 acres, in accordance with Section 27-486(a). The entire tract of land is in the LCD Zone. The CDP is designed such that single-family detached residential units are provided in the eastern portion of the property, in two groups, separated by a stream, primary management area (PMA), and open space. The groups are connected via a single public street running east to west, bridging the stream, PMA, and open space, and each has established recreational facility areas.

Vehicular access to the subject site will be provided via the intersection of Kenwood Village Lane and White House Road, an arterial roadway. A second entrance to the subject site can be provided via Harry S Truman Drive, a proposed master-planned arterial roadway. This CDP does not provide the second entrance, but the applicant has indicated it can be provided when the road is constructed in the future. Each residential lot will have frontage on a public street, as shown in the circulation plan. The proposed building blocks of this development include interconnecting streets and complimentary conceptual building and

parking envelopes. In addition, a significant green area network, which substantially surrounds the proposed development, has been proposed. The project has been designed to be a compact development that will minimize impacts to sensitive environmental features, preserves sensitive environmental areas, and be completed in one phase.

The CDP phase of the three-phase CDZ process requires submission of a plan that establishes the general location, distribution, and sizes of buildings and roadways. The plan includes several drawings, the schedule for development of all or portions of the proposal, and standards for height, open space, public improvements, and other design features. The regulations for any of the CDZs are, at the same time, more flexible and more rigid than those of other zones in Prince George's County. The zones are more flexible, in terms of permitted uses, residential densities, and building intensities. They are more rigid because some of the commitments made by a developer carry the force and effect of zoning law, once approved by the Planning Board and the District Council. All development standards, including density, will be established through approval of this CDP.

Comprehensive design guidelines, which consist of the applicant's entire statement of justification (SOJ) and the document entitled *Text of CDP-0303*, as included in Exhibit C, incorporated herein by reference, have been submitted with this CDP. The SOJ is organized to address all relevant findings and conditions of approval. Meanwhile, the revised design guidelines are organized into nine sections, including Introduction, Overview, Compliance with County Master Plan, Compliance with the approved Basic Plans, Site Analysis, Comprehensive Design Plan, Compliance with Standards for Public Facilities, Phasing, and Conclusion. Those design guidelines and the subsequent amendments to them, as requested with this application, will be the basis for future review and approval of SDPs for this development project. However, the applicant can request amendments to those design guidelines/development standards and the Planning Board can approve alternative design options, at the time of SDPs, if the Planning Board can find that the alternative designs are beneficial to the development project and will not be detrimental to the approved CDP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01:** The District Council approved Basic Plans A-9802-C-01 and A-9803-C-01 on February 27, 2023, for development of up to 124 single-family detached dwelling units in the prior R-S Zone. Both approved basic plans were subject to the same 16 conditions and 4 considerations. The conditions that are relevant to the review of this CDP are provided, as follows:

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

The CDP does not propose direct access to any residential lot from White House Road or Harry S Truman Drive. All residential lots will be accessed via internal streets.

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

This condition has been satisfied by recordation of the final subdivision plats for Kenwood Village. The 120-foot right-of-way for Ritchie Marlboro Road relocated (A-39) (Harry S Truman Drive) is now provided on the CDP, which is acceptable.

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

The Chesapeake Beach trail corridor is located outside of the limits of disturbance for this application and will not be damaged, filled with debris, or become a storage area for supplies or equipment by the applicant.

5. **There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.**

The subject property has an approved CDP and SDP, but no grading has occurred on the site, based on a review of the most recent aerial photography available. The applicant does not plan or expect grading to occur, prior to approval of this CDP amendment.

6. **The minimum lot size shall be 4,200 square feet in all development envelopes.**

All residential lots on the CDP have been demonstrated to be at least 4,200 square feet, in all development envelopes.

7. **A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the 2010 Prince George's County Landscape Manual, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.**

The applicant demonstrates the approximate locations of the above-mentioned buffers on the provided CDP. These buffers will be further reviewed during subsequent future applications, which include the PPS and SDP. In addition, the applicant anticipates requesting a substitution of a 6-foot-high sight-tight fence, in lieu of a 6-foot-high, black, vinyl-clad, chain-link fence, at the time of SDP review. This revision would be supported by staff, to decrease the views of the residential lots from White House Road and protect the character of the roadway, in accordance with Consideration 1.

8. **A Type I Tree Conservation Plan, in accordance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board**

prior to Comprehensive Design Plan approval. Woodland Conservation of 25 percent of the net tract is recommended.

A revision to a Type 1 Tree Conservation Plan (TCP1-017-04-03) was submitted with this application. Woodland conservation of 25 percent of the net tract is shown on the plan, which must continue to be met with future development applications.

9. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.

The applicant shall demonstrate conformance to this condition with future development applications.

10. Approval of existing Conditions, 100-year Floodplain, and Stormwater Management (SWM) Concept Plan by the Prince George's County Department of the Environment (DOE), prior to the approval of a Preliminary Plan of Subdivision, unless determined by DOE prior to submittal of the Preliminary Plan that this study will not be required until time of specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; SWM ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

The applicant shall demonstrate conformance to this condition with future development applications. The 100-year floodplain study and SWM concept plan shall be reviewed and approved by DPIE, rather than the Prince George's County Department of the Environment (DOE). This review shall be conducted by DPIE, as the original basic plan condition was created prior to the foundation of DPIE, who is now in charge of floodplain study and SWM concept plan reviews. A 100-year floodplain study was previously submitted by the applicant and approved, in conjunction with CDP-0303 and PPS 4-06159.

11. The Applicant(s) shall submit a 100-year Floodplain Study and a Stormwater Management (SWM) Concept Plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the Preliminary Plan of Subdivision. The SWM Concept Plan shall also address road improvements to White House Road and construction of Harry S Truman Drive.

The applicant shall demonstrate conformance to this condition with future development applications. The 100-year floodplain study and SWM concept plan shall be reviewed and approved by DPIE, rather than the Prince George's County Department of Environmental Resources. This review shall be conducted by DPIE, as the original basic plan condition was created prior to the foundation of DPIE, who is now in charge of floodplain study and SWM concept plan reviews. A 100-year floodplain study was previously submitted by the applicant and approved, in conjunction with CDP-0303 and PPS 4-06159.

- 12. A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.**

The applicant shall demonstrate conformance to this condition with future development applications, which include the PPS and SDP.

- 13. The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.**

The applicant shall demonstrate conformance to this condition, at the time of SDP acceptance, when a revised geotechnical report will be required. A prior geotechnical report was submitted with the prior SDP, and was found to be geographically suitable for the proposed development.

- 14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.**

The provided CDP demonstrates two recreational facility areas, with one in each development envelope. A condition has been included herein, requiring the applicant to provide an area for a dog park and dog waste stations within the site, which will be further evaluated with future applications.

- 15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.**

The provided CDP displays the location of where a second entrance onto Harry S Truman Drive extended could be, in accordance with the approved basic plans. The applicant indicated that this connection could be provided, in the future with construction of the roadway, and conformance to this condition will continue to be evaluated with future applications.

- 16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.**

The applicant stated that 5-foot-wide sidewalks will be provided on all internal streets. In addition, the applicant will provide bicycle racks at each of the two recreational facilities and sharrows on all internal streets.

Considerations

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

The character and visual image of White House Road will be protected by preserving the regulated environmental features (REF) and maintaining an undisturbed buffer, on both sides of the adjacent stream.

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

The applicant proposes adequate buffers through preservation of existing vegetation or the provision of additional landscaping. The installation of an underground gas line, by Washington Gas, establishes an additional buffer and setback from any future development that may occur along the majority of the southern property line, as shown on the CDP.

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

The CDP provides 50-foot vegetative buffers along White House Road and Harry S Truman Drive, to provide visual and sound screening that will be evaluated as part of a future SDP application.

- 4. The dwellings in all development envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. The 2010 Prince George's County Landscape Manual (Landscape Manual) buffering requirements shall apply to any dwellings whose rears face Harry S Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented, as required by the Landscape Manual.**

The provided residential lots on the CDP are anticipated to front on the primary street to which the lot has access. The rear lots will either be oriented to environmental preservation areas or areas internal to the site. The buffer along Harry S Truman Drive will conform to the 2010 *Prince George's County Landscape Manual* (Landscape Manual) and be evaluated, at the time of SDP.

- 8. Prince George's County Zoning Ordinance:** This application has been reviewed for conformance with the requirements of the Zoning Ordinance, governing development in the R-S Zone, as follows:

- a. **Uses**—The R-S Zone, which is one of nine CDZs, is envisioned as a moderate-density suburban residential zone that will provide flexibility and imaginative utilization of the land, to achieve a balance and high-quality residential development that cannot be achieved through conventional zoning designation. The general principle for land uses in this zone is that uses should be either residential in nature, or necessary to serve the dominant residential uses. These latter uses shall be integrated with the residential environment, without disrupting the residential character or residential activities.

Section 27-511. – Purposes.

(a) The purposes of the R-S Zone are to:

- (1) Establish (in the public interest) a plan implementation zone, in which (among other things):**
- (A) Permissible residential density is dependent upon providing public benefit features and related density increment factors;**
 - (B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change; and**
 - (C) Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.**

The proposed CDP is consistent with the purposes of the R-S Zone, as the subject property proposes a residential permitted use at a density that is consistent with the zone, the Plan Prince George's 2035 Approved General Plan (Plan 2035), and the 2013 *Approved Subregion 6 Master Plan and Section Map Amendment* (Subregion 6 Master Plan and SMA). All regulations for a single-family detached residential dwelling use, in accordance with Section 27-515(b), are met.

- (2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, or Section Map Amendment Zoning Changes) can serve as the criteria for judging individual development proposals;**

The proposed CDP meets this purpose, as this property was rezoned to the R-S Zone and conforms with the approved amended basic plans and the master plan.

- (3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the**

health, safety, and welfare of the present and future inhabitants of the Regional District;

The proposed CDP assures compatibility with the proposed surrounding land uses, as the proposed single-family detached residential use, with a moderate density, is consistent with the neighboring properties.

(4) Encourage amenities and public facilities to be provided in conjunction with residential development;

The CDP meets this purpose of the R-S Zone, as the project incorporates public benefit features into the development and receives density bonuses, in return.

(5) Encourage and stimulate balanced land development;

The provided CDP meets this purpose by providing a new housing type for this development, which will act as a transition in affordability between single-family attached (townhouse) dwellings in the area and the conventional single-family detached dwellings available on the market.

(6) Improve the overall quality and variety of residential environments in the Regional District; and

The provided CDP retains the previously approved environmental buffers and meets the woodland conservation threshold of 25 percent. The subject property does not propose the removal of specimen trees, with this approval, nor impacts to the PMA.

(7) Allow qualifying properties in the R-S Zone to develop with uses in the E-I-A Zone pursuant to Section 27-515(b) of this Code.

The provided CDP is not a qualifying property, under this provision.

Section 27-513. - Regulations.

(d) Other regulations.

(1) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

The proposed CDP is consistent with this requirement, as each lot has frontage on and direct vehicular access to a public street.

- (2) **Additional regulations concerning development and use of property in the R-S Zone are as provided for in Divisions 1, 4, and 5 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The proposed CDP will provide off-street parking in two-car garages and each driveway will be able to accommodate two vehicles. Parking, signage, and landscaping will be fully analyzed with a future SDP application.

- (3) **Notwithstanding any other requirement of this Subdivision, the types of dwelling units permitted shall be limited to one-family detached and attached dwellings. No more than thirty-five percent (35%) of the total number of dwelling units shall be attached units; however, the restrictions for attached dwelling units of this subsection, above, shall not apply to Mixed Retirement Development in the R-S Zone.**

This regulation is not applicable, as the CDP does not propose any single-family attached dwelling units.

- (4) **Notwithstanding any other provision of this Subtitle, a grading permit to support the development of uses permitted in the E-I-A Zone on land in the R-S Zone pursuant to Section 27-515(b) may be issued so long as it is in conformance with an approved Comprehensive Design Plan.**

This regulation is not applicable, as the CDP does not propose any uses permitted in the prior Employment and Institutional Area (E-I-A) Zone.

- (5) **Notwithstanding the provisions of Section 27-123 of this Code, the minimum standards set forth in the Landscape Manual for landscaping, buffering, and screening for all uses permitted in the E-I-A Zone on land in the R-S Zone pursuant to Section 27-515(b) may be modified by the approved Comprehensive Design Plan.**

This regulation is not applicable, as the CDP does not propose any uses permitted in the prior E-I-A Zone.

(e) **Adjoining properties.**

- (1) **For the purposes of this Section, the word "adjoining" also includes properties separated by streets, other public rights-of-way, or railroad lines.**

The applicant acknowledges the definition of "adjoining," for this section.

(f) Gross density.

- (1) In establishing the maximum gross density, the District Council shall consider the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change and the existing zoning of the property being rezoned.**

The District Council established maximum density through the approval of Basic Plans A-9802-C-01 and A-9803-C-01.

- b. **Density Increments**—The subject site is in the LCD Zone, and previously in the R-S Zone which has specific density requirements and factors that can be utilized to increase density, subject to development caps established in the approved basic plans. In the R-S Zone, in accordance with Section 27-513 of the prior Zoning Ordinance, the base density is 1.6 dwelling units per acre and the maximum density is 2.6 dwelling units per acre. The proposed 124 dwelling units, in the prior R-S Zone, are at a density of 2.17 dwelling units per acre, which is above the base density, but still within the maximum allowed density of 2.6 dwellings per acre.

To achieve a density above the minimum of 1.6 dwelling units per acre, the applicant has proposed public benefit features and density increment factors, as stipulated in Section 27-513(b), as follows:

(b) Public Benefit Features and Density Increment Factors.

- (1) For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed 25% in dwelling units. (This open space land should include any irreplaceable natural features, historic buildings, or natural drainage swales located on the property.)**

The applicant is requesting a density increment using this factor with this CDP amendment. Specifically, the applicant is proposing a maximum of 124 dwelling units and, in order to qualify for this increment, a minimum of 4.34 acres must be provided ($124 \text{ dwelling units} / 100 = 1.24$; $1.24 \times 3.5 = 4.34$). The applicant is proposing to provide 19 acres of permanent open space, which includes environmentally sensitive areas, as well as recreational and homeowners association areas. This open space does not include the 19.4 acres dedicated to M-NCPPC, which is planned for active recreation. This open space qualifies the applicant for an increment factor of up to 25 percent in dwelling units. Thus, a total of 22 additional dwelling units will be achieved by using this density increment factor.

- (2) For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosion action, thinning and grubbing of growth, and the like),**

an increment factor may be granted, not to exceed 2.5% in dwelling units.

The applicant did not request a density increment using this factor.

- (3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed 5% in dwelling units.**

The applicant did not request a density increment using this factor.

- (4) For recreational development of open space (including minimum improvements of heavy grading, seeding, mulching, utilities, off-street parking, walkways, landscaping, and playground equipment), an increment factor may be granted, not to exceed 10% in dwelling units.**

The applicant is providing on-site recreational facilities within the subdivision and, at the time of the previous SDP, agreed to pay \$70,000 towards the grading and development of land dedicated to M-NCPPC. These conditions qualify the applicant for an increment factor of 10 percent of the dwelling units. Thus, a total of nine additional dwelling units will be achieved by using this density increment factor.

- (5) For public facilities (except streets and open space areas) an increment may be granted, not to exceed 30 percent in dwelling units.**

Pursuant to Section 24-134 of the Prince George's County Subdivision Regulations, the mandatory dedication requirement for this property would be 5 percent of the net area. With a net area of 57.2 acres, the mandatory dedication requirement would be 2.86 acres. The dedication of 19.4 acres to M-NCPPC, for construction of a park, greatly exceeds this requirement. This condition then qualifies the applicant for an increment factor of 30 percent of the dwelling units. Thus, a total of 27 additional dwelling units will be achieved by using this density increment factor. Staff find that the M-NCPPC land should not be considered open space, as it was eligible to be developed, prior to its dedication.

- (6) For creating activity centers with space provided for quasi-public services (such as churches, day care center for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed 10 percent in dwelling units.**

The applicant has not requested a density increment using this factor.

(7) For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed 5 percent in dwelling units.

The applicant has not requested a density increment using this factor.

In summary, the applicant has provided additional improvements and amenities that are above and beyond what is normally required, to satisfy density increment Criterion (1), (4), and (5) above. As a result, the applicant has earned density increments, subject to certain conditions, as follows:

Factor Number	Density Increment (%)	Density Increment (# of units)
1	25	22
4	10	9
5	30	27

The applicant requests only a density increment of 37 percent, an equivalent of 33 dwelling units, which is within the allowable limits of density increments, in accordance with the above analysis.

c. **Development Standards**—A comprehensive set of development standards has been included in this CDP, for the entire development, as discussed in Finding 6 above. The proposed development standards are acceptable and will guide the future development of Kenwood Village, if approved with this CDP.

d. Section 27-521 of the Zoning Ordinance requires the Planning Board to find conformance with the following findings for approval of a CDP:

(1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

As discussed in Findings 7 and 8 above, the subject site was rezoned from R-E to R-S, in the prior Zoning Ordinance, by Basic Plans A-9802 and A-9803. These basic plans were later amended to revise conditions, particularly regarding lot size. The density range permitted by the amended basic plans increased, but the proposed density of 124 dwelling units was still within the original range of 92 to 126 dwelling units. The proposed development, combined with the unique environmental factors that create an enclave suitable for the proposed subdivision, will result in a development with a better environment than could be achieved under other regulations.

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

The flexibility inherent in CDZs, such as the prior R-S Zone, will allow the applicant to produce a much better environment and achieve high standards for the development, than in regular Euclidean zones. This CDP will create a better environment, when compared to existing development in the surrounding area. Urban design elements imposed in a suburban setting, the preservation of environmental features (and the views into them), unique architecture, and accessible recreational areas, create a development that will satisfy the needs of the residents and guests on the subject property, while being proximate to the I-95/495 (Capital Beltway) interchange with Ritchie-Marlboro Road.

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

Approval is warranted because the CDP includes design elements and a land use vision that are consistent with the approved basic plans. The CDP has been conditioned herein, requiring the applicant to include a development standards table on the CDP coversheet. This table will include setback, height, lot coverage, and lot width standards. In addition, the design features included in this CDP are preservation of environmental features and accessibility to recreational areas, such as the neighboring dedicated M-NCPPC property. Further evaluation of the urban design elements will be evaluated, at the time of SDP. Staff support approval of the CDP because it includes a unique housing size, multiple locations for recreational facilities, and amenities that are consistent with the approved basic plans.

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

The proposed development is compatible with existing and proposed land uses, zoning, and facilities in the immediate surroundings. The proposed development and street network were established by previous approvals and align with master plan recommendations. The amended basic plans establishes buffers to ensure compatibility with abutting properties to the south and east of the subject property.

Even though the applicant obtained amendments to the original basic plans, development in this CDP remains generally the same, as was previously approved. The approved basic plans envision a community with low to medium residential development on the property. The proposed development is to implement this land use vision. In addition, the proposed design standards, as revised, are appropriate for this location.

(5) Land uses and facilities covered by the Comprehensive Design Plan will be compatible with each other in relation to:

(A) Amounts of building coverage and open space;

Building coverage is minimal and within the maximum allowable density. The exact percentages will be determined, at the time of SDP.

(B) Building setbacks from streets and abutting land uses; and

The applicant proposes to implement a new product type in Kenwood Village that has not yet been constructed in the County.

The units will be narrow and deep, creating a lower maintenance structure (due to a lower lot size and high-quality materials), but with the internal square footage desired. As single-family detached homes, the units will provide more privacy than a single-family attached (townhouse) unit. The applicant proposes modified building setbacks, from those approved in the prior CDP. Specifically, the applicant proposes 20-foot front and rear yard setbacks and 5-foot side yard setbacks for all lots in the development. This will create a compact development, which will integrate into the natural environment surrounding the community. Staff find these setbacks sufficient, given the environmental conditions of the site, and note that all buffers will be implemented, at the time of SDP. In addition, the proposed development will conform to the requirements of the Landscape Manual, to ensure compatibility with abutting properties.

(C) Circulation access points;

White House Road is an arterial roadway (A-36) which was dedicated, pursuant to prior approvals. Harry S Truman Drive extended is also an arterial roadway (A-39), which was dedicated, pursuant to prior approvals. A single point of ingress and egress is proposed from each roadway; although, it is anticipated that the access to Harry S Truman Drive will not be constructed, until Harry S Truman Drive is extended to connect to Ritchie Marlboro Road.

Additional evaluation, analysis, and review of these elements will be carried out, at the time of PPS and SDP reviews.

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

The CDP will be constructed as a single phased development, which can exist as a unit capable of sustaining an environment of continuing quality and stability.

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

The proposed development will be subject to a PPS, at which time adequacy of public facilities will be tested. However, at this time, staff find that the proposed development will not create an unreasonable burden on available public facilities, as all analyzed intersections meet the adequacy requirements with the proposed improvements to add a westbound White House Road right turn lane at Harry S. Truman Drive and convert the westbound through right turn lane to a through only lane. Further analysis of these facilities is provided within the Transportation Planning referral section of this technical staff report.

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

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

The proposed CDP does not propose an adaptive re-use of an historic site.

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

This plan incorporates the applicable design guidelines of Section 27-274 of the Zoning Ordinance, and staff find that the CDP conforms, subject to conditions included herein. Staff is in agreement with the analysis provided in the applicant's SOJ, which is demonstrated within the CDP.

(10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan;

The Environmental Planning Section has reviewed this application and found that the CDP is in conformance with TCP1-017-04-03, which is recommended for approval, subject to conditions contained herein.

(11) The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130-(b)(5).

REF on the subject property were preserved, to the fullest extent possible, based on the limits of disturbance shown on the TCP1. No PMA impacts are proposed with this application.

- (12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

This provision is not applicable to the subject application because it was not placed in a CDZ, pursuant to Section 27-226(f)(4) of the Zoning Ordinance.

- (13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

This provision is not applicable to the subject application because this development is not a regional urban community.

- 9. Comprehensive Design Plan CDP-0303:** The District Council affirmed the Planning Board's approval of CDP-0303 (PGCPB Resolution No. 05-65) on October 17, 2005, with 37 conditions and two considerations. CDP-0303 proposed development of 84 single-family detached dwelling units. Exhibit D, provided by the applicant in the SOJ and incorporated herein for reference, examines the conditions from CDP-0303. Staff find that the conditions of the subject approval entirely supersede those contained in CDP-0303.

- 1. Before approval of a specific design plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T, for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of DPW&T. If a signal is deemed warranted by DPW&T, then the applicant shall bond the signal before release of building permits for the subject property, and shall install it when directed by DPW&T.**

At the time this condition was originally adopted, unsignalized intersections, with a delay of greater than 50 seconds, were typically required to conduct a signal warrant study. Currently, that practice has changed and now requires a three-step process for unsignalized intersections. The analysis conducted for the proposed intersection of White House Road and Harry S Truman Drive indicates that it does not meet the three-step adequacy test for unsignalized intersections, under background and total conditions, with the current intersection configuration. However, construction of a westbound deceleration lane on White House Road is proposed with the development of the site, as noted in the traffic impact analysis (TIS) submitted with the application. Staff find that, according to the latest TIS and the 2022 Transportation Review Guidelines Supplement, a traffic signal warrant study is not needed. Therefore, this condition may be removed.

- 2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major**

internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.

The latest CDP shows an 80-foot right-of-way along Kenwood Village Lane, north of Street A, and a 50-foot right-of-way along all other internal road segments, which staff finds acceptable. Therefore, this condition may be modified, from an 80-foot right-of-way to a 50-foot right-of-way, and has been included herein.

- 3. If any portion of the 50-foot buffer required by condition 13 in the approvals of A-9802 or A-9803 will be used for woodland conservation, then larger caliper trees and permanent protection shall be provided, for the reforestation. The buffer area shall be placed in a permanent conservation easement.**

Condition 13 of the original basic plan approvals was replaced with Condition 12 of the amended basic plans. This condition reflected the current requirement of a 75-foot nondisturbance buffer along both sides of all streams, rather than a 50-foot nondisturbance buffer. The condition now reads, as follows:

“A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.”

The applicant would submit that this condition has been superseded and should be deleted. The buffer is fully wooded and no reforestation is proposed within the buffer, to necessitate the planting of larger caliper trees. There is already a condition that requires a conservation easement to be included on the final plat. Based on the provided evidence, staff find the condition duplicative and that it should be removed.

- 4. The preliminary plan of subdivision application shall include a detailed soils study demonstrating that the site is geologically suitable for the proposed development.**

This condition was met with the previously approved PPS. However, amended Basic Plans A-9802-C-01 and A-9803-C-01 require that a detailed soils study be submitted with the CDP. Therefore, staff still find the condition applicable, as included herein.

- 5. Before comprehensive design plan certification, the existing tree lines on TCP-1/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.**

Staff find that this condition was met prior to certification of TCP11-17-04 and, therefore, should be removed.

6. **A revised Type I Tree Conservation Plan, TCP-I/17/04, shall be submitted as part of the preliminary plan of subdivision application. The revised TCP-I shall add the following information:**
 - a. **A refined limit of disturbance and conceptual grading proposed for the site.**
 - b. **All anticipated PMA impacts.**
 - c. **All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to the property.**
 - d. **A table of proposed off-site infrastructure improvements associated with this application.**
 - e. **Labelling of each woodland conservation area with a distinct identifier, showing the acreage and type of woodland conservation.**

Staff find that this condition was met with the certification of TCP1-17-04-01, in association with PPS 4-06159, and therefore should be removed.

7. **The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.**

A wetland study was provided with PPS 4-06159. An updated wetland study shall be submitted with future development applications. Staff find that this condition should then be carried forward, as written, and included herein.

8. **All subsequent plan submittals for this property, including the preliminary plan of subdivision and the specific design plans, shall further minimize the extent and number of anticipated PMA impacts as each phase of the development process involves more detailed information. Impacts solely associated with the creation of lots, are not allowed.**

PMA impacts were approved with previous applications; however, with the change in layout and the requirement of a new PPS, the PMA impacts shall be reevaluated at the time of the new PPS. Staff find that this condition should then be carried forward, as written, and included herein.

9. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall be approved by the Environmental Planning Section and shall contain the delineated Patuxent River Primary Management Area, except areas of approved impacts. 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 the prior written consent of the Planning Director. The removal of hazardous trees, limbs, branches, or trunks is allowed."

This condition was previously met; however, with a change in layout, a new final plat will be required. Staff find that this condition shall be carried forward, as written, and included herein.

- 10. Before issuance of permits which impact wetlands, wetland buffers, streams, or Waters of the United States, the applicant shall submit to the Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

Staff find that this condition should be carried forward, as written, and included herein.

- 11. A copy of the approved stormwater management concept plan and approval letter shall be submitted with the preliminary plan of subdivision application.**

This condition was previously satisfied with approval of the prior PPS. However, an updated approved SWM concept plan and letter shall be submitted with the new PPS and subsequent SDP. Staff find that this condition shall be carried forward, as written, and included herein.

- 12. The preliminary plan of subdivision application shall include a Phase I noise study addressing potential adverse noise impacts from existing and widened White House Road (A-36) along the northern property boundary.**

During the review of the prior PPS, it was determined that the 65 dBA line did not extend beyond the REF being retained on the subject property. Therefore, no mitigation was required. However, staff find that this study shall be submitted with the future PPS and this condition shall be carried forward, as written, and included herein.

- 13. The applicant shall convey to the M-NCPPC 14.1 acres of open space, as designated on Exhibit A. The land to be conveyed shall be subject to the conditions in Exhibit C.**

Staff find that this condition should be removed, as 19.4 acres was previously dedicated to M-NCPPC with the recordation of the prior final plats. That deed is recorded in the Land Records of Prince George's County Maryland at liber 37708 folio 1.

- 14. The applicant shall dedicate 5,003 square feet off-site, as shown on Exhibit B. Before final plat, the applicant shall file for review and approval by Parks and Recreation a deed and metes and bounds description of the dedicated land. The land to be conveyed shall be subject to the conditions in Exhibit C.**

Staff find that this condition should be removed, as the applicant dedicated 4,117.45 square feet to M-NCPPC, in conformance with Condition 14. That deed is recorded in the Land Records at liber 37667 folio 425.

- 15. The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A, to and around the stormwater management pond to be built on dedicated parkland.**

At the time of approval of prior SDP-0805, it was determined that the SWM pond on dedicated parkland was no longer required or proposed. The same is true within the current proposed CDP. Previously, DPR found that construction of a trail connector, from the subject subdivision to the dedicated parkland, is not feasible because of the major master-planned road (120-foot-wide Harry S Truman Drive) that separates the subdivision from the park. Therefore, staff find that this condition is no longer applicable and should be removed.

- 16. The applicant shall grade the portion of the parkland for the open play field, as shown on DPR Exhibit A.**

Condition 10 of SDP-0805 required that, prior to the issuance of the 34th building permit, the applicant shall make a payment to the M-NCPPC in the amount of \$70,000 in 2013 dollars in lieu of grading of the southern portion of the dedicated parkland, construction of a 10-foot-wide gravel maintenance access road and preparation of detailed construction drawings for the improvements to the dedicated parkland. The applicant agreed to carry the proposed fee in-lieu forward with this application, which has been included as a condition herein. Thus, staff find that the condition requiring grading of M-NCPPC land be removed and replaced with a condition regarding the fee in-lieu.

- 17. The applicant shall construct a stormwater management pond on dedicated parkland, in accordance with applicable standards in the Parks and Recreation Facilities Guidelines. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall have seating areas, and the area around the pond shall have attractive landscaping.**

An SWM pond is no longer necessary on the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

- 18. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.**

No trails were proposed on prior SDP-0805 and no trails are proposed in conjunction with this application. Therefore, staff find that this condition is no longer applicable and should be removed.

- 19. Before submission of a specific design plan (SDP), the applicant shall submit for review and approval by DPR a conceptual site plan for the improvements to be constructed on dedicated parkland.**

As noted above regarding Condition 16, Condition 10 of SDP-0805 required payment of a fee in-lieu of submitting site plans for improvements to the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

- 20. Construction drawings for the park improvements shall be approved by DPR staff and not be unreasonably withheld, prior to signature approval of the SDP.**

As noted above regarding Condition 16, Condition 10 of SDP-0805 required payment of a fee in-lieu of submitting construction drawings for improvements to the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

- 21. Before issuance of building permits for 50 percent of the lots, the applicant shall complete all improvements on dedicated parkland.**

As noted above regarding Condition 16, Condition 10 of SDP-0805 required payment of a fee in-lieu of constructing improvements to the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

- 22. Before submission of a final plat of subdivision, the applicant shall enter into a Recreational Facilities Agreement (RFA), for construction of the trail and pond improvements and grading for open play fields on park property. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.**

As noted above regarding Condition 16, Condition 10 of SDP-0805 required payment of a fee in-lieu of constructing improvements on the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

- 23. The applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the park improvements in an amount to be determined by DPR, at least two weeks before applying for a grading permit.**

As noted above regarding Condition 16, Condition 10 of SDP-0805 required payment of a fee in-lieu of constructing improvements on the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

- 24. Before conveyance of 14.1 acres to M-NCPPC, including a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreements among the applicant, the County Department of Environmental Resources, and the Department of Parks and Recreation, for construction, operation, and maintenance of the stormwater management facility.**

The SWM pond is no longer proposed on the dedicated parkland. Therefore, staff find that this condition is no longer applicable and should be removed.

25. **Before submitting a preliminary plan of subdivision application, the applicant shall identify archeological resources in the project area by conducting Phase I archeological investigations.**

A qualified archeologist shall conduct all investigations and follow the Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole, 1994). These investigations shall be presented in a draft report following the same guidelines. The report shall follow the American Antiquity or Society for Historical Archeology style guide, and cite whether a submittal is a draft report or final report on the cover and inside cover page of the document, along with the relevant development case numbers.

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

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

This condition was satisfied with approval of the prior PPS. Therefore, staff find it is no longer applicable and should be removed. Separate conditions regarding the provision of archeological signage have been included herein.

26. **If it is determined that potentially significant archeological resources exist in the project area, then before Planning Board approval of a preliminary plan of subdivision, the applicant shall provide a plan for:**

- a. **Evaluating the resource at the Phase II level, or**
- b. **Avoiding and preserving the resource in place.**

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

This condition was satisfied with approval of the prior PPS. Therefore, staff find it is no longer applicable and should be removed.

27. **Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.**

Staff find that this condition remains, as written, and included herein. M-NCPPC is conducting studies and acquiring right-of-way, in support of this master plan facility.

- 28. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.**

Staff find that this condition should be carried forward, as written, and included herein.

- 29. The 50-foot buffers along the east and south boundaries shall be labeled as nondisturbance buffers, and a six-foot-high black vinyl clad chain link fence shall be indicated on the plans.**

Condition 7 of Basic Plans A-9802-C-01 and A-9803-C-01 modified the buffers previously approved, as follows:

“A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550 feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a “B” buffer yard, as required by the 2010 Prince George’s County Landscape Manual, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.”

Thus, the 50-foot buffer along the eastern boundary is a nondisturbance buffer, except for the area where a proposed SWM facility is located and can be labeled as such. The 25-foot buffer, along the southern property line, is a landscaped buffer and will be planted, in accordance with the Landscape Manual. The type of fencing shall be designated, at the time of SDP. Thus, this condition has been superseded. Staff agrees with the applicant that the condition shall be revised to state, “At the time of SDP, the buffers and fencing required, pursuant to Condition 7 of Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01, shall be appropriately identified and labeled.” This condition has been included herein.

- 30. Before approval of a preliminary plan of subdivision and specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.**

Staff agrees with the removal of this condition, as no trails are proposed internal to the site.

- 31. The required side yard setback in Development Envelopes A through D shall be six feet, and the required side yard setback in Development Envelope E shall be eight feet.**

With the modification of lot sizes through the amendment of the basic plans, revised development regulations are being proposed by the applicant. A minimum front yard depth of 20 feet, a side yard setback of 5 feet, and a rear yard setback of 20 feet are proposed in all development envelopes. As a result, staff find that this condition should be modified to require the applicant to add a development regulations table to the CDP, consistent with the approved basic plans and as conditioned herein.

- 32. At the time of preliminary plan of subdivision, adequate lot depth with respect to possible noise or visual impacts from adjacent White House Road shall be reviewed.**

During the review of the prior PPS, it was determined that the 65 dBA line did not extend beyond the REF being retained on the subject property. However, staff find the condition applicable, as a noise study will need to be submitted and evaluated again with the future PPS. The condition, therefore, should be carried forward, as written, and included herein.

- 33. Before approval of a specific design plan for the project, the following design issue shall be analyzed and provided for, to the extent feasible:**

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

Landscape requirements will be reviewed, at the time of SDP. Staff find that this condition should be carried forward, as written, and included herein.

- 34. Before approval of a specific design plan, the applicant shall add a note to the plans that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed (and approved) crossing.**

Staff find that this condition should be carried forward, as written, and included herein.

- 35. The public vehicular access to the future master-planned neighborhood park shall be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village shall be limited to pedestrian access only.**

Staff find that this condition should be carried forward, as written, and included herein.

- 36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.**

As referenced above, regarding Condition 27, staff anticipates that the facility will be constructed and that the condition still applies, as written, and included herein. This condition may be further explored during the review of a new PPS.

37. **The potential dedication of land for Harry S Truman Drive through the subject property shall be reviewed at the time of Preliminary Plan approval and shall take into account the recommendations of the Westphalia Comprehensive Conceptual Planning Study (2005); the impacts on the proposed development; the status of other road improvements in the vicinity; the engineering constraints; the environmental impacts; and the general feasibility of the road extension.**

This issue was resolved, at the time of the prior PPS. The right-of-way for Harry S Truman Drive was dedicated with the recordation of the final plats of subdivision. Therefore, this condition is no longer applicable and should be removed.

Considerations

1. **At the time of specific design plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the request of property owners to the south for additional berming and screening.**

Staff find that this consideration should be carried forward, as written and included herein. The applicant notes that a major gas transmission line has been constructed, since this consideration was initially included which provides a physical buffer between the subject property and most of the property to the south. Fencing and landscaping will be provided that will further screen these properties. The fencing and landscaping can be addressed, at the time of SDP.

2. **At the time of specific design plan review, recreation facilities for subdivision shall be reevaluated and redesigned, so that recreation facilities are located near all lots. The facilities must include more than one centralized recreational facility. Existing or planned neighborhood park facilities adjacent to the subject site, and the trail head connection in its vicinity, shall not relieve the applicant of the responsibility to provide adequate recreation facilities proximate to all lots in the proposed subdivision.**

Staff recommends removal of this consideration, as a condition has been included herein (Condition 11) that requires the applicant to provide on-site recreational facilities. Thus, staff find this consideration duplicative.

10. **Preliminary Plan of Subdivision 4-06159:** The Planning Board approved PPS 4-06159 (PGCPB Resolution No. 07-169(A)) on September 13, 2017, for development of 72 residential lots and three parcels, subject to 32 conditions. This CDP proposes 124 single-family detached residential units and, therefore, requires approval of a new PPS and a new determination of adequacy to establish the new layout of lots and parcels. The new PPS will supersede PPS 4-06159, once approved. New final plats of subdivision for the proposed development will be required, subsequent to approval of this CDP and following PPS, before any permits can be approved for this site.
11. **Specific Design Plan SDP-0805 and amendments:** The District Council affirmed the Planning Board's approval of SDP-0805 (PGCPB Resolution No. 13-31) on July 24, 2013,

with 11 conditions, which approved development of 72 single-family detached residential lots. SDP-0805-01 was approved by the Planning Director on August 1, 2024. This approval revised the building regulations associated with SDP-0805. On February 23, 2015, the Planning Director approved SDP-0805-02, which revised the lot lines and utility locations on the SDP. None of the SDP conditions are applicable to this CDP.

12. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance and the Prince George’s County Tree Canopy Coverage Ordinance: This CDP has been reviewed for conformance with the Woodland and Wildlife Habitat Conservation Ordinance (WCO) and the Tree Canopy Coverage Ordinance, as follows:

- a. **Woodland Conservation Ordinance**—The site is subject to the provisions of the WCO because the property is greater than 40,000 square feet in size and contains more than 10,000 square feet of existing woodland. In addition, this application is subject to the Environmental Technical Manual. Type 1 Tree Conservation Plan (TCP1-017-04-03) was submitted with the subject application.

The site contains a total of 52.49 acres of woodlands and 6.37 acres of wooded floodplains, and has a woodland conservation threshold of 25 percent, or 11.77 acres. The TCP1 proposes to clear 29.67 acres of woodland and 0.26 acre of wooded floodplain, resulting in a total woodland conservation requirement of 11.77 acres. The woodland conservation requirement is proposed to be met with 14.93 acres of on-site preservation. A condition has been provided herein noting that the crediting of woodland conservation shown on any property to be dedicated to, or is owned by, M-NCPPC is subject to written approval by DPR, prior to certification of the Type 2 tree conservation plan which specifically states the location, acreage, and methodology of the woodland conservation credits.

Natural Resources Inventory NRI-001-2023, which only covers the area of the proposed residential development, was submitted with this application. An application to update Natural Resources Inventory Equivalency Letter NRI-135-05-01 was included with this development request. This NRI equivalency letter covers the entire site and will be required to be approved prior to certification of this CDP, as conditioned herein. According to NRI-001-2023, the site contains areas of REF, such as steep slopes, streams or wetlands, and 100-year floodplain located along White House Road, in the central portion of the site and in the area of the proposed Harry S Truman Drive. The wetlands on-site are associated with streams that run along White House Road and through the center of the property. NRI-001-2023 shows the proposed residential site containing 146 specimen trees on-site or in close proximity to the property, which range in condition from dead to good. No specimen trees are requested for removal with this CDP. The CDP shows all required information correctly, in conformance with the NRI. A condition has been included herein, requiring the applicant to provide an SOJ for any necessary PMA impacts, prior to acceptance of a future PPS application. The SOJ shall address all proposed impacts on REF. PMA impacts solely associated with the creation of lots will not be allowed.

- b. **Tree Canopy Coverage Ordinance**—Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading permit for more than 5,000 square feet of

disturbance or gross floor area. Properties in the prior R-S Zone are required to provide a minimum of 15 percent of the gross tract area in TCC. At the time of SDP review, the applicant must demonstrate conformance with the relevant requirements of the Tree Canopy Coverage Ordinance.

13. Referral Comments: This application was referred to the following agencies and divisions. The referral comments are summarized, as follows:

- a. **Community Planning**—In a memorandum dated May 24, 2023 (Bishop to Shelly), incorporated herein by reference, Community Planning staff find that, pursuant to Section 27-480(g)(1) of the prior Zoning Ordinance, the design guidelines or standards intended to implement the development concept recommended by the master plan, sector plan, or sectional map amendment zoning change. These guidelines establish and provide guidance for the development regulations to be incorporated in the SDP. Map 27 of the master plan shows the recommended use as "residential low and provides guidance for how the use and the development regulations established by the Master Plan should be incorporated in the Specific Design Plan. The subject application proposes the single-family detached development and is consistent with the Master Plan and SMA."

Community Planning staff also find that, pursuant to Section 27-521(a)(1), this application conforms to the design guidelines or standards intended to implement the development concept recommended by the Subregion 6 Master Plan and SMA.

The master plan recommends residential low land uses for the subject property. This use encourages residential subdivisions that are primarily single-family detached dwellings and are developed with areas of up to 2.6 dwelling units per acre, as well as the following recommendations:

- **Develop a comprehensive trail/sidewalk system to connect the community.**
- **Expand and enhance recreational activities and opportunities for youth, particularly in older communities.**
- **Ensure that all new development in the area is compatible with existing development in terms of architecture and scale.**
- **Install sidewalks along residential streets that currently lack them.**
- **Encourage conservation subdivisions in environmentally sensitive areas and adjacent to parks where additional open space would be beneficial.**
- **Design site features such as storm water management facilities during the development process so that they become amenities in the development.**
- **Provide green edges (woods, and landscaping) in new developments to provide a buffer that blends naturally into surrounding wooded areas.**

- **Incorporate historic sites, vistas, archeological resources, and cultural features into development design.**
- **Incorporate environmentally sensitive design and green building/energy efficiency techniques.**

b. **Transportation Planning**—In a revised memorandum dated June 29, 2023 (Yang to Shelly), incorporated herein by reference, the Transportation Planning Section provided a comprehensive review of the application’s conformance with the requirements of previous approvals, the prior Zoning Ordinance, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the TIS dated October 13, 2022, summarized as follows:

Analysis of Traffic Impacts

The subject property is currently unimproved and is located within Transportation Service Area 2, as defined in Plan 2035. 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 procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections, a three-part process is employed: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed, if the delay exceeds 50 seconds; (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed and the standard of CLV is 1,150 or less.

For all-way stop-controlled intersections, a two-part process is employed: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) if the delay exceeds 50 seconds, the CLV is computed and the standard of CLV is 1,150 or less.

Trip Generation

The trip generation is estimated using the Planning Board’s “Transportation Review Guidelines, Part 1” (Guidelines), the higher amounts from the *Trip Generation Manual* (Institute of Transportation Engineers), and the user provided information. The table below summarizes trip generation for each peak period, which will be used in reviewing traffic-generated impacts and developing a trip cap for the site:

Trip Generation Summary								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Single-Family Housing (Prince George's County Rates)	124	unit	19	74	93	73	39	112
Total Trip Cap Recommendation			93			112		

The traffic generated by the proposed CDP would impact the following intersections in the transportation system:

- Ritchie Marlboro Road and Sansbury Road (signalized)
- Ritchie Marlboro Road and White House Road (signalized)
- White House Road and Harry S Truman Drive (unsignalized)
- White House Road and Site Access (unsignalized)

Existing Traffic

The critical intersections identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
Ritchie Marlboro Road and Sansbury Road	992	927	A	A
Ritchie Marlboro Road and White House Road	913	750	A	A
White House Road and Harry S Truman Drive	73 s*	276 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	944	886	Pass	Pass
*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.				

Background Traffic

The traffic study identified 25 background developments whose impact would affect study intersections. In addition, annual growth of one percent, over six years, was applied to primary through traffic volumes, along all study roads. The analysis revealed the following results. All intersections meet the adequacy requirements, except the proposed White House Road and Harry S Truman Drive intersection during the PM peak hour.

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
	Ritchie Marlboro Road and Sansbury Road	1077	1371	B
Ritchie Marlboro Road and White House Road	1223	1123	C	B
White House Road and Harry S Truman Drive	241 s*	1191 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	1075	1155	Pass	Fail
*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.				

Total Traffic

The only proposed access point for this development is on White House Road. The access intersection will be an unsignalized T-intersection, with the driveway controlled by a stop sign. The study intersections, when analyzed with total developed future traffic, operate as follows. All intersections meet the adequacy requirements, except the proposed White House Road and Harry S Truman Drive intersection during the PM peak hour.

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
	Ritchie Marlboro Road and Sansbury Road	1092	1387	B
Ritchie Marlboro Road and White House Road	1248	1158	C	C
White House Road and Harry S Truman Drive	352 s*	1393 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	1142	1190	Pass	Fail
White House Road and Site Access	46 s*	35 s*	Pass	Pass
*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.				

Total Traffic with Improvement

The applicant proposes to add a westbound White House Road right turn lane at Harry S Truman Drive and convert the westbound through-right turn lane to a through only lane. The study intersections, when analyzed with total developed future traffic with the improvement, operate as follows:

TOTAL TRAFFIC WITH IMPROVEMENT CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
	Ritchie Marlboro Road and Sansbury Road	1092	1387	B
Ritchie Marlboro Road and White House Road	1248	1158	C	C
White House Road and Harry S Truman Drive	314 s*	1378 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	1060	1147	Pass	Pass
White House Road and Site Access	46 s*	35 s*	Pass	Pass
*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.				

The Transportation Planning Section concludes that the development will not be an unreasonable burden on available public facilities, as required by Section 27-521, if the application is approved with four conditions included herein. These include providing the amount of right-of-way dedication, in accordance with the MPOT and road improvements at the time of PPS. In addition, the applicant shall demonstrate the shared-use path and the specifications and details for all master plan facilities, along the frontage of White House Road, on the SDP. The Transportation Planning Section also recommended the continuance of Condition 28 of the prior CDP, which has been included herein.

- c. **Environmental Planning**—In a memorandum dated June 23, 2023 (Rea to Shelly) incorporated herein by reference, the Environmental Planning Section provided a review of this CDP application, which is summarized herein. A proposed condition has been included herein, requiring the applicant to provide the approved Natural Resources Inventory Equivalency Letter, NRI-135-05-01, prior to certification of the proposed CDP. In addition, conditions have been provided regarding subsequent future applications. Conditions 4 through 8, in the Environmental Planning memorandum, recommend the continuance of certain CDP conditions and have been analyzed within Finding 9.

Soils

The predominant soils found on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Collington-Wist complex, Widewater, and Issue soils, frequently flooded. Unsafe soils containing Marlboro or Christiana clays have not been identified on this property. A condition has been included herein, requiring the applicant to submit a geotechnical report, prior to acceptance of the SDP.

Special Roadways

White House Road, which borders the subject property on the north, is a designated historic road. Appropriate buffering for special roadways, consistent with the requirements originally established by CDP-0303, shall be maintained on future development applications.

- d. **Subdivision**—In a memorandum dated May 26, 2023 (Vatandoost to Shelly), incorporated herein by reference, the Subdivision Section stated that the application is subject to PPS 4-06159, Wood Property, which was approved by the Planning Board on September 13, 2017 (PGCPB Resolution No. 07-169(A)). PPS 4-06159 approved 72 lots and three parcels for development of 72 single-family detached residential dwelling units on the property. This CDP proposes 124 single-family detached residential units and, therefore, requires approval of a new PPS and a new determination of adequacy, to establish the new layout of lots and parcels. The new PPS will supersede PPS 4-06159, once approved. New final plats of subdivision for the proposed development will be required, subsequent to approval of this CDP and following PPS, before any permits can be approved for this site.
- e. **Historic Preservation**—In a memorandum dated May 15, 2023 (Stabler, Smith, and Chisholm to Shelly), incorporated herein by reference, an evaluation of historic and cultural resources determined that the probability of archeological sites within the subject property was high. An archeology survey was completed on the property in 2006 and no further work was recommended. Two conditions have been included herein, requiring the applicant to provide interpretive signage summarizing the findings of the archeological investigations conducted on the property. The subject property does not contain, and is not adjacent to, any designated Prince George’s County historic sites or resources.
- f. **Prince George’s County Department of Parks and Recreation (DPR)**—In a memorandum dated June 1, 2023 (Thompson to Shelly), included herein by reference, DPR provided discussion, as follows:
- Mandatory dedication of parkland, pursuant to Section 24-134(a), provides for dedication of land, payment of a fee in-lieu, or on-site recreational facilities. This CDP shows the fulfillment of on-site recreation. The details of these amenities and cost estimates will be provided with subsequent PPS and SDP applications, as conditioned herein. A condition has been included herein that requires the applicant and the applicant’s heirs, successors, and/or assignees, to provide on-site recreational facilities, in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*, to be reviewed by the Development Review Division of the Prince George’s County Planning Department, at the time of PPS and SDP.
- g. **Prince George’s County Fire/EMS Department**—In an email dated May 29, 2023 (Reilly to Shelly), the Fire/EMS Department noted that they had no comments for this subject application.
- h. **Prince George’s County Health Department**—In a memorandum dated May 10, 2023 (Adepoju to Shelly), the Health Department noted that a desktop health review of the CDP submission had been completed. Technical comments were provided, and are conditioned herein to be included as notes on the SDP:
- 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.

- 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.
 - There may be abandoned underground well and/or septic structures that may not have been backfilled in an acceptable manner. Contact the Division of Environmental Engineering, Environmental Engineering and Policy Program, at (301) 883-7681 for guidance on how to backfill abandoned well and septic structures.
- i. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 4, 2023 (Giles to Shelly), DPIE offered comments that were provided to the applicant, which will be addressed in their separate permitting process.
 - j. **Washinton Suburban Sanitary Commission (WSSC)**—In a memorandum dated May 11, 2023 (Madagu to Shelly), WSSC offered comments that were provided to the applicant, which will be addressed in their separate permitting process.
- 14. Community Feedback:** At the time of the writing of this technical staff report, the Prince George’s County Planning Department did not receive any written correspondence from the community for this subject application.

RECOMMENDATION

Based upon the preceding evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Comprehensive Design Plan CDP-0303-01 and Type 1 Tree Conservation Plan TCP1-017-04-03 for Kenwood Village, subject to the following conditions:

1. Prior to certificate approval of the comprehensive design plan (CDP), the following revisions shall be made, or information shall be provided:
 - a. Revise the site acreage in General Note 2, on the coversheet of the CDP, to conform with the approved basic plans.
 - b. Provide the 100-year floodplain acreage and net tract area acreage, on the coversheet of the CDP, to conform with the approved basic plans.
 - c. Provide a development regulations table on the coversheet of the CDP.
 - d. Provide an area designated for a dog park and dog waste stations within the subject property. The details of the dog park and dog waste stations will be evaluated with future applications.
 - e. Provide the approved Natural Resources Inventory Equivalency Letter, NRI-135-05-01.

2. The preliminary plan of subdivision application shall include the amount of right-of-way dedication, in accordance with the 2009 *Approved Countywide Master Plan of Transportation*.
3. Prior to acceptance of the preliminary plan of subdivision application, a statement of justification (SOJ) for the necessary primary management area (PMA) impacts shall be included in the application package. The SOJ shall address all proposed impacts on regulated environmental features. PMA impacts solely associated with the creation of lots will not be allowed.
4. The preliminary plan of subdivision application shall include a detailed soils study, demonstrating that the site is geologically suitable for the proposed development.
5. The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.
6. All subsequent plan submittals for this property, including the preliminary plan of subdivision and the specific design plans, shall further minimize the extent and number of anticipated PMA impacts as each phase of the development process involves more detailed information. Impacts solely associated with the creation of lots, are not allowed.
7. Road improvements shall be included at the time of preliminary plan of subdivision, and shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency.
8. The preliminary plan of subdivision application shall include a Phase I noise study addressing potential adverse noise impacts from existing and widened White House Road (A-36) along the northern property boundary.
9. At the time of preliminary plan of subdivision, adequate lot depth with respect to possible noise or visual impacts from adjacent White House Road shall be reviewed.
10. A copy of the approved stormwater management concept plan and approval letter shall be submitted with the preliminary plan of subdivision application.
11. The applicant and the applicant's heirs, successors, and/or assignees, shall provide on-site recreational facilities, in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*, and be reviewed by the Development Review Division of the Prince George's County Planning Department, at the time of preliminary plan of subdivision and specific design plan.
12. During the review of the preliminary plan of subdivision, the appropriate point of transition from an 80-foot right-of-way to a 50-foot right-of-way, along the major internal street, shall be determined. The point of transition shall be consistent with typical practices and shall consider lotting patterns and the overall internal street network.
13. Prior to acceptance of the specific design plan, a geotechnical analysis shall be included in the application package.

14. At the time of specific design plan, the shared-use path and the specifications and details for all master plan facilities, along the frontage of White House Road, shall be shown on the plan.
15. At the time of specific design plan, the applicant shall submit the wording and location of an interpretive sign, detailing the findings of the archeological investigations conducted on the subject property.
16. At the time of specific design plan, the applicant shall provide the following general notes on the coversheet:
 - a. During the construction phases of this project, noise should not be allowed to adversely impact activities on adjacent properties. Indicate intent to conform to the construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
 - b. 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 the construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.
 - c. There may be abandoned underground well and/or septic structures that may not have been backfilled, in an acceptable manner. Contact the Prince George's County Health Department, Environmental Engineering/Policy Program at (301) 883-7681 for guidance on how to backfill abandoned well and septic structures.
17. At the time of specific design plan, the buffers and fencing required, pursuant to Condition 7 of Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01, shall be appropriately identified and labeled.
18. Before approval of a specific design plan for the project, the following design issue shall be analyzed and provided for, to the extent feasible:

Appropriate measures to ensure compatibility with the surrounding neighborhood, especially at the periphery of the site, including design techniques such as berming and augmenting screen plantings.
19. Before approval of a specific design plan, the applicant shall add a note to the plans that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed (and approved) crossing.
20. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.
21. Crediting of woodland conservation shown on any property to be dedicated to, or is owned by, the Maryland-National Capital Park and Planning Commission is subject to written

approval by the Prince George's County Department of Parks and Recreation, prior to certification of the Type 2 tree conservation plan which specifically states the location, acreage, and methodology of the woodland conservation credits.

22. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall be approved by the Environmental Planning Section and shall contain the delineated Patuxent River Primary Management Area, except areas of approved impacts. 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 the prior written consent of the Planning Director. The removal of hazardous trees, limbs, branches, or trunks is allowed."

23. Before issuance of permits which impact wetlands, wetland buffers, streams, or Waters of the United States, the applicant shall submit to the Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
24. Prior to issuance of the 47th building permit, the applicant shall install the required interpretive sign, detailing the findings of the archeological investigations.
25. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.
26. The public vehicular access to the future master-planned neighborhood park shall be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village shall be limited to pedestrian access only.
27. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.
28. The applicant shall carry the proposed fee in-lieu, in the amount of \$70,000 in 2013 dollars. This fee is provided in lieu of grading the southern portion of the dedicated parkland, constructing a 10-foot-wide gravel maintenance access road, and preparing detailed construction drawings for improvements to the dedicated parkland.

Consideration

1. At the time of specific design plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the request of property owners to the south for additional berming and screening.

KENWOOD VILLAGE

Comprehensive Design Plan

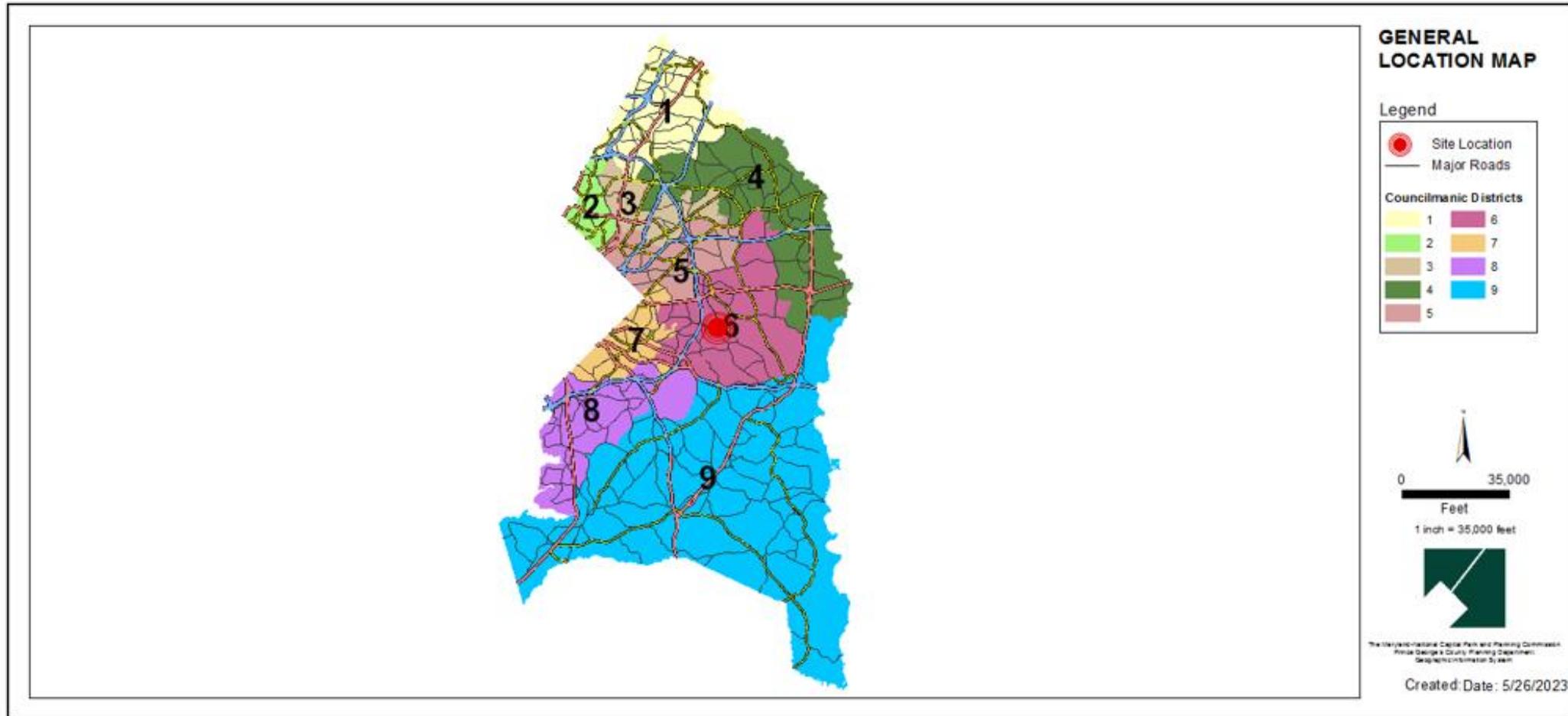
Staff Recommendation: Approval with Conditions



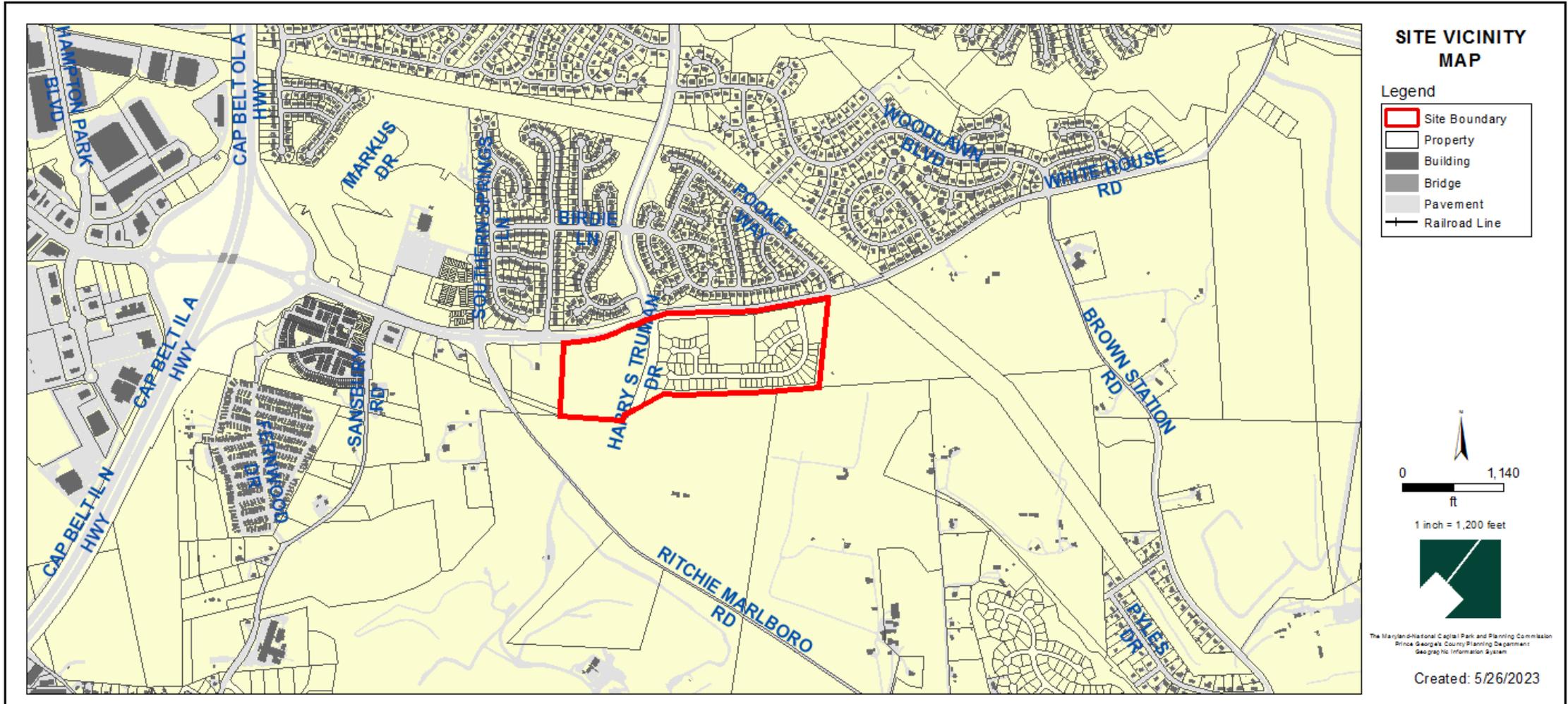
GENERAL LOCATION MAP

Council District: 06

Planning Area: 78



SITE VICINITY MAP

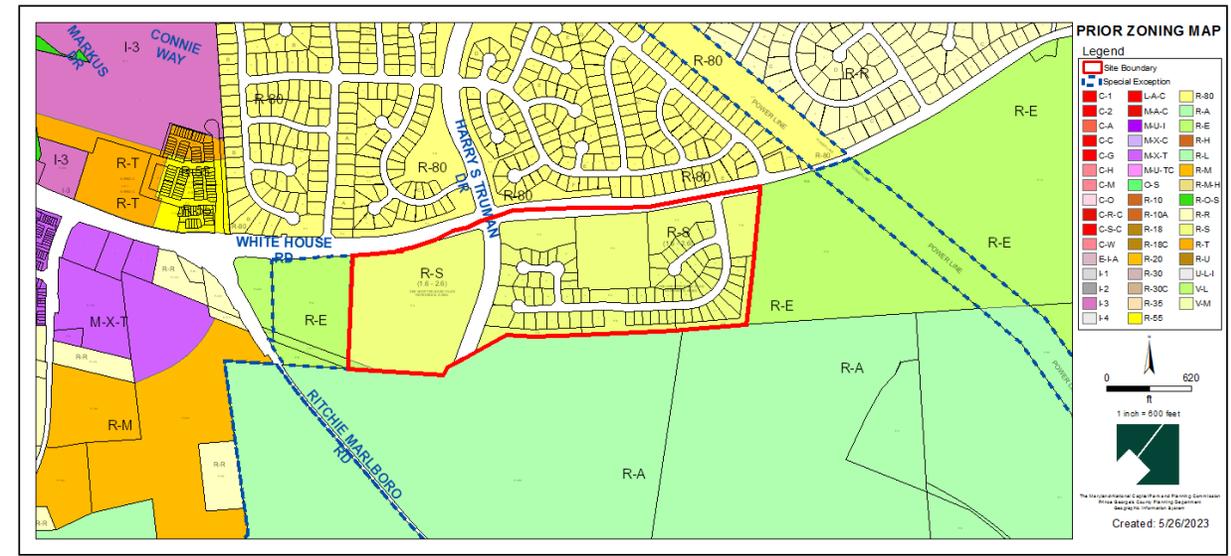
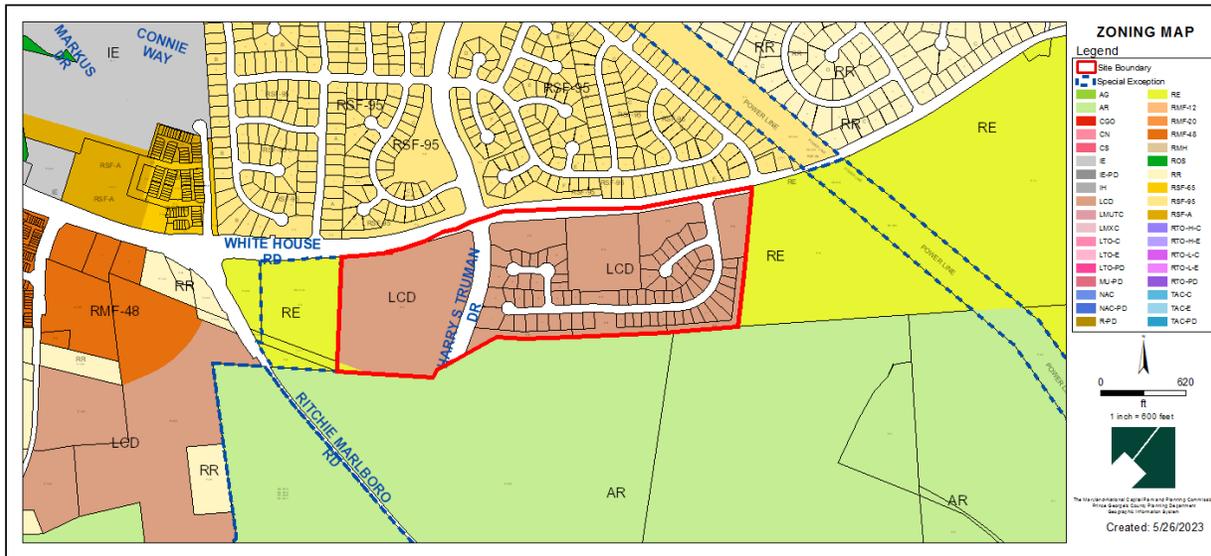


ZONING MAP (CURRENT & PRIOR)

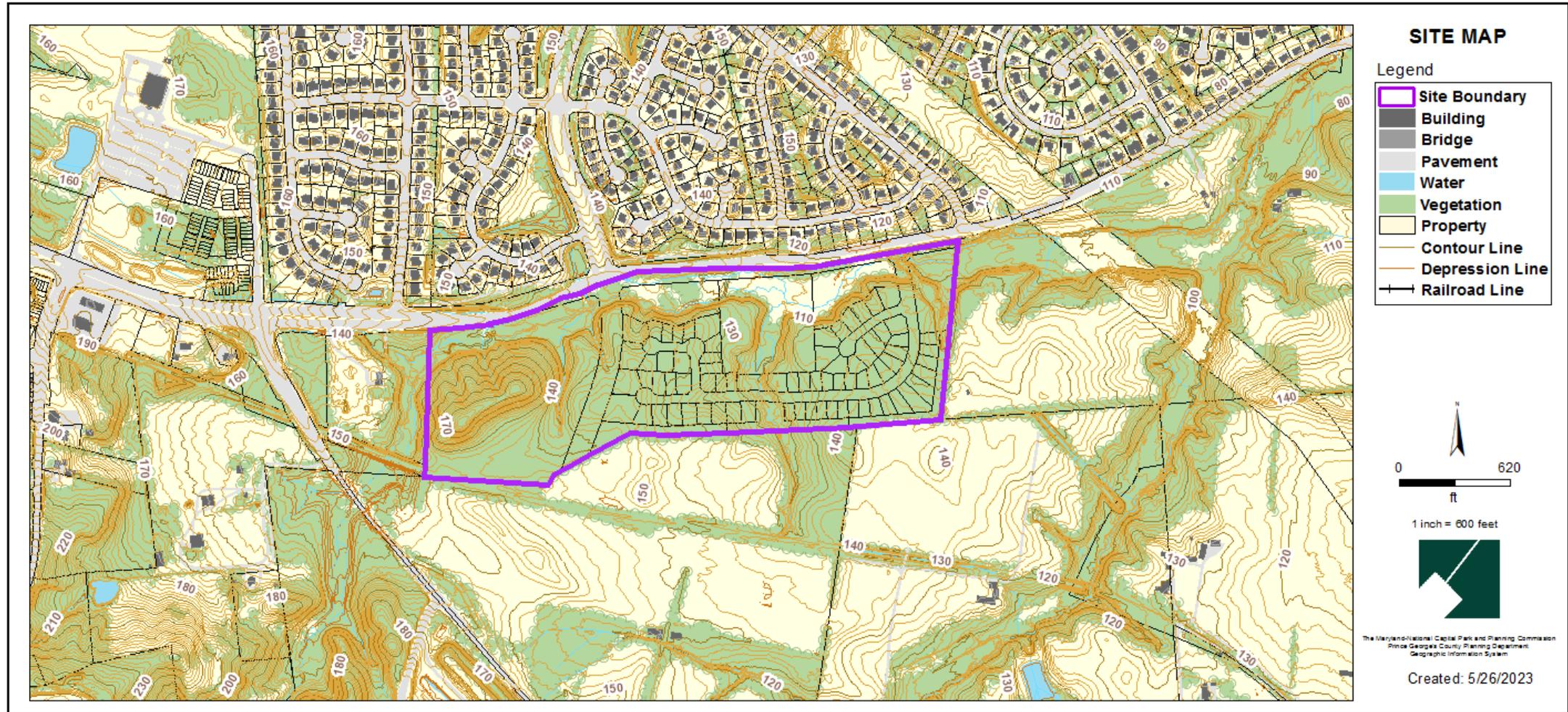
Property Zone: LCD (Prior R-S)

CURRENT ZONING MAP

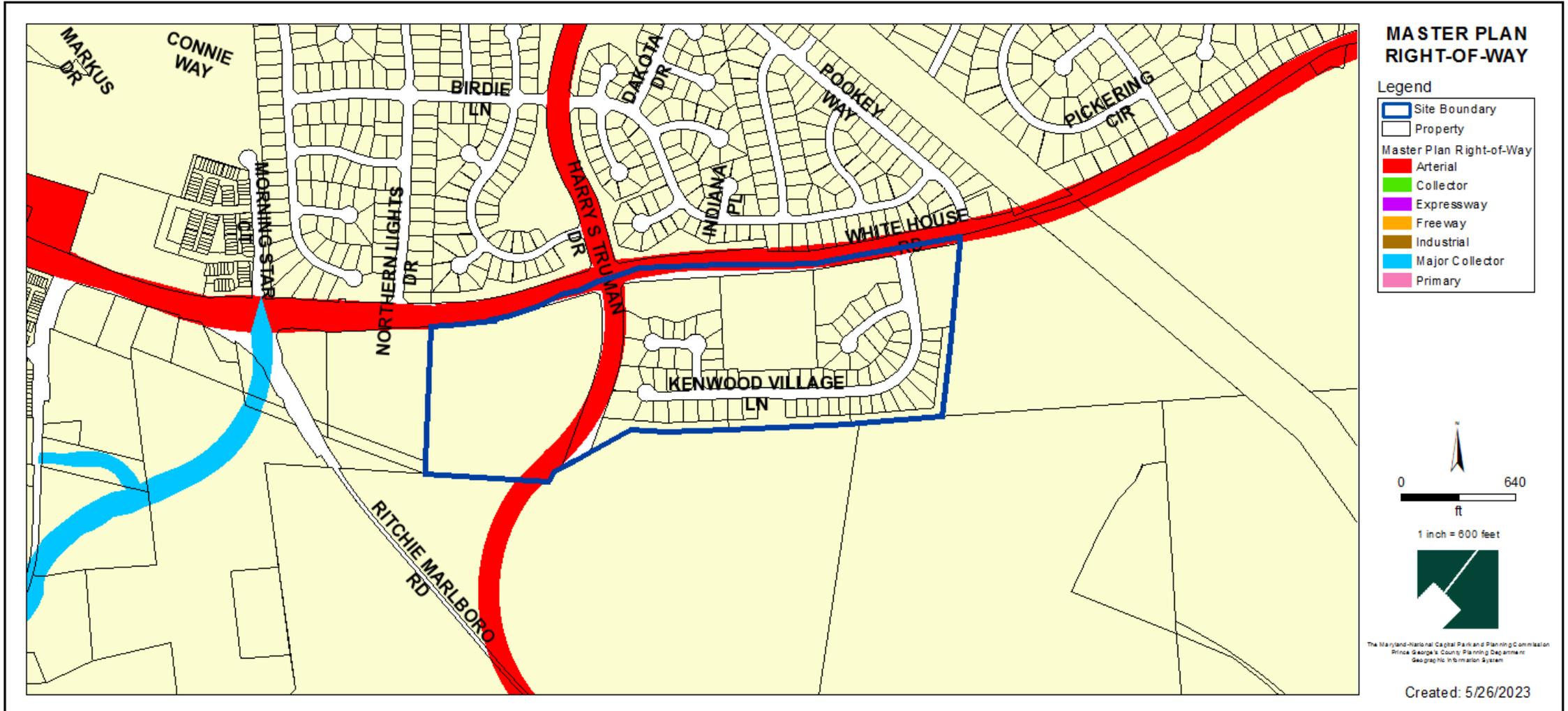
PRIOR ZONING MAP



SITE MAP



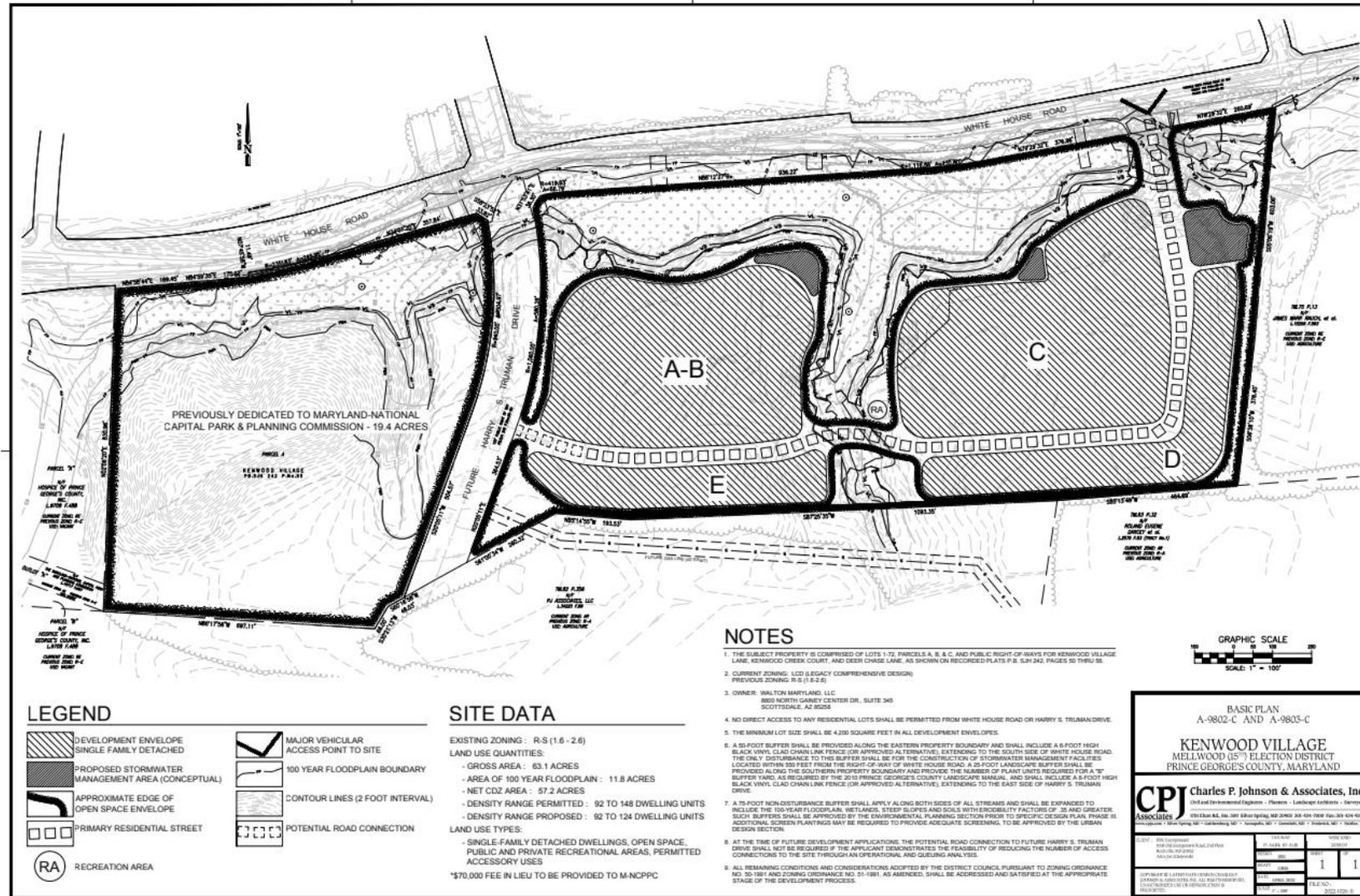
MASTER PLAN RIGHT-OF-WAY MAP



BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



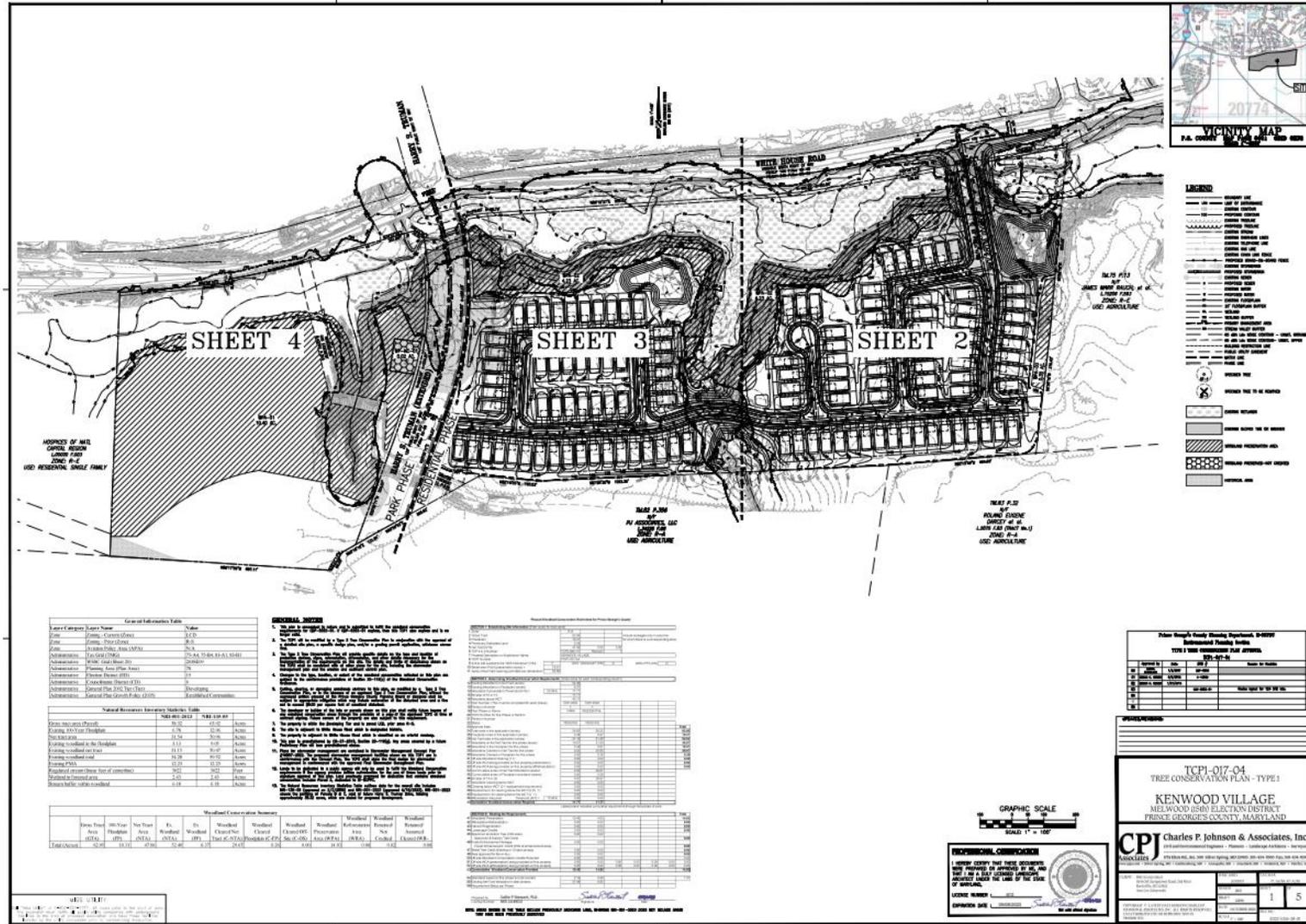
BASIC PLAN



COMPREHENSIVE DESIGN PLAN – RENDERED USE PLAN



TYPE I TREE CONSERVATION PLAN



STAFF RECOMMENDATION

- APPROVAL of CDP-0303-01 with Conditions
- APPROVAL of TCP1-017-04-03 with Conditions

Minor Issues:

- Technical Corrections

Applicant Required Mailings:

- Information Mailing – 01/27/2023
- Acceptance Mailing – 04/14/2023

STATEMENT OF JUSTIFICATION
KENWOOD VILLAGE
CDP-0303-01
JANUARY 26, 2023
REVISED JUNE 15, 2023

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STATEMENT OF JUSTIFICATION
KENWOOD VILLAGE
CDP-0303-01

1.0 INTRODUCTION/OVERVIEW/ORIENTATION

BHC, Inc (the "Applicant") files this Comprehensive Design Plan for Kenwood Village. Kenwood Village consists of 63.1 acres of land located on the south side of White House Road at its intersection with Harry S. Truman Drive, in Upper Marlboro, Maryland (the "Subject Property"). The Subject Property is more particularly identified on seven recorded subdivision plats, each entitled "Kenwood Village" and are recorded among the land records of Prince George's County at Plat Book SJH 242, Plats 50 through 56. As platted, the property consists of 72 lots and four parcels. As will be addressed in greater detail below, one of the parcels, Parcel "A", was conveyed to the Maryland-National Capital Park and Planning Commission ("M-NCPPC") pursuant to a condition of approval.

Through the approval of A-9802-C and 9803-C, the Subject Property was rezoned from the R-E zone to the R-S zone. The recently implemented Zoning Ordinance, which took effect on April 1, 2022, retained the Comprehensive Design Zones as legacy Zones. As such, the zoning of the Subject Property is reflected as LCD. Pursuant to Section 27-1704(h) of the Zoning Ordinance, any property in the LCD Zone may proceed to develop in

accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to the terms and conditions of the development approvals which it has received. Thus, this application is being filed under the provisions of the prior Zoning Ordinance.

On July 22, 2022, the Applicant filed an amendment of the Basic Plan pursuant to the provisions of Section 27-197(c) of the Prince George's County Code. The purpose of the application was to request an amendment to the conditions of the approved Basic Plans for the Subject Property to allow for a reduction in the minimum lot size. The reduction of the minimum lot size would allow the number of dwelling units to be increased from the existing 72 lots to up to 124 lots. On November 2, 2022, a hearing was held before the Zoning Hearing Examiner on the proposed amendments to the Basic Plans. On January 25, 2023, the Zoning Hearing Examiner released a decision recommending approval of the request to amend the Basic Plans, subject to sixteen conditions and four considerations. The District Council adopted a Final Conditional Zoning Approval on March 10, 2023, effective March 10, 2023 in both applications. The District Council's decisions are embodied in two documents, Zoning Ordinance No. 1-2023, which approved A-9802-C-01 and Zoning Ordinance No. 2-2023, which approved A-9802-C-01. A copy

of both documents is attached hereto as Exhibits "A" and "B". The District Council approved the request to reduce the minimum lot size to 4,200 square feet.

This Comprehensive Design Plan is consistent with the amended Basic Plans and now proposes to develop the Subject Property with 124 single family detached lots. Conformance to the conditions of the amended Basic Plans will be addressed in greater detail below.

2.0 ZONING HISTORY OF KENWOOD VILLAGE

Prior to the approval of A-9802-C and A-9803-C, the Subject Property was zoned R-E. The zoning map amendment applications were filed in 1989. A-9802-C initially requested to rezone 16+ acres of the Subject Property to the R-M (5.8-7.9) zone, while A-9803-C requested to rezone 47+ acres of the property to the L-A-C zone. The Technical Staff recommended disapproval of both applications in part because the density proposed exceeded that recommended in the 1973 Subregion VI Master Plan, which was 1.6-2.6 dwelling units per acre. These requests were presented to the District Council in September, 1991, at which time the District Council remanded the applications to the Planning Board for further consideration. Subsequently, both applications were amended to request a rezoning to the R-S (1.6-2.6) Zone. As initially proposed, five development envelopes were identified. Development envelope "A" was located on and fronted the west

side of Harry S. Truman Drive extended and proposed for townhouses. Development envelope "B" was located on and fronted the east side of Harry S. Truman Drive extended and also proposed for townhouses. Development envelopes "C", "D" and "E" were located on the easternmost area of the Subject Property and proposed single family detached dwelling units.

During the processing of the application, two primary modifications were made to the proposed development. The first was that the land on the west side of Harry S. Truman Drive extended would be conveyed to the M-NCPPC.¹ The second modification was that all of the units would be single family detached units. Five development envelopes were retained, all located on the east side of Harry S. Truman Drive extended. The Planning Board recommended approval of the revised zoning map amendment applications. The District Council approved both applications on January 29, 1993, subject to 14 conditions and 4 considerations.

The conditions and considerations adopted for both applications were identical. Thus, both applications approved the R-S Zoning category for the land included with the application. The Land Use Quantities and Land Use Types approved in the Basic Plan applications are shown below:

¹ At the time SDP-0805 was approved, Condition 10 required a payment of a fee of \$70,000 in 2013 dollars in lieu of designing plans and constructing improvements on the property. The Applicant agrees to conform to this requirement.

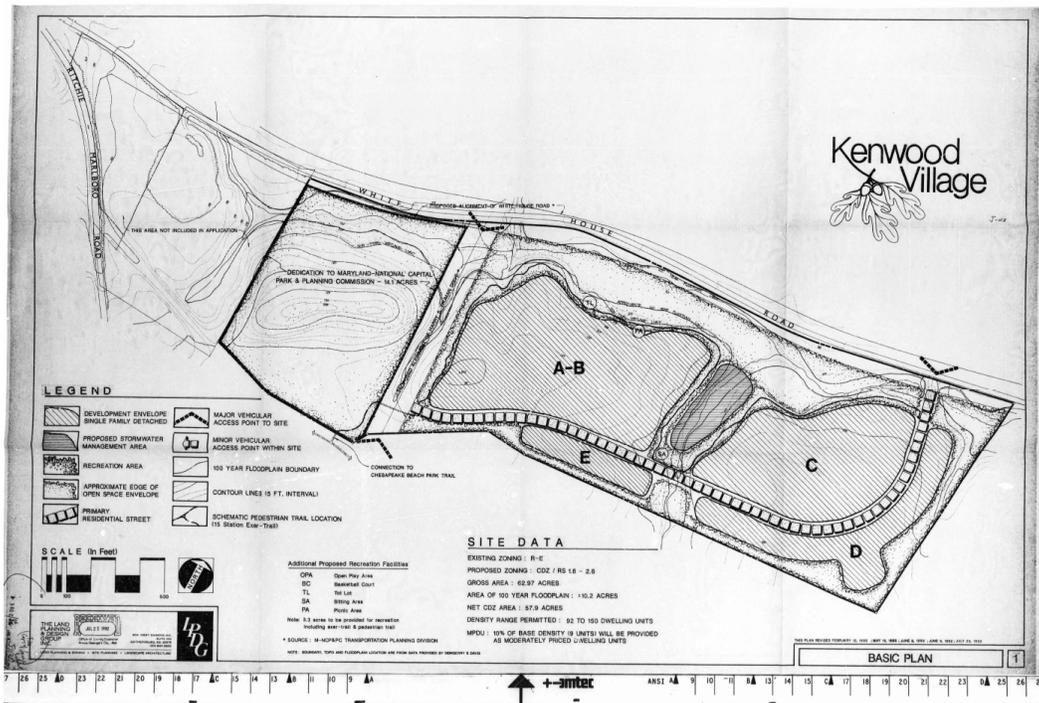
Land Use Quantities:

Gross Area (A-9802 47.2+ acres; A-9803 15.7+ acres)	62.9+ acres
Floodplain (1/2 of total floodplain)	-10.2+ acres
Net Area	57.9+ acres
Density Range (1.6 to 2.18 du/ac)	92 to 126 dwelling units

Land Use Types:

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

The Basic Plan approved in the application was referenced as Exhibit J-113, as depicted below:



After the approval of the Basic Plans, Comprehensive Design Plan CDP-0303 was approved in 2005 for 84 lots, less than the base density in the R-S zone. In 2007, Preliminary Plan of Subdivision 4-06159 was approved for 72 lots, further reducing the density of the project. Finally, in 2013, SDP-0805 was

approved for 72 lots, consistent with the preliminary plan. As noted earlier, record plats have also been recorded. Pursuant to the recordation of the record plat several of the conditions of the Basic Plan were implemented. For example, right-of-way for Harry S. Truman Drive was dedicated through the Subject Property per Condition 2 (see Plat Book SJH 242 Plat No. 51). Right-of-way to allow for the widening of White House Road was also dedicated along the Subject Property's entire 3,000 feet of frontage per Condition 3. This condition further requires that a half section of White House Road for the entire segment of the roadway through the subject Property. The location of the Subject Property is strategic in that White House Road now narrows from a four-lane divided roadway at the western end of the Subject Property to a winding, two lane road along the frontage of the Subject Property. Widening this road will be beneficial to the flow of traffic along this road, and particularly at the intersection of existing Harry S. Truman Drive and White House Road. The Applicant understands the critical nature of this roadway improvement and is not seeking to modify the condition which requires this improvement. Notwithstanding, it is the cost of this improvement which has prevented the development of the Subject Property from proceeding, as the total number of dwelling units does not support the cost of widening White House Road across the entire

length of the Subject Property. Thus, the purpose of the application to amend the Basic Plan was to modify certain conditions to allow the number of dwelling units to be increased to the maximum permitted under the approved Basic Plans.

The subject application proposes an amendment to CDP-0303 to modify the lot layout to reflect the smaller lot size now allowed. While the access and the circulation of traffic is largely the same as the prior CDP, this amendment is necessary to reflect the revisions approved by the Basic Plan.

3.0 SUMMARY OF DEVELOPMENT PROPOSAL

As noted above, the Subject Property consists of 63.1 acres in the LCD Zone. To the north, across White House Road, are existing homes in the Presidential Heights and Largo Woods Subdivisions which are zoned RSF-95 (formerly R-80). The Presidential Heights subdivision was approved in accordance with the provisions for cluster subdivisions. As a result, the lot sizes were reduced from the normal requirement in the R-80 zone to, in some cases, less than 6,000 and homeowners parcels were created to buffer the homes from White House Road and Harry S. Truman Drive. Further to the west on the north side of White House Road are plated townhouses in the RSF-65 and RSF-A Zones, while further to the east are single-family detached dwellings in the RR Zone. To the west of the subject property is a 10-acre tract of land in the RE Zone which is owned by Hospices of the

National Capital Region. Beyond to the west on the west side of Ritchie-Marlboro Road are two single-family dwellings in the RR Zone, and the Sansbury Crossing development in the RMF-48 Zone (formerly M-X-T), developed to this point with a Royal Farms gas station, and the Westphalia Road townhouse development in the RMF-48 Zone (formerly M-X-T) which is almost completely built out. To the south of the subject property are working farms in the AR (former R-A) Zone. To the east is land in the RE Zone which has been used agriculturally for many years. The owner lives in a home on the east side of a major electrical line easement approximately a quarter mile from the Subject Property.

The Applicant sought to modify and/or delete certain conditions of the Basic Plan to allow for a minimum lot size of 4,200 square feet throughout the Subject Property and to modify the buffers along the eastern and southern boundaries of the Subject Property. These modifications allow the layout of the property to be adjusted to allow for more dwelling units to be located on the Subject Property. The proposed CDP conforms to the Amended Basic Plans.

The Applicant is an affiliate of Mid Atlantic Builders, a premier residential builder in Prince George's County for over 30 years and is intimately familiar with the current market. The Applicant is also known for its innovative designs. Based on its experience in the Westphalia Community, the Applicant

proposes to design a single family detached project that will live like a townhouse. While the interior of the units will have a square footage of approximately 2,500 to 3,000 square feet, the exterior maintenance of the units will be reduced because the homeowner will have less lot area to maintain. The site is unique in that there is a substantial environmental area between the development pods and White House Road. The development is truly an enclave and has little visibility from or impact on any adjacent roads or properties. Thus, the reduction in lot size will have little to no impact on any surrounding properties.

The CDP identifies two residential development pods within the property due to the presence of the regulated environmental areas referenced above. These regulated environmental areas not only create a natural buffer from White House Road, they also split the Subject Property into an eastern and western development pod. The eastern development pod will also be the primary entrance to the development from White House Road. This pod will have 71 lots (57% of the total number of lots) and a potential recreation area. The western development pod is somewhat smaller and will contain the remaining 53 lots as well as a recreation area. A second point of access to the Subject Property from the extension of Harry S. Truman drive is also shown to connect in the future when the road is

constructed. This connection was required to be shown on the Basic Plan by Condition 15 and the Applicant is including it in the CDP. All the proposed homes are single family detached homes and each home will include a two-car garage. As noted above, the total density anticipated for the Subject Property is 124 dwelling units, or a density of 2.18 dwelling units per acre. The approved Basic Plan permits a maximum density of 2.18 dwelling units per acre, even though the R-S Zone permits a range of 1.6-2.6 dwelling units per acre. Thus, the CDP conforms to the density approved by the Basic Plan.

The CDP continues to show the extension of Harry S. Truman Drive, a Master Plan arterial roadway, which was dedicated to public use pursuant to the prior approvals for Kenwood Village. The CDP also continues to show the land dedicated to the Maryland-National Capital Park and Planning Commission under prior approvals on the west side of Harry S. Truman Drive.

4.0 COMPLIANCE WITH BASIC PLAN (ZONING MAP AMENDMENT A-9802-01-C and A-9803-01-C)

In the Decision of the Zoning Hearing Examiner on Basic Plan Amendments A-9802-01-C and A-9803-01-C, sixteen conditions were recommended for approval. This CDP amendment satisfies the recommended conditions in A-9802-01-C and A-9803-01-C as follows:

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

COMMENT: No direct access to any lots is proposed from White House Road or Harry S. Truman Drive. All access is proposed from internal residential streets.

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

COMMENT: This condition has been satisfied by the recordation of the final subdivision plats for Kenwood Village (see SJH 242, Plats 50 through 56).

- 3. The applicant/developer and the applicant's heirs, successors, and/or assignees shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer and the applicant's his heirs, successors, and/or assignees shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S Truman Drive extended (A-38).**

COMMENT: COMMENT: This condition has been satisfied by the recordation of the final subdivision plats for Kenwood Village (see SJH 242, Plats 50 through 56). The Applicant anticipates the requirement to improve White House Road in accordance with DPIE standards.

- 4. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach**

trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.

COMMENT: The Applicant does not intend to damage the Chesapeake Beach trail corridor, which is located outside the proposed limits of disturbance.

5. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.

COMMENT: No grading has occurred to date even though the Subject Property is the subject of an approved CDP and SDP. No grading is planned or expected prior to approval of this CDP.

6. The minimum lot size shall be 4,200 square feet in all development envelopes.

COMMENT: The proposed minimum lot size is 4200 square feet in all development envelopes.

7. A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550 feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the 2010 Prince George's County Landscape Manual, and shall include a 6-foot-high black vinyl clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.

COMMENT: A 50-foot buffer will be provided along the eastern boundary line with the exception of a stormwater management

facility located within 550 feet of White House Road, and is conceptually shown on the revised CDP. The Applicant anticipates substituting a 6-foot-high sight tight fence in lieu of a black vinyl clad chain link fence at the time of SDP. A 25-foot landscape buffer is conceptually depicted along the southern boundary line of the Subject Property on the revised CDP.

- 8. A Type I tree conservation plan, in accordance with the woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board prior to comprehensive design plan approval. Woodland conservation of 25 percent of the net tract is recommended.**

COMMENT: A Type I tree conservation plan was approved with the prior CDP application and a revised TCP I is included with the proposed CDP revision.

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

COMMENT: The proposed development will preserve the regulated environmental features and be consistent with the Patuxent River Policy Plan to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual.

- 10. Approval of existing conditions, 100-year floodplain, and stormwater management (SWM) concept plan by the Prince George s County Department of the Environment (DoE), prior to the approval of a preliminary plan of subdivision, unless determined by DOE prior to submittal of the preliminary plan that this study will not be required until time of specific design plan. At a minimum, the following shall be**

included: 50-foot buffers between the floodplain and lot lines; SWM ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

COMMENT: A 100-year floodplain study was previously approved in conjunction with the prior CDP and Preliminary Plan application. A Site Development Concept Plan will be submitted for approval meeting current requirements will also be submitted as required.

11. The applicant shall submit a 100-year floodplain study and a stormwater management (SWM) concept plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the preliminary plan of subdivision. The SWM concept plan shall also address road improvements to White House Road and construction of Harry S Truman Drive.

COMMENT: A 100-year floodplain study was previously approved in conjunction with the prior CDP and Preliminary Plan application. A Site Development Concept Plan will be submitted for approval meeting current requirements will also be submitted as required.

12. A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to specific design plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.

COMMENT: A 75-foot non-disturbance buffer will be provided along both sides of all streams as required at the time of the Preliminary Plan of Subdivision and Specific Design Plan.

13. **The applicant shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince Georges Soil Conservation District and the Environmental Planning Section, prior to the specific design plan approval.**

COMMENT: A soils study was submitted with the prior application and the site was found to be geographically suitable for the proposed development. An updated soils study will be provided with the SDP application to the extent necessary.

14. **At the time of review of the preliminary plan of subdivision, the applicant shall allocate developable areas to provide adequate on-site recreational facilities.**

COMMENT: The CDP shows two on-site recreational facility locations, one in each development envelope for the construction of appropriate on-site recreational facilities.

15. **The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, this entrance shall not be required if the applicant demonstrates the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.**

COMMENT: The Basic Plan was modified to conceptually show the location of a second entrance onto Harry S. Truman Drive extended. Consistent with the Basic Plan, the CDP also shows the location of a second entrance. As with the prior CDP,

Preliminary Plan and SDP applications, it is not anticipated that Harry S. Truman Drive will be constructed in conjunction with the instant development, but a connection can be made when the road is constructed in the future.

- 17. The applicant shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.**

COMMENT: The Applicant will provide standard 5' sidewalks along both sides of all internal streets. In addition, the Applicant will provide bike racks at each of the recreational facilities areas and will provide share the road with bicycles markings on all streets within the development.

In addition to the above conditions, the Amended Basic Plans were approved subject to the following considerations:

Considerations:

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

COMMENT: As with the prior development approvals for the Subject Property, the visual image of White House Road will be protected by preserving the regulated environmental features and maintaining an undisturbed buffer on both sides of the adjacent stream. The Applicant welcomes the review of the buffer design at the time of SDP.

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

COMMENT: As noted in the Basic Plan amendment, adequate buffers will either be maintained through the preservation of existing vegetation, or a landscape buffer will be provided. In addition, the installation of a gas line by Washington Gas establishes an additional buffer and setback from any future development that may occur along the majority of the southern boundary line.

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

COMMENT: The CDP depicts a substantial natural buffer along White House Road and a 50-foot landscaped buffer along Harry S. Truman Drive extended to allow for visual and sound screening that may be required.

4. **The dwellings in all development envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. The 2010 Prince George's County Landscape Manual (Landscape Manual) buffering requirements shall apply to any dwellings whose rears face Harry S Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented, as required by the Landscape Manual.**

COMMENT: All of the proposed dwellings are anticipated to front on the primary street to which the lot has access. The rears

are either oriented to environmental preservation areas or areas internal to the development envelopes. The buffer provided along Harry S. Truman Drive extended will conform to the 2010 Landscape Manual.

5.0 CONFORMANCE WITH CONDITIONS AND TEXT OF CDP-0303

Comprehensive Design Plan CDP-0303 was approved on October 17, 2005 by the Prince George's County Council, Sitting as the District Council. The CDP was approved subject to 37 conditions and two considerations. Included with the previously approved CDP was a text document which constituted the Statement of Justification and analyzed conformance of the prior CDP with the applicable regulations. That text document was modified following the final approval of the CDP in September 2006. This application proposes to amend the prior approved CDP to conform to the Amended Basic Plan, and the approval of the instant application will supersede the prior CDP approval.

Notwithstanding, the Applicant has reviewed the prior CDP Text document and the prior conditions of approval and provided comments as to how each are/may be relevant to proposed revision, even though 17-18 years have passed since the prior CDP was adopted. Set forth as Exhibit "B" is the prior CDP Text. After each section, a comment has been added indicating whether the text is still applicable or if not, referencing the

updated information contained in this Statement of Justification. Attached hereto as Exhibit "C" are the prior conditions of approval of CDP-0303 with a comment indicating whether the prior condition is still applicable to the proposed revision.

6.0 CONFORMANCE WITH PURPOSES OF R-S ZONE

The purposes of the R-S zone are set forth in Section 27-511 of the Zoning Ordinance. Each purpose is listed below.

The purposes of the R-S Zone are to:

(a) The purposes of the R-S Zone are to:

(1) Establish (in the public interest) a plan implementation zone, in which (among other things):

(A) Permissible residential density is dependent upon providing public benefit features and related density increment factors;

(B) The location of the zone must be in accordance with the adopted and approved General Plan, Master Plan, Sector Plan, public urban renewal plan, or Sectional Map Amendment Zoning Change; and

(C) Applicable regulations are satisfied for uses authorized pursuant to Section 27-515(b) of this Code.

COMMENT: This Purpose addresses the establishment of the R-S Zone as a zone in which achievable residential density of a proposed development is related to the provision of public benefit features. As addressed below, the proposed density is supported by appropriate public benefit features. Second, that the R-S Zone,

like all Comprehensive Design Zones, is a plan implementation zone, such that the application of the zone to a tract of land must be in accordance with the adopted and approved General Plan, Master Plan, special purpose plans or a Sectional Map Amendment; and third, to provide for employment and institutional uses if certain locational criteria and other regulations are met. Because the subject property is in accordance with the land use recommendations of the Subregion 6 Master Plan, the subject amendments are in harmony with this purpose of the R-S Zone.

(2) Establish regulations through which adopted and approved public plans and policies (such as the General Plan, Master Plans, Sector Plans, public urban renewal plans, or Section Map Amendment Zoning Changes) can serve as the criteria for judging individual development proposals;

COMMENT: This Purpose addresses the reason for the establishment of Comprehensive Design Zones, and their function to enable the use of the Master Plan (or other plans or planning acts) as criteria for judgment of individual development proposals. The original rezoning of the subject property to the R-S Zone and the continued conformance of the Amended Basic Plan to the Master Plan demonstrates that the subject application is in harmony with this Purpose for the R-S zone.

(3) Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District;

COMMENT: This Purpose of the R-S Zone is to assure compatibility between the proposed land uses and the surrounding land uses, and the adequacy of public facilities to promote the health, safety, and welfare of the present and future inhabitants of the Regional District. The discussion of the compatibility of the proposed general land use types and the surrounding land uses was addressed in the Amended Basic Plan regarding the criteria of Section 27-197(b)(1)(C), (D), and (E) and demonstrates that the Application is in conformance with this Purpose for the R-S zone.

(4) Encourage amenities and public facilities to be provided in conjunction with residential development;

COMMENT: This Purpose encourages the provision of amenities and public facilities in conjunction with the residential development through the use of density bonuses awarded for the incorporation of public benefit features into the development. Because the subject amendments will continue to incorporate the use of public benefit features into the proposed development,

the approval of the requested amendments will be in harmony with this Purpose.

(5) Encourage and stimulate balanced land development;

COMMENT: This Purpose of the R-S Zone requires the regulations of the zone to encourage and stimulate "balanced land development". This planner believes that the incorporation of the new detached housing type which is to be accommodated by the proposed amendments will especially fulfill this Purpose by providing for a new housing type which will act as a transition in affordability between attached dwellings and the conventional single-family detached dwellings which are currently available in the market.

(6) Improve the overall quality and variety of residential environments in the Regional District; and

COMMENT: Because the subject amendments continue to retain the natural corridors through the property, will continue to propose new perimeter buffers between the proposed uses and the adjacent environment, the quality of the residential environment will be improved over standard development. More importantly, the new detached housing type will materially improve the variety of

residential environments in the Regional District, and will be in particular harmony with this Purpose.

(7) Allow qualifying properties in the R-S Zone to develop with uses in the E-I-A Zone pursuant to Section 27-515(b) of this Code.

COMMENT: The Kenwood Village project is not a "qualifying property" in the context of this Purpose.

7.0 CONFORMANCE WITH THE REGULATIONS OF THE R-S ZONE

In the Comprehensive Design Zones, there are general development regulations and there are regulations which are applicable to specific zoning categories. The applicable regulations will be addressed below.

Section 27-480 sets forth general development regulations. These development regulations largely apply to the construction of townhouses and multifamily dwellings in the Comprehensive Design Zones. The only subsection applicable to Kenwood Village is Subsection (a), which provides that the dimensions for yard, 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 included within a specific SDP.

SECTION 27-487. Housing Provisions

Section 27-487 states as follows:

Comprehensive Design Zone proposals shall contain provisions for housing to serve all income groups.

COMMENT: The initial Basic Plan applications for Kenwood Village proposed the construction of single family detached and single family attached homes. However, as ultimately approved, only single family detached homes were approved. As discussed in greater detail above, the purpose of the Basic Plan Amendment and this CDP application is to introduce a new product to the marketplace which bridges the gap between the single family detached and single family attached housing types. This is wholly in concert with the purposes of Comprehensive Design Zones. Section 27-476 provides three "reasons" for having Comprehensive Design Zone. These "reasons" are particularly to the subject application:

(1) It is within the ultimate objectives of the District Council's authority (under Article 28 of the Annotated Code of Maryland) to use recent planning and zoning innovations;

(2) The demands for housing, commercial and industrial activities, and related public facilities and services are undergoing substantial and rapid changes, requiring improved methods of land use control; and

(3) There is a need to encourage the optional and imaginative utilization of land contemplated by Comprehensive Design Zones in order to:

(A) Improve the total environment; [three other sub-reasons less relevant]

The approved Amended Basic Plan allows for the incorporation of a new detached housing type, which speaks

directly to the use of planning innovations. The lots which will be proposed to accommodate this new detached dwelling type would not be allowed to be created in any existing Euclidean zone. Providing for this new, more-affordable housing type at the existing, approved density which is compatible with the surrounding neighborhood is just what Comprehensive Design Zones are supposed to accomplish. The drafting of the Section of the Zoning Ordinance in the 1970s describing the "demands of housing activities...are undergoing substantial and rapid changes" and the resulting need for improved methods of land use control could not have been more prescient in describing the conditions these fifty years later. Again, the lots to accommodate this new detached dwelling type which will help to meet the ongoing rapid changes in the demands of housing activities would not be allowed to be created in any existing Euclidean zone. Finally, accommodating these housing units will materially improve the total environment, including not only the physical environment (which will be better protected by the design flexibility of the R-S Zone regardless of the housing type proposed), but also includes the economic environment for housing buyers, and the social environment which they

contribute to. Thus, the provisions of Section 27-487 are met and satisfied in this application.

Section 27-513. Regulations

Section 27-53 sets for specific regulations applicable in the R-S Zone—both for the R-S (1.6-2.6 d.u.a) and for the R-S-2.7-3.5 d.u.a.). Only those applicable to the R-S 1.6-2.6 d.u.a are applicable to the Subject Property. Section 27-513(a) sets forth the minimum size of property eligible to be placed in the R-S zone (25 adjoining gross acres), the base residential density permitted (1.6 d.u.a.) and the maximum residential density permitted (2.6 d.u.a). The Subject Property conforms to these regulations as the property exceeds 10 acres in size and the density range approved by A-9802/01-C and A-9803/01-C is 2.18 d.u.a.

The comprehensive design zone encourages amenities and public facilities in conjunction with density increases. Section 27-513(b) provides the guidelines and criteria for calculating the density increases for the R-S Zone (base residential density 1.6 to 2.6 dwelling units/acre). The Kenwood Village Basic established a maximum density of 2.18 d.u.a, which equates to a maximum of 124 dwelling units. The proposed CDP proposes a maximum density of 124 dwellings in conformance with this cap.

The following chart includes the public benefit features and density increment factors as stipulated in

Section 27-513(b) and demonstrates how the proposed project should be allowed to increase their density based on the provision of public benefit features in the development.

(b) PUBLIC BENEFIT FEATURES AND DENSITY INCREMENT FACTORS.

	RESIDENTIAL SUBURBAN 1.6
(1) For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acre), an increment factor may be granted, not to exceed	25% in dwelling units
(2) For enhancing existing physical features (such as break-front treatment of waterways, sodding of slopes susceptible to erosive action, thinning and grubbing of growth, and the like), an increment factor may be granted, not to exceed	2.5% in dwelling units
(3) For a pedestrian system separated from vehicular rights-of-way, an increment factor may be granted, not to exceed	5% in dwelling units
(4) For recreational development of open space (including minimum improvements of heavy grading, seeding, mulching, utilities, off-street parking, walkways, landscaping, and playground equipment), an increment factor may be granted, not to exceed	10% in dwelling units
(5) For public facilities (except public streets and open space areas), an increment factor may be	30% in dwelling units

granted, not to exceed	
(6) For creating activity centers with space provided for quasi-public services (such as churches, day care centers for children, community meeting rooms, and the like), a density increment factor may be granted, not to exceed	10% in dwelling units
(7) For incorporating solar access or active/passive solar energy in design, an increment factor may be granted, not to exceed	5% in dwelling units

To achieve an ultimate density of 124 dwelling units, Density Increment Factors of 35% will be required. The Applicant proposes to achieve the required Density Increment Factors through three of the Density Increment Factors set forth in Section 27-513(b), each of which is discussed below.

Section 27-513(b) (1) .

For open space land at a ratio of at least 3.5 acres per 100 dwelling units (with a minimum size of 1 acres), an increment factor may be granted not to exceed 25% in dwelling units.

COMMENT: To support 124 dwelling units, a total of 4.34 acres of open space would be required. It is anticipated that approximately 19 acres of open space will be provided in the revised layout. This open space area does not include the 19.4 acres dedicated to the Maryland-National Capital Park and Planning Commission, which is planned for active recreation.

This open space qualifies the Applicant for an increment factor of up to 25% in dwelling units.

Section 27-513(b) (4) .

For recreational development of open space (including minimum improvements of heavy grading, seeding, mulching, utilities, off-street parking, walkways, landscaping, and playground equipment, an increment factor may be granted, not to exceed 10% in dwelling units.

COMMENT: As noted above, the Applicant has dedicated land to M-NCPPC for development as a park. In addition, the Applicant will be providing recreational facilities within the subdivision which will meet the requirements for mandatory dedication. At the time of the previous SDP, the Applicant agreed to pay \$70,000 toward the grading and development of that park. This contribution, made in lieu of heavy grading, seeding, mulching and other site work, is unrelated to satisfying any requirement, qualifies the Applicant for an increment factor of 10% in dwelling units.

As discussed in greater detail below, the Applicant has dedicated land to M-NCPPC which far exceeds the requirements for mandatory dedication and such additional dedication should qualify for the granting of density increments. If it is determined that this is not the case, the Applicant is also providing recreational facilities within the private open space to be conveyed to the homeowners association. Such recreational

facility improvements would not be required as the Applicant has far exceeded its mandatory dedication requirements. Thus, the improvement of this private open space would also qualify the Applicant for a 10% density increment.

Section 27-513(b) (5) .

For public facilities (except public streets and open space areas), an increment factor may be granted, not to exceed 30% in dwelling units.

COMMENT: Pursuant to Section 24-134, the mandatory dedication requirement for this property would be 5% of net area. With a net area of 57.2 acres, the mandatory dedication requirement would be 2.86 acres. The dedication of 19.4 acres of parkland to the M-NCPPC for construction of an active park far exceeds this requirement. During pre-application comments, it was stated that density increment factors cannot be granted for an improvement which is required to be made by the developer. However, the dedication over 6 times the amount required, is over and above any requirement and should qualify for the granting of density increments. Based upon the dedication of land above and beyond any mandatory dedication requirement, the Applicant qualifies for a density increment of up to 30% in dwelling units.

Based on the above, the proposed development qualifies for density increment factors of up to 65% in dwelling units,

far exceeding the requirement of 35% needed to support the proposed modifications to the plans and the increase in density.

In addition to the above regulations, Section 27-513(d), (e) and (f) contain additional regulations applicable to development in the R-S Zone, as set forth and addressed below:

(d) (1) Each lot shall have frontage on, and direct vehicular access to, a public street, except lots for which private streets or other access rights-of-way have been authorized pursuant to Subtitle 24 of this Code.

COMMENT: As currently platted, each lot in Kenwood Village has frontage on, and direct vehicular access to, a public street. The proposed CDP continues to provide public road access to each lot in the subdivision.

(d) (2) Additional regulations concerning development and use of property in the R-S Zone are as provided for in Divisions 1, 4, and 5 of this Part, General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

COMMENT: All lots will provide off-street parking in two car garages and each driveway will be deep enough to accommodate two vehicles. Parking, signage and landscaping will be fully analyzed at the Specific Design Plan stage.

(d) (3) Notwithstanding any other requirement of this Subdivision, the types of dwelling units permitted shall be limited to one-family detached and attached dwellings. No more than thirty-five percent (35%) of the total number of dwelling units shall be attached units; however, the restrictions for attached dwelling units of this subsection, above, shall not apply to Mixed Retirement Development in the R-S Zone.

COMMENT: No attached units are proposed in Kenwood Village. Therefore, this requirement is not applicable to the subject application.

(d) (4) Notwithstanding any other provision of this Subtitle, a grading permit to support the development of uses permitted in the E-I-A Zone on land in the R-S Zone pursuant to Section 27-515(b) may be issued so long as it is in conformance with an approved Comprehensive Design Plan.

COMMENT: No uses permitted in the E-I-A Zone are proposed in this development. Therefore, this requirement is not applicable to the subject application.

(5) Notwithstanding the provisions of Section 27-123 of this Code, the minimum standards set forth in the Landscape Manual for landscaping, buffering, and screening for all uses permitted in the E-I-A Zone on land in the R-S Zone pursuant to Section 27-515(b) may be modified by the approved Comprehensive Design Plan.

COMMENT: No uses permitted in the E-I-A Zone are proposed in this development. Therefore, this requirement is not applicable to the subject application.

(e) Adjoining properties.

(1) For the purposes of this Section, the word "adjoining" also includes properties separated by streets, other public rights-of-way, or railroad lines.

COMMENT: This is understood. While no railroad lines affect the Property, "adjoining," as used in this document, includes properties across rights-of-way.

(f) Gross density.

- (1) In establishing the maximum gross density, the District Council shall consider the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change and the existing zoning of the property being rezoned.

COMMENT: The maximum density has been determined through the approval of A-9802-C-01 and A-9803-C-/01.

8.0 CONFORMANCE WITH THE REQUIRED FINDINGS SET FORTH IN SECTION 27-524 AND SECTION 27-521

The instant application proposes an amendment to an approved Comprehensive Design Plan, CDP-0303. Section 27-524 addresses amendment to Approved Comprehensive Design Plans:

- (a) All amendments of approved Comprehensive Design Plans shall be made in accordance with the provisions of this Division for initial approval, except as set forth below.

COMMENT: The subject application proposes an amendment to Comprehensive Design Plan, CDP-0303 which does not qualify as a minor amendment which can be approved by the Planning Director. As such, this application must be evaluated against the criteria of approval set forth in Section 27-521 (See below).

Section 27-521: Required Findings for Approval

- a) Prior to approval a Comprehensive Design Plan, the Planning Board shall find that:
 - 1) The plan is in conformance with the Basic Plan approved by application per Section 27-195; or

when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-233, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by the Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;

COMMENT: As discussed above, the dwelling unit types proposed in this application could not be achieved in any Euclidean zoning category contained in the Zoning Ordinance. The proposed development, combined with the unique environmental features that create an enclave suitable for the proposed subdivision, will result in a development with a better environment than could be achieved under other regulations.

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

COMMENT: Urban design elements imposed in a suburban setting, preservation of environmental features (and the views into them), unique architecture, and accessible recreational areas, create a development that will satisfy the needs of the residents and guests on the Subject Property while being proximate to the Capital Beltway Interchange with Ritchie-Marlboro Road.

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

COMMENT: Urban design elements imposed in a suburban setting, preservation of environmental features (and the views into them), unique architecture, and accessible recreational areas, create a development that will satisfy the needs of the residents and guests on the Subject Property while being near the Capital Beltway interchange with Ritchie-Marlboro Road.

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

COMMENT: The proposed development is compatible with existing and proposed land uses, zoning, and facilities in the immediate surroundings. The proposed development and street network were established by the previous approvals and align with the Master Plan recommendations. The Amended Basic Plan establishes buffers to ensure compatibility with abutting properties to the south and east of the Subject Property. The westernmost portion of the Subject Property has already been conveyed to M-NCPPC and ensures compatibility to abutting properties to the

west. The regulated environmental features which will be preserved also ensure compatibility with the immediate surroundings.

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

(A) Amounts of building coverage and open space;

COMMENT: The exact percentages of open space and building coverage will be determined at the time of Specific Design Plan.

(B) Building setbacks from streets and abutting land uses; and

COMMENT: As noted above, the Applicant proposes to implement a new product type in Kenwood Village that has not been constructed in any other project in the County. The units will be narrow but deep, creating a lower maintenance structure (due to a lower lot size and high-quality materials), but with the internal square footage desired. As single family detached homes, the units will provide more privacy than a townhouse. The Applicant proposes modified building setbacks from those approved in the prior CDP. Specifically, the Applicant proposes 20-foot front and rear yard setbacks and 5-foot side yard setbacks for all lots in the development. This will create a compact development which will integrate will into the natural environment surrounding the community. These building setbacks will be established at the

time of Specific Design Plan. Buffers from abutting land uses have been addressed in the Amended Basic Plan and will also be implemented at the time of the SDP.

(C) Circulation access points;

COMMENT: White House Road is an arterial roadway (A-36) which was dedicated pursuant to prior approvals. Harry S. Truman Drive extended is also an arterial roadway (A-39) which was dedicated pursuant to prior approvals. A single point of ingress and egress is proposed from each roadway, although it is anticipated that the access to Harry S. Truman Drive will not be constructed until Harry S. Truman Drive is extended to connect to Ritchie-Marlboro Road.

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

COMMENT: Kenwood Village will be constructed as a single stage due to the relatively small number of units. As a single stage of development, it can exist as a unit capable of sustaining an environment of continuing quality and stability.

- 7) The staging of development will not be an unreasonable burden on available public facilities;**

COMMENT: At the time the Amended Basic Plan was processed, the availability of public facilities was evaluated and it was found that adequate public facilities would exist, although it was noted that a full review of adequate public facilities will be conducted through the ADQ process at the time of Preliminary Plan of Subdivision. It is also noted that the prior development, albeit smaller in size, was also found to be served by available public facilities. Thus, the staging of the development will not be an unreasonable burden on available public facilities.

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

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

COMMENT: This project does not include an adaptive reuse of any Historic Site. Therefore, this criterion does not apply.

9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a) (11), where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d);

COMMENT: This application incorporates the applicable design guidelines set forth in Section 27-274. A more detailed discussion is provided below (immediately following discussion of Section 27-521 conformance).

10) The Plan is in conformance with an approved Type I Tree Conservation Plan;

COMMENT: A Type I Tree Conservation Plan was approved with the prior development proposal. A revised Type I Tree Conservation Plan is submitted in conjunction with this Comprehensive Design Plan for concurrent review and approval. The CDP is in conformance with the revised Type I TCP.

11) The Plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b) (5) .

COMMENT: Regulated environmental features will be preserved and/or restored to the fullest extent possible in

accordance with Subtitle 24-130(b)(5) and in accordance with the conditions imposed by the Amended Basic Plan.

- 12) Notwithstanding Section 27-521(a)(9), property placed in a Comprehensive Design Zone pursuant to Section 27-226(f)(4), shall follow the guidelines set forth in Section 27-480(g)(1) and (2); and**

COMMENT: This section is not applicable to Kenwood Village.

- 13) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.**

COMMENT: This section is not applicable to Kenwood Village.

Section 27-274. - Design guidelines

Section 27-274, as applicable to residential development, are touched upon below. Essentially, though, this Comprehensive Design Plan is a bubble plan; precise details of the development as it relates to these requirements will be examined at the Preliminary Plan of Subdivision and Specific Design Plan stages.

- (a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:**

- (1) General.**

- (A) The Plan should promote the purposes of the Conceptual Site Plan.**

COMMENT: The CDP will promote all the relevant purposes in Sections 27- 272 (i.e. purposes of conceptual site plans) as the submitted plan provides for the orderly, planned and efficient development of the property. The submitted plan

demonstrates compatibility with surrounding properties and nearby subdivisions and provides ample green space, woodland conservation areas, and the preservation of sensitive environmental features. The plan is in harmony with the site design guidelines established in Section 27-274 and further illustrates general grading, planting, sediment control and stormwater concepts to be employed in the final design of the site, as well the approximate locations of attached and detached dwelling units, streets, open space areas and other physical features.

(B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board or District Council, as applicable, the reasons for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.

COMMENT: The Applicant is not proposing the development of townhouses or three-family dwellings as part of the subject CDP amendment.

(2) Parking, loading, and circulation.

(A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient

access to major destination points on the site. As a means of achieving these objectives, the following guidelines should be observed:

- (i) Parking lots should generally be provided to the rear or sides of structures;
- (ii) Parking spaces should be located as near as possible to the uses they serve;
- (iii) Parking aisles should be oriented to minimize the number of parking lanes crossed by pedestrians;
- (iv) Large, uninterrupted expanses of pavement should be avoided or substantially mitigated by the location of green space and plant materials within the parking lot, in accordance with the Landscape Manual, particularly in parking areas serving townhouses; and
- (v) Special areas for van pool, carpool, and visitor parking should be located with convenient pedestrian access to buildings.

COMMENT: Surface parking lots are not proposed as part of this development. Parking will be provided in two car garages and in driveways. All parking required to serve the development will generally be in accordance

with the requirements of Part 11 of the Zoning Ordinance.

(B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians. To fulfill this goal, the following guidelines should be observed:

(i) Loading docks should be oriented toward service roads and away from major streets or public view; and

(ii) Loading areas should be clearly marked and should be separated from parking areas to the extent possible.

COMMENT: The residential development proposed at Kenwood Village will not require any loading spaces in accordance with Part 11 of the Zoning Ordinance. As a result, this section is not applicable to the review of the CDP amendment.

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(i) The location, number and design of driveway entrances to the site should minimize conflict with off-site traffic, should provide

a safe transition into the parking lot, and should provide adequate acceleration and deceleration lanes, if necessary;

(ii) Entrance drives should provide adequate space for queuing;

(iii) Circulation patterns should be designed so that vehicular traffic may flow freely through the parking lot without encouraging higher speeds than can be safely accommodated;

(iv) Parking areas should be designed to discourage their use as through-access drives;

(v) Internal signs such as directional arrows, lane markings, and other roadway commands should be used to facilitate safe driving through the parking lot;

(vi) Drive-through establishments should be designed with adequate space for queuing lanes that do not conflict with circulation traffic patterns or pedestrian access;

(vii) Parcel pick-up areas should be coordinated with other on-site traffic flows;

(viii) Pedestrian access should be provided into the site and through parking lots to the

major destinations on the site;

(ix) Pedestrian and vehicular circulation routes should generally be separated and clearly marked;

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

(xi) Barrier-free pathways to accommodate the handicapped should be provided.

COMMENT: The Applicant has included a traffic impact study as part of this application. This traffic impact study clearly demonstrates that all transportation facilities, either existing and/or proposed to be constructed by the Applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density in this application. All internal streets, sidewalks and crosswalks will be identified on future specific design plans and will allow for barrier-free access. Further, driveway entrances will be appropriately located to allow for safe movement of vehicles and pedestrians. All vehicular and pedestrian circulation on the site will be designed in accordance with the above

requirements, and will therefore, be safe, efficient, and convenient for both pedestrians and drivers.

(3) Lighting.

(A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the site's design character. To fulfill this goal, the following guidelines should be observed:

(i) If the development is used at night, the luminosity, orientation, and location of exterior light fixtures should enhance user safety and minimize vehicular/pedestrian conflicts;

(ii) Lighting should be used to illuminate important on-site elements such as entrances, pedestrian pathways, public spaces, and property addresses. Significant natural or built features may also be illuminated if appropriate to the site;

(iii) The pattern of light pooling should be directed on-site;

(iv) Light fixtures fulfilling similar functions should provide a consistent quality of light;

(v) Light fixtures should be durable and compatible with the scale, architecture, and use of the site; and

- (vi) If a variety of lighting fixtures is needed to serve different purposes on a site, related fixtures should be selected. The design and layout of the fixtures should provide visual continuity throughout the site.

COMMENT: The lighting within Kenwood Village will be reviewed in detail at the time of specific design plan and will be designed in accordance with the above guidelines. It is anticipated that the majority of the lighting provided will be street lighting installed in accordance with DPW&T standards.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.

COMMENT: Kenwood Village has been carefully designed to work with the natural contours of the Subject Property and preserve the natural features of the site to the fullest extent practicable. A total of 5.7 acres of the 63.1 acre property will be (or has been) dedicated to public use for Master Plan roadways and internal streets. Of the remaining 57.4 acres, approximately 66.4% (38.1 acres) will be retained as open space, which includes the land previously dedicated to M-NCPPC. Excluding the land dedicated to M-NCPPC, the green area is still 49.6% (19 of

the 38.32 developable acres). This open space area includes the buffer which will be provided along White House Road.

(5) Green area.

(A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill this goal, the following guidelines should be observed:

(i) Green area should be easily accessible in order to maximize its utility and to simplify its maintenance;

(ii) Green area should link major site destinations such as buildings and parking areas;

(iii) Green area should be well-defined and appropriately scaled to meet its intended use;

(iv) Green area designed for the use and enjoyment of pedestrians should be visible and accessible, and the location of seating should be protected from excessive sun, shade, wind, and noise;

(v) Green area should be designed to define space, provide screening and privacy, and serve as a focal point;

(vi) Green area should incorporate significant on-site natural features and woodland conservation requirements that enhance the physical and visual character of the site; and

(vii) Green area should generally be accented by elements such as landscaping, pools, fountains, street furniture, and decorative paving.

COMMENT: As referenced above, Kenwood Village will have approximately 19 acres of open space area, a majority of which is located along the stream valley and floodplain areas located along White House Road and in the center of the project. The open space area comprises over 49% of the total site area (not counting roadway or parkland dedication areas). These open space green areas incorporate significant on-site natural features and woodland conservation requirements that will enhance the physical and visual character of the site.

(B) The application shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b) (5) .

COMMENT: The two proposed development pods in Kenwood Village work with the natural contours of the property and preserves the natural features of the site to the fullest extent practicable. Certain impacts needed to provide

access to the Subject Property are unavoidable, but will be accomplished with the least disturbance practicable.

Much of the property has been historically farmed and woodlands areas associated with the on-site stream have been largely preserved. The Applicant intends to utilize these natural features to enhance the layout of the community by retaining or providing over 19 acres of green/open space, the majority of which is located along White House Road. The proposed CDP for the Kenwood Village will continue to preserve and/or restore regulated environmental features to the fullest extent possible in accordance with Subtitle 24-130(b) (5).

(6) Site and streetscape amenities.

(A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks and other street furniture should be coordinated in order to enhance the visual unity of the site;

(ii) The design of amenities should take into consideration the color,

pattern, texture, and scale of structures on the site, and when known, structures on adjacent sites, and pedestrian areas;

(iii) Amenities should be clearly visible and accessible, and should not obstruct pedestrian circulation;

(iv) Amenities should be functional and should be constructed of durable, low maintenance materials;

(v) Amenities should be protected from vehicular intrusion with design elements that are integrated into the overall streetscape design, such as landscaping, curbs, and bollards;

(vi) Amenities such as kiosks, planters, fountains, and public art should be used as focal points on a site; and

(vii) Amenities should be included which accommodate the handicapped and should be appropriately scaled for user comfort.

COMMENT: The proposed comprehensive design plan will provide for balanced land development that will respect existing environmental conditions on the site, while creating a residential community that is served by private on-site recreational facilities with nearby access to public recreational facilities, (The 19 acres conveyed to M-NCPPC). The project will design any

appropriate streetscape amenities in a manner consistent with the guidelines. Such amenities will be determined at the time of Specific Design Plan.

(7) Grading.

(A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts. To fulfill this goal, the following guidelines should be observed:

- (i) Slopes and berms visible from streets and other public areas should appear as naturalistic forms. Slope ratios and the length of slopes should be varied if necessary to increase visual interest and relate manmade landforms to the shape of the natural terrain;**
- (ii) Excessive grading of hilltops and slopes should be avoided where there are reasonable alternatives that will preserve a site's natural landforms;**
- (iii) Grading and other methods should be considered to buffer incompatible land uses from each other;**
- (iv) Where steep slopes cannot be avoided, plant materials of varying forms and densities should be arranged**

to soften the appearance of the slope; and

- (v) Drainage devices should be located and designed so as to minimize the view from public areas.

COMMENT: The above methods have been incorporated in the overall design and layout of Kenwood Village. The grading has been designed to work with the natural contours of the site and to preserve the natural features of the site to the fullest extent practicable. Site Development Concept Plan Number 19807-2022 has been submitted to the Department of Permitting, Inspection and Enforcement (DPIE) and is currently pending. All drainage devices have been located and designed so as to minimize the view from public areas.

(8) Service areas.

- (A) Service areas should be accessible, but unobtrusive. To fulfill this goal, the following guidelines should be observed:

- (i) Service areas should be located away from primary roads, when possible;

- (ii) Service areas should be located conveniently to all buildings served;

- (iii) Service areas should be effectively screened or enclosed with materials compatible with the primary structure; and

- (iv) Multiple building developments should be designed to form service courtyards which are devoted to parking and loading uses and are not visible from public view.

COMMENT: There will be no service areas required in conjunction with this exclusively residential community.

(9) Public spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed-use, or multifamily development. To fulfill this goal, the following guidelines should be observed:

- (i) Buildings should be organized and designed to create public spaces such as plazas, squares, courtyards, pedestrian malls, or other defined spaces;

- (ii) The scale, size, shape, and circulation patterns of the public spaces should be designed to accommodate various activities;

- (iii) Public spaces should generally incorporate sitting areas, landscaping, access to the sun, and protection from the wind;

- (iv) Public spaces should be readily accessible to potential users; and

- (v) Pedestrian pathways should be provided to connect major uses and public spaces within the development and should be

**scaled for anticipated
circulation.**

COMMENT: The applicant is not proposing a large-scale commercial (retail), mixed-use, or multifamily development. Therefore, the above criterion is not applicable to the subject application.

(10) Architecture.

(A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with a unified, harmonious use of materials and styles.

(B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.

(C) These guidelines may be modified in accordance with Section 27-277.

COMMENT: The purpose of the Basic Plan amendment was to allow the Applicant to submit new architecture. Although not referenced for review in the CDP, conceptual architectural plans were submitted with the Basic Plan. The conceptual architecture showed narrower units approximately 30-32 feet wide with integral garages. While

narrower, the units will be deeper as the lots are approximately 100 feet in depth. While the architectural details will be reviewed at the time of Specific Design Plan, the following design guidelines are proposed:

Minimum lot size: 4,200 square feet;
Minimum house size: 2,200 square feet;
Front/Rear Setback: 20'
Side yard Setback: 5'
All homes will include an integral 2-car garage;

(II) Townhouses and three-family dwellings.

Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.

(B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.

(C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.

(D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, *creative or innovative product design may be utilized.*

(E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practical, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.

(F) Attention should be given to the aesthetic appearance of the offsets of buildings.

COMMENT: No townhouses are proposed in Kenwood Village. These criteria are not applicable to this CDP.

9.0 CONCLUSION

This Comprehensive Design Plan application meets all requirements for approval as discussed herein. As such, the Applicant respectfully requests that Comprehensive Design Plan CDP-0303-01 be approved.

Respectfully Submitted



Thomas H. Haller
Gibbs and Haller
1300 Caraway Court, Suite 102
Largo, Maryland 20774
(301) 306-0033

EXHIBIT "A"

Case No.: A-9802-C-01
(Amendment of Conditions)
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate Applicant(s) acceptance of conditional rezoning to amend conditions, previously approved in Zoning Ordinance 50-1992, which conditionally rezoned 47.3 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, the District Council in enacting Zoning Ordinance 1 -2023, approved the Applicant(s) request to amend certain conditions of Zoning Ordinance 50-1992; and

WHEREAS, the District Council, pursuant to its decision in Zoning Ordinance 1 -2023, deems it appropriate to accept Applicant(s) consent to the conditions as amended, and new or additional conditions, in Zoning Ordinance 1 -2023; and approve final conditional zoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Zoning Ordinance 1 -2023 is hereby granted. Applicant(s) written acceptance of the conditions, as amended, and new or additional

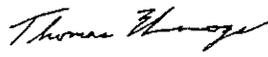
A-9802-C-01
(Amendment of Conditions)

conditions in Zoning Ordinance 1 -2023, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

SECTION 2. Use of the subject property, as conditionally reclassified, shall be subject to all requirements in the applicable zones and to the requirements in the conditions referenced above. 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 approved herein; 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.

SECTION 3. This Ordinance is effective March 10, 2023, the date of receipt of the Applicant(s) acceptance of the revised conditions, as amended, and new or additional conditions in Zoning Ordinance 1 -2023.

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: 

Thomas E. Dernoga, Chair

ATTEST:


Donna J. Brown
Clerk of the Council



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

DISTRICT COUNCIL PRELIMINARY NOTICE OF CONDITIONAL ZONING APPROVAL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland, requiring notice of decision of the District Council, a copy of Zoning Ordinance No. 1 - 2023 granting preliminary conditional zoning approval of A-9802-C-01 (Amendment of Conditions) Kenwood Village, is attached.

In compliance with the provisions of Section 27-157(b) of the Zoning Ordinance, the applicant must file a written acceptance or rejection of the land use classification as conditionally approved within ninety (90) days from the date of approval by the District Council. Upon receipt by the Clerk's Office of a written acceptance by the applicant, a final Order will be issued with an effective date for conditional approval shown as the date written acceptance was received by the Clerk's Office.

The failure to accept the conditions in writing within ninety (90) days from the date of approval shall be deemed a rejection. Rejection shall void the Map Amendment and revert the property to its prior zoning classification.

Written approval or rejection of conditions must be received by the Clerk's Office no later than the close of business (5:00 p.m.) on May 30, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023, this notice and attached Order were mailed, postage prepaid, to the attorney/correspondent and applicant(s). Notice of final approval will be sent to all persons of record.

Donna J. Brown
Clerk of the Council

Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

**RE: A-9802-C-01 (Amendment of Conditions) Kenwood Village
Mid-Atlantic Builders, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 1 - 2023 setting forth the action taken by the District Council in this case on February 27, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Donna J. Brown".

Donna J. Brown
Clerk of the Council

**Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774**

Case No.: A-9802-C-01
Amendment of Conditions
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

ZONING ORDINANCE NO. 1 -2023

AN ORDINANCE to amend certain conditions in Zoning Ordinance 50-1992,¹ which rezoned 47.3 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, on November 9, 1992, the District Council granted two application requests or A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) to rezone the entire 63.10 acres of the subject property and imposed fourteen (14) conditions and four (4) considerations, which were subsequently accepted on January 27, 1993, as follows:

¹ A companion Zoning Ordinance is enacted simultaneously to amend certain conditions in Zoning Ordinance 51-1992 or A-9803-C, which rezoned the remaining 15.7 acres of the subject property and imposed the same conditions and considerations. Enactment of this companion Zoning Ordinance is necessary because when the original applications were filed, A-9802 (or the instant application) requested to rezone 47.3 acres of the subject property from R-E (Residential Estates) to R-M (Residential Medium Development), and A-9803 (the companion application) requested to rezone the remaining 15.7 acres to the L-A-C (Local Activity Center) Zone. After the District Council remanded both applications to the Board for reconsideration, both applications were amended to request rezoning of the entire property from R-E to the R-S (Residential Suburban Development). Subsequently, the District Council granted both applications, subject to the same conditions and considerations. Staff Report, Statement of Justification.

Conditions:

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 120-foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer, his heirs, successors and/or assigns, shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).
4. The location and width of the internal trails proposed shall be evaluated and determined by the Trails Coordinator prior to Phase II approval.
5. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
6. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Planning Board.
7. The minimum lot size shall be 6,000 square feet in Development Envelopes A through D and 10,000 square feet in Development Envelope E.
8. The 50-foot buffers along the east and south boundaries are labeled as non-disturbance buffers and shall include a six-foot high black vinyl clad chain link fence, extending to the east side of Harry S. Truman Drive.
9. A Type I Tree Conservation Plan (TCP) in accordance with the County Woodland Conservation and Tree Conservation Program is required for review by the Natural Resources Division to be approved by the Planning Board prior to CDP approval. Woodland conservation of 25 percent of the net tract is recommended.
10. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.

11. Approval of existing conditions 100-year floodplain and stormwater management concept plan by the County Department of Environmental Resources (DER), prior to the approval of a preliminary plan of subdivision, unless determined by DER prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; stormwater management ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.
12. The applicant shall submit a 100-year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision. The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
13. The minimum 50-foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
14. The applicant shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Soil Conservation District and the Natural Resources Division, prior to Specific Design Plan approval.

Considerations:

1. The character and visual image of White House Road shall be protected and maintained through preservation of the undisturbed buffer along both sides of the adjacent stream. The buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.
2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.

3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all Development Envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. Landscape Manual buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented as required by the Landscape Manual.

WHEREAS, since the subject property was rezoned in accordance with the conditions and considerations set forth above, a Comprehensive Design Plan (CDP-0303), a Preliminary Plan of Subdivision (PPS 4-06159), and a Specific Design Plan (SDP-0805) were approved but the subject property was not developed in accordance with said approvals; and

WHEREAS, the proposed Basic Plan Amendment is being requested to allow for the re-subdivision of the subject property into as many as 124 smaller lots in order to accommodate a new narrow-frontage detached single-family dwelling type, which will provide a more affordable housing type than currently available detached dwellings, but a larger and more commodious dwelling type than attached townhouses, which is described in detail on Pages 7-9 of the amended Statement of Justification filed on August 8, 2022; and

WHEREAS, while the original Basic Plan approved allowed for the density which will be proposed by the new development, certain Conditions in A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) will prevent the creation of the lots required to accommodate this new dwelling type; and

WHEREAS, to accommodate this new dwelling type, the application proposes to delete Condition 4, amend Conditions 7, 8, and 13, and minor changes to the Basic Plan layout; and

WHEREAS, on November 2, 2022, the Zoning Hearing Examiner held an evidentiary hearing to consider the application request; and

WHEREAS, on January 25, 2023, the Zoning Hearing Examiner, based on a finding of good cause, recommended approval of the instant application request as follows:

Condition 4 is deleted.

Condition 7 is amended, renumbered Condition 6, and reads: The minimum lot size shall be 4,200 square feet in all development envelopes.

Condition 8 is amended, renumbered Condition 7, and reads: A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located with 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.

Condition 13 is amended, renumbered Condition 12, and reads: A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.

WHEREAS, the Zoning Hearing Examiner having found good cause to recommend approval of the instant application, also recommended the imposition of three (3) new or additional Conditions as follows:

14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.

15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

WHEREAS, as a basis for its final decision, the District Council adopts the findings and conclusions of the Zoning Hearing Examiner on good cause to approve/grant the instant application request to delete Condition 4, amend Conditions 7, 8, and 13, which are renumbered Conditions 6, 7, and 12, and to impose new or additional Conditions 14, 15, and 16.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland–Washington Regional District in Prince George’s County, Maryland, remains amended, in accordance with Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992, and is further amended in accordance with approval of the instant application request.

SECTION 2. The application as approved/granted is subject to timely acceptance of the following conditions and considerations:

Conditions

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 120-foot right-of-way for Ritchie Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall construct or bond

to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).

4. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
5. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.
6. The minimum lot size shall be 4,200 square feet in all development envelopes.
7. A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S. Truman Drive.
8. A Type I Tree Conservation Plan, in accordance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board prior to Comprehensive Design Plan approval. Woodland Conservation of 25 percent of the net tract is recommended.
9. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.
10. Approval of existing Conditions, 100-year Floodplain, and Stormwater Management (SWM) Concept Plan by the Prince George's County Department of the Environment (DOE), prior to the approval of a Preliminary Plan of Subdivision, unless determined by DOE prior to submittal of the Preliminary Plan that this study will not be required until time of specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; SWM ponds

shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

11. The Applicant(s) shall submit a 100-year Floodplain Study and a Stormwater Management (SWM) Concept Plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the Preliminary Plan of Subdivision. The SWM Concept Plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
12. A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
13. The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.
14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.
15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

Considerations

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

2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.
3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all development envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. The *2010 Prince George's County Landscape Manual* (Landscape Manual) buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented, as required by the Landscape Manual.

SECTION 3. Use of the subject property shall be subject to all requirements in the applicable zones and conditions referenced above. Failure to comply with any stated condition herein shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the rezoning approved in Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992; 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.

SECTION 4. This Ordinance shall become effective on the date of its enactment.

ENACTED on February 27, 2023, by the following vote:

In Favor: Council Members Burroughs, Blegay, Dernoga, Fisher, Harrison, Hawkins, Ivey, Olson, Oriadha, Watson.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

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: Thomas E. Dernoga
Thomas E. Dernoga, Chair

ATTEST:
Donna J. Brown
Donna J. Brown
Clerk of the Council

EXHIBIT "B"

Case No.: A-9803-C-01
(Amendment of Conditions)
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate Applicant(s) acceptance of conditional rezoning to amend conditions, previously approved in Zoning Ordinance 51-1992, which rezoned 15.7 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, the District Council in enacting Zoning Ordinance 2 -2023, approved the Applicant(s) request to amend certain conditions of Zoning Ordinance 51-1992; and

WHEREAS, the District Council, pursuant to its decision in Zoning Ordinance 2 -2023, deems it appropriate to accept Applicant(s) consent to the conditions as amended, and new or additional conditions, in Zoning Ordinance 2 -2023; and approve final conditional zoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Zoning Ordinance 2 -2023, is hereby granted. Applicant(s) written acceptance of the conditions, as amended, and new or additional

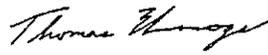
A-9803-C-01
(Amendment of Conditions)

conditions in Zoning Ordinance 2 -2023, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

SECTION 2. Use of the subject property, as conditionally reclassified, shall be subject to all requirements in the applicable zones and to the requirements in the conditions referenced above. 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 approved herein; 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.

SECTION 3. This Ordinance is effective March 10, 2023, the date of receipt of the Applicant(s) acceptance of the revised conditions, as amended, and new or additional conditions in Zoning Ordinance 2 -2023.

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: 

Thomas E. Dernoga, Chair

ATTEST:


Donna J. Brown
Clerk of the Council



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

DISTRICT COUNCIL PRELIMINARY NOTICE OF CONDITIONAL ZONING APPROVAL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland, requiring notice of decision of the District Council, a copy of Zoning Ordinance No. 2 - 2023 granting preliminary conditional zoning approval of A-9803-C-01 (Amendment of Conditions) Kenwood Village, is attached.

In compliance with the provisions of Section 27-157(b) of the Zoning Ordinance, the applicant must file a written acceptance or rejection of the land use classification as conditionally approved within ninety (90) days from the date of approval by the District Council. Upon receipt by the Clerk's Office of a written acceptance by the applicant, a final Order will be issued with an effective date for conditional approval shown as the date written acceptance was received by the Clerk's Office.

The failure to accept the conditions in writing within ninety (90) days from the date of approval shall be deemed a rejection. Rejection shall void the Map Amendment and revert the property to its prior zoning classification.

Written approval or rejection of conditions must be received by the Clerk's Office no later than the close of business (5:00 p.m.) on May 30, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023, this notice and attached Order were mailed, postage prepaid, to the attorney/correspondent and applicant(s). Notice of final approval will be sent to all persons of record.

A handwritten signature in cursive script that reads "Donna J. Brown".

Donna J. Brown
Clerk of the Council

Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

**RE: A-9803-C-01 (Amendment of Conditions) Kenwood Village
Mid-Atlantic Builders, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 2 - 2023 setting forth the action taken by the District Council in this case on February 27, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in cursive script that reads "Donna J. Brown".

Donna J. Brown
Clerk of the Council

Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774

Case No.: A-9803-C-01
Amendment of Conditions
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

ZONING ORDINANCE NO. 2 -2023

AN ORDINANCE to amend certain conditions in Zoning Ordinance 51-1992,¹ which rezoned 15.7 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, on November 9, 1992, the District Council granted two application requests or A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) to rezone the entire 63.10 acres of the subject property and imposed fourteen (14) conditions and four (4) considerations, which were subsequently accepted on January 27, 1993, as follows:

¹ A companion Zoning Ordinance is enacted simultaneously to amend certain conditions in Zoning Ordinance 50-1992 or A-9802-C, which rezoned the remaining 47.3 acres of the subject property and imposed the same conditions and considerations. Enactment of this companion Zoning Ordinance is necessary because when the original applications were filed, A-9803 (or the instant application) requested to rezone 15.7 acres of the subject property to the L-A-C (Local Activity Center) Zone, and A-9802 (the companion application) requested to rezone the remaining 47.3 acres of the subject property from R-E (Residential Estates) to R-M (Residential Medium Development) Zone. After the District Council remanded both applications to the Board for reconsideration, both applications were amended to request rezoning of the entire property from R-E to the R-S (Residential Suburban Development). Subsequently, the District Council granted both applications, subject to the same conditions and considerations. Staff Report, Statement of Justification.

Conditions:

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 120-foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer, his heirs, successors and/or assigns, shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).
4. The location and width of the internal trails proposed shall be evaluated and determined by the Trails Coordinator prior to Phase II approval.
5. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
6. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Planning Board.
7. The minimum lot size shall be 6,000 square feet in Development Envelopes A through D and 10,000 square feet in Development Envelope E.
8. The 50-foot buffers along the east and south boundaries are labeled as non-disturbance buffers and shall include a six-foot high black vinyl clad chain link fence, extending to the east side of Harry S. Truman Drive.
9. A Type I Tree Conservation Plan (TCP) in accordance with the County Woodland Conservation and Tree Conservation Program is required for review by the Natural Resources Division to be approved by the Planning Board prior to CDP approval. Woodland conservation of 25 percent of the net tract is recommended.
10. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.

11. Approval of existing conditions 100-year floodplain and stormwater management concept plan by the County Department of Environmental Resources (DER), prior to the approval of a preliminary plan of subdivision, unless determined by DER prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; stormwater management ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.
12. The applicant shall submit a 100-year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision. The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
13. The minimum 50-foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
14. The applicant shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Soil Conservation District and the Natural Resources Division, prior to Specific Design Plan approval.

Considerations:

1. The character and visual image of White House Road shall be protected and maintained through preservation of the undisturbed buffer along both sides of the adjacent stream. The buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.
2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.

3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all Development Envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. Landscape Manual buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented as required by the Landscape Manual.

WHEREAS, since the subject property was rezoned in accordance with the conditions and considerations set forth above, a Comprehensive Design Plan (CDP-0303), a Preliminary Plan of Subdivision (PPS 4-06159), and a Specific Design Plan (SDP-0805) were approved but the subject property was not developed in accordance with said approvals; and

WHEREAS, the proposed Basic Plan Amendment is being requested to allow for the re-subdivision of the subject property into as many as 124 smaller lots in order to accommodate a new narrow-frontage detached single-family dwelling type, which will provide a more affordable housing type than currently available detached dwellings, but a larger and more commodious dwelling type than attached townhouses, which is described in detail on Pages 7-9 of the amended Statement of Justification filed on August 8, 2022; and

WHEREAS, while the original Basic Plan approved allowed for the density which will be proposed by the new development, certain Conditions in A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) will prevent the creation of the lots required to accommodate this new dwelling type; and

WHEREAS, to accommodate this new dwelling type, the application proposes to delete Condition 4, amend Conditions 7, 8, and 13, and minor changes to the Basic Plan layout; and

WHEREAS, on November 2, 2022, the Zoning Hearing Examiner held an evidentiary hearing to consider the application request; and

WHEREAS, on January 25, 2023, the Zoning Hearing Examiner, based on a finding of good cause, recommended approval of the instant application request as follows:

Condition 4 is deleted.

Condition 7 is amended, renumbered Condition 6, and reads: The minimum lot size shall be 4,200 square feet in all development envelopes.

Condition 8 is amended, renumbered Condition 7, and reads: A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located with 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.

Condition 13 is amended, renumbered Condition 12, and reads: A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.

WHEREAS, the Zoning Hearing Examiner having found good cause to recommend approval of the instant application, also recommended the imposition of three (3) new or additional Conditions as follows:

14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.

15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

WHEREAS, as a basis for its final decision, the District Council adopts the findings and conclusions of the Zoning Hearing Examiner on good cause to approve/grant the instant application request to delete Condition 4, amend Conditions 7, 8, and 13, which are renumbered Conditions 6, 7, and 12, and to impose new or additional Conditions 14, 15, and 16.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland--Washington Regional District in Prince George's County, Maryland, remains amended, in accordance with Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992, and is further amended in accordance with approval of the instant application request.

SECTION 2. The application as approved/granted is subject to timely acceptance of the following conditions and considerations:

Conditions

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 120-foot right-of-way for Ritchie Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall construct or bond

to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).

4. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
5. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.
6. The minimum lot size shall be 4,200 square feet in all development envelopes.
7. A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S. Truman Drive.
8. A Type I Tree Conservation Plan, in accordance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board prior to Comprehensive Design Plan approval. Woodland Conservation of 25 percent of the net tract is recommended.
9. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.
10. Approval of existing Conditions, 100-year Floodplain, and Stormwater Management (SWM) Concept Plan by the Prince George's County Department of the Environment (DOE), prior to the approval of a Preliminary Plan of Subdivision, unless determined by DOE prior to submittal of the Preliminary Plan that this study will not be required until time of specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; SWM ponds

shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

11. The Applicant(s) shall submit a 100-year Floodplain Study and a Stormwater Management (SWM) Concept Plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the Preliminary Plan of Subdivision. The SWM Concept Plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
12. A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
13. The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.
14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.
15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

Considerations

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

2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.
3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all development envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. The *2010 Prince George's County Landscape Manual* (Landscape Manual) buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented, as required by the Landscape Manual.

SECTION 3. Use of the subject property shall be subject to all requirements in the applicable zones and conditions referenced above. Failure to comply with any stated condition herein shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the rezoning approved in Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992; 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.

SECTION 4. This Ordinance shall become effective on the date of its enactment.

ENACTED on February 27, 2023, by the following vote:

In Favor: Council Members Burroughs, Blegay, Dernoga, Fisher, Harrison, Hawkins, Ivey, Olson, Oriadha, Watson.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

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: Thomas E. Dernoga
Thomas E. Dernoga, Chair

ATTEST:

Donna J. Brown

Donna J. Brown
Clerk of the Council

EXHIBIT "C"
TEXT OF CDP-0303
SEPTEMBER 2006

The text of CDP-0303, which constituted the Statement of Justification for the project based on the proposal at that time, is set forth below. The Applicant's Statement of Justification addresses the same issues as addressed in the prior text document based upon current regulations. Notwithstanding, the Applicant has provided comments addressing the prior text of the CDP to address the modifications proposed in this application. The prior text is reproduced in bold type below.

INTRODUCTION

Kenwood Village at White House Road, developed by The White House Road Limited Partnership, will be an exemplary comprehensively planned neighborhood in central Prince George's County. Its central location puts future residents within minutes of the interstate, recreational facilities, environmental and cultural learning centers and just over five miles from our Nation's Capital. Kenwood Village promises to be the neighborhood of choice in Prince George's County.

This document provides citizens with information regarding existing conditions, proposed improvements and the proposed site plan. Subsequent plan submissions will provide guidelines and further details of the community that will be built here.

As discussed in more detail herein, the proposed Comprehensive Design Plan (CDP) meets the requirements of Section 27-521 (Required findings for approval) of the Prince George's County Zoning Ordinance (1999) in the following:

- 1. The CDP is in conformance with the approved Basic Plan;*
- 2. The CDP will result in a development with a better environment than could be achieved under other regulations;*
- 3. The CDP includes design elements, facilities, and amenities, and satisfies the needs of the residents, employees, and guests of the project;*
- 4. The development is compatible with the existing land use, zoning, and facilities in the immediate surroundings;*
- 5. The land uses covered by the CDP are compatible with each other in relation to: (a) amounts of buildings coverage and open space; (b) building setbacks from streets and abutting land uses; and (c) circulation access points;*

6. *Each staged unit of development (as well as the total development) can exist as a unit capable of sustaining an environment of continuing quality and stability;*
7. *The staging of the development will not be an unreasonable burden on available public facilities;*
8. *The CDP incorporates the applicable design guidelines set forth in Section 27-274 of the Prince George's County Zoning Ordinance;*
9. *The CDP will be in conformance with the approved Tree Conservation Plan.*

COMMENT: The revised CDP continues to conform to the requirements of Section 27-251 of the prior Zoning Ordinance. Notably, the Basic Plan was amended pursuant to A-9802-C-01 and A-9803-C-01. The revised CDP conforms to the Amended Basic Plan

OVERVIEW

LOCATION

Kenwood Village is located in central Prince George's County just east of the Capital Beltway (1-495) on the south side of White House Road and is less than one mile from the new Ritchie Marlboro Road exit off 1-495. Washington, D.C., Bowie, Hyattsville and Greenbelt are all within 10 miles of this new neighborhood. Direct access from White House Road to the Capital Beltway and proximity to commercial and employment areas outlined in the Melwood-Westphalia Master Plan Amendment makes this undeveloped parcel a prime location for a comprehensively planned upscale residential community.

COMMENT: The above continues to accurately describe the location of the Kenwood Village Property.

ZONING HISTORY

Originally, the property was zoned Residential Estate (R-E) under the 1973 Subregion VI Master Plan. In November of 1992, the County Council for Prince George's County, Maryland, sitting as the District Council, approved zoning ordinance No. 50-1992 (A-9802-C) and No. 51-1992 (A-9803-C) thereby rezoning the subject property from Residential-Estate (R-E) Zone to Residential- Suburban (R-S) Zone with conditions. The conditions set forth by the ordinance are as follows:

1. *The residential areas are to be single-family detached dwellings with a density range between 1.6 to 2.18 dwelling units per acre;*
2. *No direct access to any residential lots from White House Road or Harry S Truman Drive;*

3. *Dedicate a 120' right-of-way Ritchie Marlboro Road (A-39; Harry S. Truman Drive);*
4. *Dedicate a 60' right-of-way from proposed centerline of White House Road (A-36) and construct or bond to construct a half section of White House Road for the entire segment of this roadway through the property per DPW&T requirements. The half section will accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive;*
5. *The location and width of internal trails will be evaluated by the Trails Coordinator prior to Phase I (CDP) approval;*
6. *The Chesapeake Beach Trail Corridor shall in no way be damaged, destroyed, filled in, or used for storage of materials;*
7. *Grading and clearing is forbidden until approval of Phase II;*
8. *Minimum lot sizes are as follows;*
 - a. *Development Envelope A-D - 6,000 sq. ft.*
 - b. *Development Envelope E - 10,000 sq. ft.*
9. *The 50' Non-Disturbance buffers on the east and south sides shall include 6' high black vinyl clad chain link fence and will extend to the east side of Harry S. Truman Drive;*
10. *Buffer stream according to Patuxent River Policy Plan;*
11. *Approval of the existing condition of LOD-year floodplain and stormwater management concept plan prior to approval of preliminary plan of subdivision unless determined that this study will not be required until time of Specific Design Plan. 50' buffers between floodplain and lot lines and treatment of 2, 10, and 100-year attenuations are required;*
12. *Submittal of LOD-year floodplain study to DER;*
13. *50' Non-Disturbance buffers shall apply to both sides of all streams and shall be expanded to include floodplain, wetlands, steep slopes and highly erodible soils and shall be approved by NRD prior to the SDP;*
14. *Applicant shall submit a detailed soils study for approval by SCD and NRD.*

All plans are in accordance with conditions set forth by approved zoning ordinance numbers 50-1992 and 51-1992.

COMMENT: Since CDP-0303 was approved in 2005, the Kenwood Village Project received approval of a Preliminary Plan of Subdivision and Specific Design Plan. On July 22, 2022, the Applicant filed applications to amend the Basic Plan and to modify several of the conditions reproduced above. The District Council approved the Amended Basic Plan with the adoption of Zoning Ordinance No. 1-2023 and Zoning Ordinance No. 2-2023. This additional Zoning History is addressed in greater detail on pages 3-7 of the Applicant's Statement of Justification.

COMMUNITY CONTEXT

Kenwood Village lies within Planning Area 78 of the 1973 Subregion VI Master Plan for Prince George's County, Maryland. The boundary of the Planning Area is generally delineated by:

**North: White House Road
South: Route 4
West: Capital Beltway
East: Brown Station Road**

In 1990, more than 7,000 acres of land, nearly 50% of the total area in Planning Areas 77 and 78, was used for agriculture or was undeveloped whereas only 860 acres, almost 6% of gross area, was used for residential (M-NCPPC, Community Planning Division, 1990 Land Use Survey). The 2000 Census reports that 87.5% of the residences in the two census tracts in Planning Area 78 are owner occupied. Specifically, in the census tract that contains Kenwood Village, 98% of the 4736 residences are owner occupied and the average residence value was \$170,000. The relatively small percentage of residential land use, the very high percentage of owner occupied residences and the value of the average residence indicates lower density, a more rural setting and mostly single-family detached developments.

The closest and most recent developments are Largo Woods and Presidential Heights, which are both across White House Road from Kenwood Village. Although these developments are in a different Planning Area (Largo-Lottsford, 73), both are single-family detached developments with community characteristics similar to that of Kenwood Village. Parcels abutting Kenwood Village in Planning Area 78 reflect what the 1990 Land Use survey reported, which was that the majority of the land was under agricultural use or undeveloped. Along the eastern boundary, there is an undeveloped parcel zoned R-E. Similarly, the parcel along the western boundary is also zoned R-E but is already developed with a single residence.

The parcels along the southern boundary are zoned Residential-Agriculture (R-A), which is designed to encourage the retention of agriculture as the primary land use and have a density of .5 dwelling units per acre.

COMMENT: Since the approval of the prior CDP, new developments have been approved and been constructed. In 2007, the Westphalia and Vicinity Sector Plan was approved, and in 2009 (and again in 2013) the Subregion 6 Master Plan and Sectional Map Amendment were approved.

Much of the land on the south side of White House Road between the Beltway and Ritchie Marlboro Road was placed in the M-X-T or R-M Zone and has been developed with townhouses and commercial uses. The land on the north side of Ritchie Marlboro Road is approved for townhouse development. The land abutting the inner loop of the Beltway Interchange with Ritchie Marlboro Road has since fully developed with commercial and industrial uses. Thus, the Kenwood Village property is now located much closer to community services, retail and employment uses that it was at the time the CDP was originally approved. Further, the development densities of properties between Kenwood Village and the Beltway Interchange are substantially greater than were contemplated at the time the CDP was originally approved..

COMPLIANCE WITH COUNTY MASTER PLAN

The growth patterns and land Use needs of Prince George's County have changed since the adoption of the 1973 Subregion VI Master Plan, the 1981 Sectional Map Amendment (SMA) and the 1982 General Plan for the Maryland-Washington Regional District within Prince George's . County, Maryland. Washington, D.C. and surrounding areas have seen steady growth since the 1973 Master Plan, which has triggered an explosion of residential developments to accommodate the population increase.

The 1994 Approved Master Plan and Sectional Map Amendment for Melwood / Westphalia addresses five key elements important to the development of the Master Plan: protection of natural features, preservation of Historic Sites, improvements to housing, proposals for more retail/commercial and meeting the needs of public facilities/adequate transportation.

The 1982 General Plan, which established the area where Kenwood Village is located as a Category III Policy Area (staged future development area), is amended by the 1994 Master Plan, the amendment reclassifies the area as well as others in the Planning Area as Category II Policy Areas (major water and sewer service areas beyond direct Metro service). The deletion of the Outer Beltway and Metro extension, a new Air Installation Compatible Use Zone (AICUZ) study, new functional plans, new Historic Sites and District Plan and Equestrian Addendum to Countywide Trails Plan are the factors that drove the 1994 Approved Master Plan and Sectional Map Amendment for Melwood / Westphalia.

Efficient and accessible transportation and circulation systems are critical to the viability of any growth. The goal is to balance transportation with land use recommendations. There are two major proposals that will drastically increase the vehicular access to Planning Area 78 and White House Road. The first is the new interchange at Ritchie Marlboro Road and Interstate 95, which is less than a mile away from Kenwood Village. The second is the proposed realignment and widening of White House Road near Harry S. Truman Drive (condition of zoning ordinance Nos. 50-1992 and 51-1992).

Creation of viable neighborhoods is the goal set forth by the Master Plan. Kenwood Village does just that. While there are no specific recommendations in the Master Plan for the land of Kenwood Village, there is, however, a general guideline that states the natural attributes of the site should be of paramount consideration for. new residential developments. Through environmentally sensitive site planning, creation of open space and protection of wildlife habitat stream valleys and wetlands, Kenwood Village is a development that will enhance and coexist with the natural environment. The proximity to Interstate 95 and the Chesapeake Beach Rail- Trail Project ensure convenient multi-modal access. Kenwood Village promises to be the neighborhood of choice for many future homeowners by offering them an up-scale community in a prime location in central Prince George's County.

COMMENT: Subsequent to the approval of CDP-0303, Prince George's County approved a new Master Plan for Subregion 6 and a new General Plan. The subject property is located in Planning Area 78. The applicable Master Plan is the Approved Subregion 6 Master Plan and Sectional Map Amendment, approved on July 24, 2013. The Master Plan designated the subject property and its surroundings for "Residential Low" future land use. The Sectional Map Amendment retained the previous R-S Zone. The Growth Policy Map in the May, 2014 General Plan placed the property in the Established Communities category, and the Generalized Future Land Use Map designated it for "Residential Low" land use, consistent with the Master Plan. The General Plan defines "Residential Low" land use as "Residential Areas up to 3.5 dwelling units per acre. The approved Basic Plan provides for a density of up to 2.18 dwelling units per acre (or 126 units) in accordance with its former R-S (1.6-2.6) zoning. Conformance with the Master Plan is further addressed in the Statement of Justification.

COMPLIANCE WITH BASIC PLAN

The Comprehensive Design Plan is in general compliance with the Basic Plan. Since the basic plan was approved, the requirement to dedicate a 120-foot right-of-way for the extension of Harry S. Truman Drive has been deemed no longer necessary (see condition 2 below}. As a result; the plan was reconfigured to take into account the deletion of this right-of-way.

The Basic Plan, submitted as exhibit J-113 with Zoning Ordinance No. 50-1992, was accepted with certain "conditions and considerations" upon approval of the zoning ordinance. These . conditions are listed below with an explanation of how they are addressed in the Comprehensive Design Plan.

- *Italicized text is cited directly from Zoning Ordinance No. 50-1992*
- Plain text represents proposed explanation to conditions set forth

Land Use Quantities:

Gross Area (A-9802 47.2 ± acres; A-9803 15.7± acres)	62.9 ± acres
Floodplain (1/2 of total floodplain)	10.2 + acres
Net Area	57.9 + acres
Density Range (1.6 to 2.18 du/ac)	92 to 126 du

Zone	CDZ/R-S
Total Tract Area	63.1 ac
Area of 100-year Floodplain ac.	13.5
Net CDZ Area ac.	56.4
Density Range (1.6 to 2.18 du/ac)	90-123 du

Kenwood Village complies with both the density range and lot sizes as guided by the Basic Plan. The CDP proposes only 84 single-family detached lots because of extensive environmental constraints.

Land Use Types:

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

Kenwood Village complies with the required Land Use Types.

Conditions:

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

Access to all residential units will be from interior access roads. No residential units will have direct access to either White House Road or Harry S. Truman Drive.

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

This condition is no longer necessary per the 1994 Approved Master Plan and Sectional Map Amendment for Melwood/Westphalia. Amendment 12 of the approved plan removed the extension of Harry S. Truman Drive and in its place the plan included alternatives for upgrading Ritchie Marlboro Road "to be evaluated in the future." Since that time, Ritchie Marlboro Road has been realigned and a new interchange has opened at the intersection of the Capitol Beltway and Ritchie Marlboro Road. At the request of DPW&T, traffic studies were performed (see separate traffic study) to determine if an extension of Harry S. Truman Drive might still be required in light of the re-alignment of Ritchie Marlboro Road and the opening of the new interchange. These studies indicate that an extension of Harry S. Truman Drive is no longer necessary. In addition, environmental constraints further complicate an extension of Harry S. Truman Drive. As such, this condition no longer applies and should be removed.

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

In compliance with this condition, a 60-foot right-of-way will be dedicated from the proposed centerline of White House Road and the necessary improvements will be made per DPW&T requirements.

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

The CDP proposes an 8' wide paved trail from the end of the central spine road to connect to the Chesapeake Beach Trail Corridor. In addition, sidewalks will be provided along the interior roads consistent with current DPW&T standards at the time of approval.

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

The plan is designed and will be constructed in such a way that there will be no impact on the Chesapeake Beach Trail Corridor in any way.

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

No grading or clearing will occur before approval of the CDP and the county issues a grading permit.

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

Kenwood Village complies with the lot sizes as guided by the Basic Plan. There are five development areas along the spine road that traverses the property; three located on the northern side and two located on the southern side. Development envelopes A-D have a minimum lot size of 6,000 square feet and development envelope E maintains a minimum lot size of 10,000 square feet (see Comprehensive Design Plan). Most lots average over 7,500 square feet except in envelope E where all lots are 10,000 square feet or greater.

8. *The 50 foot buffers along the east and south boundaries are labeled as non-*

disturbance buffers and shall include six foot high black vinyl clad chain link fence, extending to the east side of Harry S. Truman Drive.

Fifty-foot (50') non-disturbance buffers are maintained as indicated in the condition and a 6' high black vinyl clad chain link fence will be added along the length of the buffer.

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

The TCP (TCP 1) was submitted concurrently with this CDP.

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

The plan provides a stream buffer consistent with current policy as a part of the primary management area.

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

The Stormwater Management Technical Group of Prince George's County (Flood Hazard Boundary Map 60 / SW-1) has approved the existing 100 year floodplain delineation. The stormwater management concept plans will be submitted for approval prior to the Preliminary Plan submittal. A minimum 50' buffer has been provided between the floodplain and lot lines as a part of the primary management area. The basic plan suggested placing stormwater management facilities within an area now identified as the PMA (Primary Management Area), which shall not be disturbed according to the Patuxent River Policy Plan. Additionally, the condition to provide quantity control by attenuating the post developed runoff of 2, 10 and 100-year frequency storms is no longer applicable under the 2000 Maryland Stormwater Design Manual. The stormwater management concept for this CDP reflects the newer updated requirements for stormwater management rather than those indicated in the above condition.

12. *The applicant shall submit a 100-year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision.*

The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.

A 100-year floodplain study and stormwater management concept plan will be submitted prior to the submittal of the Preliminary Plan.

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

The primary management area shown on the CDP includes 50' non-disturbance buffers to both sides of all streams, includes the floodplain and wetlands with required buffers, steep slopes and highly erodible soils and will be approved by NRD prior to submission of the SDP.

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

A soils analysis is included within the CDP and NRI/FSD. If further study is required these studies will be submitted during the approvals process.

COMMENT: The above conditions have been superseded by the approval of the Amended Basic Plan through applications A-9802-C-01 and A-9803-C-01. Those conditions and an analysis of conformance with them is set forth in the Statement of Justification on pages 10-18.

SITE ANALYSIS

The Kenwood Village property was historically used for agriculture, but farming of the site was discontinued in the early 1990's. This site is a typical example of agricultural land left fallow and to its own devices. The three abandoned farm fields have slowly begun to naturally regenerate. In typical agricultural fashion, the useable portions of the site were farmed and the constrained areas were left as they were. There are many environmental features like complex terrain, varieties of vegetation, fragile wetlands, floodplains, and isolating streams that make this site unique and challenging. The property has no historic sites, archeological sites, cemeteries, underground storage tanks, hazardous wastes, wells or septic systems. The property is not part of a migrating bird resting place, does not contain endangered species and is not within the critical area of the Chesapeake Bay.

COMMENT: The site analysis set forth above has not changed since the approval of the

prior CDP.

DRAINAGE PATTERNS AND SLOPES

For the most part, the property is rectangular in form with the long sides of the property being oriented in an east-west fashion and parallel to White House Road. The property drains south to north into Theresa Creek. The high point of the site is a hilltop located to the west with an elevation of 189'. The low point of the site is located at the northeast corner where Theresa Creek drains off the property and has an approximate elevation of 90'.

The slopes on the property vary from flat to very steep. The lowland areas along White House Road and the streams that run through the site transition to the upland site areas drastically. These slopes are generally between 15%-25% and, in some areas in excess of 25%. In the upland area, where the abandoned farm fields are located, the terrain is gently rolling with slopes between 0 and 15%. The north-facing slope of the hill located at the west side of the site has slopes between 15% and 25% and the south-facing slope is in excess of 25%.

COMMENT: The Subject Property has not been graded since the approval of the prior CDP. This description of the drainage patterns and slopes remains accurate.

SOILS

Soils within the development envelopes are well drained and therefore are suitable for most uses. The only area that has poorly drained soils or properties that preclude any sort of development are within the floodplain, wetlands, streams and their associated buffers, which will remain intact through preservation. Soils information was obtained from the Prince George's County Soil Survey dated April 1967.

DETAILED SOILS DESCRIPTION

Adelphia Series soils occur in one small area of this site. Generally, the soils within this series are deep, moderately well drained and have a mottled subsoil in which water moves readily.

Adelphia soils developed on old, sandy deposits that contain silt, clay and greensand or glauconite. Adelphia soils categorically belong to the Natural Soils Group 'E1'. The soils in this group are naturally strongly acidic and have a fluctuating water table that can come as close as 1.5' to the surface. The sandy characteristic of the soil and the moderately rapid permeability are the reason for the high acidity levels.

Collington Series soils are the largest group of soils on this site; occurring throughout the higher elevations. These soils are deep and well drained. Like the soils in the Adelphia Series, the soils in Collington Series developed on sandy deposits and also contain a moderate amount of greensand. These soils are suited well for construction activities such as foundations and roads. The soils in this series belong to the Natural Soils Group '81'.

The soils in this group are known to be well drained, have little rock content, and transport water rapidly through the soil. Soil acidity ranges from neutral to extremely acidic.

The second largest group of soil on this site is called Mixed Alluvial Land. This group occurs as deposits in floodplains and is made of a range of materials. They are typically poorly drained and wet even during dry periods. These soils belong to the Natural Soils Group 'G2'. Soils in this group are subject to flooding and water tables at or above the surface. Permeability of these soils is low.

COMMENT: The soils have not been disturbed since the approval of the prior CDP and therefore the description of the soils on site remain accurate.

VEGETATION

The existing pattern of vegetation is reflective of the fanning practices of the past. The historic practice was that the suitable land was cleared and fanned while the areas with physical constraints such as steep slopes and generally unsuitable soils were left alone. Today, the contiguous forest stands and larger trees are located in the areas that were unsuitable for farming, and the drier, more level suitable farming areas are essentially clear of any large trees and mature forest stands.

This site has an array of forest types as well as stages of development. The abandoned farm fields are under the influences of regeneration. This process is slow and requires management if it is to be a viable forest. The vegetation consists primarily of young Sweetgum and Tulip Poplar Trees, assorted successional tree species like Eastern Red Cedar, Box Elder, Black Locust and Tree of Heaven and invasive shrubs and vines.

This site also has older and more established forest, both upland and lowland associations. The upland forest consists primarily of mature Beech, Oak and Tulip Poplar trees while the lowland consists primarily of Maple, Tulip Poplar and Ash trees. More detailed information about forest stand descriptions can be found in the Forest Stand Delineation (FSD) prepared by the RBA Group (February, 2003).

COMMENT: The proposed amendment to the CDP includes a new Natural Resources Inventory (NRI-001-2023) and Forest Stand Delineation which would reflect any changes to the vegetation which have occurred since the prior approval of the CDP.

STREAMS, WETLANDS AND FLOODPLAIN

The site drains south to north via two streams and surface flow into a delineated 100-year floodplain and a delineated non-tidal wetland. The perennial stream closest to the eastern boundary transects the site entirely and has wetlands on either side. The intermittent stream that extends up from the floodplain area also has wetlands on both sides, however does not cross the site entirely. Two beaver dams impede the natural flow of Theresa Creek causing surface water with substantial depths depending on rainfall activity.

COMMENT: The description of the streams, wetlands and floodplain remain generally accurate. A new wetland delineation was prepared for the approved NRI and the proposed revision to the CDP.

EXISTING UTILITIES

While this site is currently undeveloped and unimproved, there has been substantial development just across White House Road that has required utilities to be put in place. Water, gas, sewer and electric all exist under or over White House Road. A 16" water line, a 12 gas line and above ground electric lines run the entire length of the property frontage along White House Road. An existing sewer line runs along the frontage on the eastern half of the site. Initial indications suggest that the existing utilities located adjacent to the property will adequately handle the Kenwood Village development.

COMMENT: Utilities continue to exist abutting the site and are adequate to serve the development. A new major gas line was constructed along the southern border of the Subject Property, a portion of which crosses the southern tip of the Subject Property along the east side of Harry S. Truman Drive, crosses the road and then extends north to White House Road across the land dedicated to M-NCPPC for parkland.

EXISTING INFRASTRUCTURE

The existing Infrastructure related to the development of Kenwood Village is White House Road and the several storm drains that cross it White House Road, as it exists, is a two-lane road running in an east / west direction connecting Ritchie Marlboro Road to Largo Road. With a newly built interchange at The Capital Beltway and Ritchie Marlboro Road, White House Road serves as a collector for the surrounding area. Improvements to White House Road will comply with the fourth condition set forth by approved zoning ordinances 50-1992 and 51-1992. Three storm drain systems crossing White House Road and emptying into the Kenwood Village property have been identified. Each will have to be extended with the proposed improvements to White House Road.

COMMENT: The improvement of White House Road remains a condition of Zoning Ordinances No. 1-2023 and 2-2023. The plans approved per the prior development proposal will be implemented with the development of the Subject Property pursuant to the instant application.

COMPREHENSIVE DESIGN PLAN

The CDP is a culmination of a thorough site analysis, environmentally sensitive planning, and innovative site engineering. The design intent was defined early in the planning phase of the design process. Once the intent was defined, it was used to develop the design concept, which includes proposed land uses, open spaces and amenities, application of storm water management regulations, methods of environmental protection, sensitive construction practices and landscape design. Each of these topics are described in the following sections:

DESIGN INTENT

The design team is committed to create a community designed with the paramount goal of preserving and accentuating the wide range of natural features.

COMMENT: Preserving the regulated environmental features remains the paramount goal of the design intent. These natural features allow for the creation of an enclave of high quality, single family detached homes which are well buffered from the abutting roadway system.

DESIGN CONCEPT

LAND USE

The residential component of Kenwood Village is in general conformance with the approved basic plan and consists of 84 lots ranging from 6,000 sq. ft. to over 10,000 sq. ft designed to accommodate single-family detached houses.

COMMENT: The Amended Basic Plan reduced the minimum lot size for all lots to 4,200 square feet. The units will continue to be single family detached homes. The reduction in minimum lot size allows the Applicant to design a unique product which is described in the Statement of Justification.

ACCESS AND CIRCULATION

A grand entrance with entry monuments and formal plantings is planned approximately 350-feet west of Pookey Way to provide access to the site from White House Road. The main interior road will be a closed section road with small cul-de-sacs to provide vehicular circulation through the site. All roads will be either a -50-foot or-60-foot right-of-way and will meet the latest DPW&T standards. In accordance with the second condition set forth by approved zoning numbers 50- 1992 and 51-1992, there will be no direct access from White House Road to any individual residential lot.

COMMENT: The entrance to the development continues to be planned from the same location as previously approved. Two changes are proposed to access and circulation. First, the entrance road from White House Road will be 80 feet wide with a median to ensure traffic safety. A grand entrance with entry monument is also still planned. The second modification is that the internal road network is proposed to connect to Harry S. Truman Drive in the future when that roadway is constructed by others. This comment was raised during the review of the Amended Basic Plan and the Applicant has accommodated this comment with a proposed future connection.

OPEN SPACE AND AMENITIES

The approved basic plan sets aside 14.1 acres to be dedicated to M-NCPPC and provides for a connection to the Chesapeake Beach Rail Trail corridor. The proposed plan for

Kenwood Village dedicates the required 14.1 acres to M-NCPPC and provides the connection to the trail corridor. The relatively flat portions of this area will be graded and cleared and used for passive recreation until the area is developed by M-NCPPC. A storm water management facility will be provided within the area dedicated to M-NCPPC.

COMMENT: The open space and amenities were revised following the approval of the CDP and are reflected in the Statement of Justification. Specifically, the area dedicated to M-NCPPC for parkland was increased to 19.4 acres from 14.1 acres. In addition, Harry S. Truman Drive, which was not required to be dedicated pursuant to the prior CDP, was subsequently determined to be necessary. Right of way was dedicated as part of the approval of the final plats for the property. The grading of the dedicated parkland originally contemplated at the time the CDP was originally approved was converted to a fee-in-lieu payment, which the Applicant continues to proffer. On-site recreational facilities will be constructed for use by the residents in recognition that the construction of the park facilities may not occur in the near term. Finally, the Applicant proposes to delete allocation of an eight-foot-wide corridor for the future construction of a trail connection from the Kenwood Village project to a future Chesapeake Beach Trail anticipated by the Master Plan. The trail was not to be constructed with this development, which creates problems for future construction even if an easement corridor is established. Now that Harry S. Truman Drive is dedicated, it is clear that there will be a pedestrian connection with the construction of sidewalks along the internal subdivision streets and construction of a sidepath along Harry S. Truman Drive, as provided for in the Master Plan. Finally, no stormwater management facility is currently proposed for the M-NCPPC property. These changes are all reflected on the proposed CDP.

LOT STANDARDS (R-S ZONE)

Lot standards are based on density, lot size and BRL's (building restriction lines). Conditions of the approved zoning ordinance numbers 50-1992 and 51-1992 controls the density and the minimum lot size in Kenwood Village. The planned density is 1.49 du/ac and the minimum lot sizes are to be 6,000 and 10,000 square feet depending on the 'development envelope'. A minimum lot width of 75' at the front building line is used to allow the construction of larger more upscale homes. The CDP creates three BRL's or setback distances to control the placement and size of the homes in Kenwood Village:

- Front/Rear: 25'
- Side (adjacent to lot}: 7.5'
- Side (adjacent to street}: 25'

COMMENT: With the change in minimum lot size, the Applicant is also proposing a modification to the minimum setbacks. Specifically, the Applicant proposes minimum front/rear yards of 20 feet and minimum side yards of 5 feet, as shown on Page 56 of the Statement of Justification.

ARCHITECTURAL STANDARDS

The architecture for Kenwood Village will represent the high quality of design required in

an upscale community while providing the flexibility to create innovative design options. In order to avoid a monotonous appearance, there should be a variety of house models and elevations along any single street. The minimum house size in Kenwood Village will be 2,500 square feet. The wide lot sizes provided in Kenwood Village will allow the flexibility to provide housing types without integral garages. Side loaded garages are encouraged where practical. Roof pitches and other architectural features shall be consistent with the architectural style of the house.

COMMENT: As referenced in the Statement of Justification, the Applicant is an affiliate of Mid-Atlantic Homes, which has over 30 years of experience building the highest quality homes in Prince George's County. The minimum lot size was reduced to allow the Applicant to introduce a new single family detached product type that is not available in any location in Prince George's County and are being designed to meet the needs of home buyers who have expressed a strong interest in a project that has lower maintenance costs but the size of a single family detached homes. The minimum house size in Kenwood Village under the revised proposal will be 2,200 square feet. Each of the homes will include an integral garage and no side loaded garages are proposed. The architecture of the proposed units will be addressed at the time of SDP. The minimum standards proposed for the homes are set forth on Page 56 of the Statement of Justification.

STREETSCAPES

A streetscape is comprised of several components including: trees and landscaping, berms and buffers, furniture, streetlights, signs, sidewalks, curb and gutter and the street itself. The streetscape concept for Kenwood Village is to beautify the interior roadways with landscape plantings while maintaining views and natural buffers. A display of shade trees, flowering trees, evergreens and an entry feature will be placed along the entry boulevard to greet residents and visitors as they enter the new development. The remaining roads of Kenwood Village will be designed to the latest DPW&T standards for either a 50-foot or 60-foot right-of-way. Components of the right-of-way are a 12-foot planting strip on one side of the road, a 26-foot or 36-foot paving section, and on the other side of the road a 5.5-foot planting strip, a 5-foot sidewalk and a 1.5-foot buffer. Shade trees and streetlights will be placed in the planting strips.

COMMENT: The streets in the subdivision will be constructed to current DPIE standards and will provide sidewalks on both sides, as well as street lights and street trees. This will create an attractive streetscape for the residents of the community.

LANDSCAPE CONCEPT

The Kenwood Village landscape concept is to beautify and enhance areas of interest within the community while preserving natural views and environmentally sensitive areas. Street trees and other plantings will be designed in a natural and organic pattern to harmonize with the surrounding environment. Plantings should be indigenous to the area and placed in such a way that they look like extensions of the native forest.

COMMENT: Native plant species will be predominantly used in conformance with the Landscape Manual. The specifics of the landscaping will be addressed at the time of the SDP.

PUBLIC BENEFITS FEATURES

The basic plan condition set forth by the zoning ordinance was that the density range be between 1.6 and 2.18 du/ac. The net CDZ area for the tract is 56.4 acres allowing for a base density of 90 units and a maximum of 123 units. Existing environmental conditions and owner objectives for an upscale housing project have limited the proposed development to only 84 units-6 units below the base density. The plan for Kenwood Village provides several public benefits features that may be used to increase the base density by up to 37.5%:

1)	Open Space Dedication (25%)	+22 Units
2)	Enhancement of Existing Physical Features (2.5%)	+2 Units
3)	Pedestrian Connection(s) outside of the R.O.W. (5%).	+4 Units
4)	Recreational Development (10%)	<u>+9 Units</u>
		+37 Units

A combination of these density increment factors would provide for up to 37 additional units, because of existing environmental factors and owner objectives only 84 units have been planned for Kenwood Village. As a result, Public Benefits Features, although added, will not be required.

As suggested in the Basic Plan, 14.1 acres-approximately one fourth of the total site area, will be dedicated to M-NCPPC as public open space providing residents and others with unique scenic and recreational opportunities. In addition, the main view corridors to the stream valleys and the wetlands will be preserved and enhanced to provide residents and others with scenic opportunities that might otherwise have been lost in the development of this site. Neighborhood sidewalks and a connector trail will connect residents to the Chesapeake Beach Rail Trail Corridor providing off site recreational opportunities as well.

COMMENT: As noted above, the prior development proposal did not require Public Benefit Features, as the proposed density was below the base density. The revised CDP exceeds the base density and therefore Public Benefit Features are required to achieve that density. The discussion of Public Benefit Features is addressed on Pages 26-31 in the Statement of Justification.

STORM WATER MANAGEMENT

Under present regulations, quantity control is required by channel protection volume (CPv) and it is provided via extended detention of the post-developed one-year frequency storm. Four shallow SWM facilities are planned at low points within the property to serve this purpose. These SWM facilities will be designed to fit harmoniously into the site. Quality control, including recharge is provided by a combination of measurements including storm water credits as Natural Area Conservation, Sheet Flow to Buffers, Open

channels, forebays and sand filters designed to store the quality volume.

Minor impacts of the existing wetlands and floodplain areas are expected at each principal spillway outfall of the above-mentioned shallow facilities. The Storm water Management Technical Group of Prince George's County approved the existing 100-year floodplain delineation (Flood Hazard Boundary Map 60 /SW-1).

COMMENT: A revised Site Development Concept Plan has been prepared in conformance with all current requirements and will be approved prior to acceptance of the SDP.

ENVIRONMENTAL PROTECTION

Kenwood Village includes several unique environmental areas including; mature forest, floodplain, wetland and wildlife activity. A site analysis and natural resource inventory was performed for the subject property (see latest Forest Stand Delineation Plan dated February, 2003). In compliance with the eleventh condition set forth by approved zoning numbers 50-1992 and 51-1992, a primary management area was determined including a 25-foot wetland buffer, a 100-year floodplain buffer and steep slopes greater than 25 percent. The plan avoids the primary management area and other sensitive features as best as possible by placing development pockets in areas more suitable for development. Mature forest stands were preserved especially along streams and within protected areas. Steep slopes were not disturbed because of erosion potential.

COMMENT: The proposed development is subject to the current requirements of the Environmental Technical Manual to ensure that the regulated environmental features are preserved to the fullest extent possible. An updated NRI has been approved as well. Thus, the proposed development will ensure protection of the environmental features on site.

CLEARING, GRADING AND SEDIMENT CONTROL

Clearing for construction activities will be in conformance with the recommendations of the approved Tree Conservation Plan Type II. The Forest Stand Delineation assigns a priority rating to the different forest stands and is the basis for the ultimate tree conservation areas. Clearing will primarily occur in the areas of the abandoned farm fields where the retention priority is low. Some higher priority forest will have to be cleared to allow access to the site from White House Road. As conditioned in the resolution, no clearing or grading will occur before approval of Phase II (see condition seven set forth by approved zoning ordinance numbers 50-1992. and 51-1992, page 3 of this document).

Grading will be carried out taking into consideration slope stability, the 50-foot non-disturbance buffers (south and east sides of the property), effect on adjacent properties and drainage patterns. Cut and fill slopes shall not be steeper than 3:1. Reverse benches shall be provided whenever the vertical interval exceeds Maryland Standards and Specifications for Soil and Sediment Control. In general, grading shall maintain positive drainage to sediment control devices and traps during construction and eventually safe conveyance of stormwater runoff to storm drain systems.

Sediment and erosion control measures will be installed to provide a minimum adverse impact to undisturbed areas during construction. All sediment control devices such as construction entrance, earth dikes, silt fences and sediment traps will be designed in accordance with the latest standards and specifications enforced by the Prince George's County Soil Conservation Service.

COMMENT: The disturbance to forest required for the current development proposal largely mirrors the disturbance previously proposed and approved. The project will be required to develop in accordance with a current Site Development Concept Plan, TCP2 and Sediment Control Plan.

COMPLIANCE WITH STANDARDS FOR PUBLIC FACILITIES

Initial research indicates that adequate water, sewer, fire and police protection, transportation, schools and libraries are in place or are planned to serve the needs of the residents of Kenwood Village.

COMMENT: The adequacy of public facilities was addressed at the time the Amended Basic Plan was approved. It is noted that the original CDP was approved approximately 14 years after the initial Basic Plan was approved. Ultimately all public facilities were found to be adequate to allow the development of the previously approved development proposal. The District Council found that public facilities are adequate to serve the proposed revision, and this determination of adequacy will be re-evaluated that time of PPS.

WATER AND SEWER

The Prince George's County Department of Environmental Resources recommended to the County Council the water and sewer category for the site to be 4, which indicates that public services to be at some future time. Once the preliminary plan is approved, a change to category 3 will be requested. Category 3 indicates that the property must be developed using public water and sewer.

Water. The proposed an water line will be connected to an existing 16" water main running along White House Road.

Sewer. The existing sewer line in White House Road will be extended up to the intersection of White House Road and the proposed site entrance. The site will be served by an 8" sewer line.

Both water and sewer lines will run above the proposed triple pipe culvert across the main entrance. No crossing under the stream is anticipated.

COMMENT: The availability of adequate water and sewer facilities has been confirmed by WSSC.

FIRE PROTECTION

Based on Goals and Objectives adopted from the Fire and Medical Emergency Facilities and Services element of the County's Adopted Goals and Objectives for the Adopted and Approved Public Safety Master Plan, 1990, the following response times and distances are desired.

<u>Vehicle</u>	Minutes	Distance (miles)
Urban		
Engine	4	2.4
Ladder	5	3.4
Ambulance	5	3.4
Mobile Intensive Care Unit	8	7.2
Rescue Squad	10	9.8
Rural		
Engine	6	4.6
Ambulance	7	5.8
Mobile Intensive Care Unit	8	7.2
Rescue Squad	10	9.8

Based on the Melwood/Westphalia Approved Master Plan and Sectional Map Amendment, March 1994, the urban standard for response times and distances shall be used for Kenwood Village.

Currently Fire Companies #23-Forestville, #37-Ritchie and #46-KenUand No.2 serve planning area 78 (Westphalia). Company #37-Ritchie, located at 1415 Ritchie Marlboro Road, Capitol Heights, 20743, will most likely serve Kenwood Village. According to information obtained from the Adopted and Approved Public Safety Master Plan, 1990, the western third of Kenwood Village falls within the 6-minute coverage area of this fire company.

COMMENT: As noted in the Staff Report issued with the consideration of the Amended Basic Plan, Kenwood Village is served by the Ritchie Volunteer Fire/EMS Co. 837 located at 1415 Ritchie Marlboro Road in Capitol Heights as the first due station. Per Section 24-122.01(e)(1)(E) of the prior Subdivision Regulations, the test for adequacy is a maximum of seven minutes travel time for Fire/EMS response times for residential development. The test for Fire/EMS adequacy will be further evaluated at the time of PPS, and again at the time of SDP review.

POLICE PROTECTION

Kenwood Village falls within the E4 beat area and will be served by the Bowie Police District II Station. Based on the Police element of the County's Adopted and Approved Public Safety Master Plan, 1990, the District II station shall continue to be used and the addition of a new station shall be provided when calls for service exceed 37,000 annually.

The new station, Central Station, would be located in the Glenn Dale vicinity near MD Route 193 and Bell Station Road. The existing District II station would adequately serve planned growth in the area through the year 2010 at a planned holding capacity.

The planning department uses the following formula to determine officer demand: 1.5 officers per 1,000 residents. With 94 proposed lots and the census average of 2.5 persons per home, an estimated 235 persons would require an additional .35 officers ($94 \times 2.5 = 235 / 1000 = .235 \times 1.5 = 0.35$).

COMMENT: As noted in the Staff Report issued with the consideration of the Amended Basic Plan, Kenwood Village is served by Police District II, Bowie located at 601 SW Crain Highway in Upper Marlboro. The response time standard established by Section 24-122.01(e) of the prior Prince George's County Subdivision Regulations is 10-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-monthly cycles, pursuant to Section 24-122.01(e)(2) of the prior Subdivision Regulations. The times are based on a rolling average for the preceding 12 months. This application was accepted by the Planning Department on July 22, 2022. Based on the most recent information provided by the Police Department, as of July 2, 2022, the police response time standards of 10-minutes for emergency calls and 25-minutes for non-emergency calls were met. The test for police adequacy will be further evaluated at the time of PPS, and again at the time of SDP review.

LIBRARIES

The closest library to Kenwood Village would be the Largo-Kettering Library at 9601 Capital Lane in Largo. The library is approximately 2.3 miles from Kenwood Village, which meets the M-NCPPC Department of Transportation and Public Facilities proximity criteria of 3 miles. Both the Glenarden and Spauldings Public Library facilities are within 7 miles of the subject property.

COMMENT: As noted in the Staff Report issued with the consideration of the Amended Basic Plan, the Kenwood Village development will be served by the Largo-Kettering Branch Library located at 9601 Capital Lane in Largo. The proposed development will not impact the need for additional library facilities.

SCHOOLS

As of the 2004-2006 school year, pupils from Kenwood Village would attend the following schools: Arrowhead Elementary (K-6), James Madison Middle School (7-8) and Largo High School (9-12).

Prince George's County Public Schools, Office of Pupil Accounting would use the following formula to project student yield for Kenwood Village:

School Type	Factor x No. Dwelling Units	No. Pupils
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Elementary School	.24 x 94	23
Middle School	.06 x 94	6
High School	.12 x 94	11
		Total Pupils= 40

The Prince George's County Public Schools, Office of Pupil Accounting has provided student enrollment projections. They do not consider new or proposed construction, boundary changes, or program modification.

School	Enrollment Year						
	2004	2005	2006	2007	2008	2009	2010
Arrowhead Elementary	585	574	574	568	567	571	572
James Madison Middle School	936	889	893	937	936	942	1049
Largo High School	1912	2042	2170	2228	2244	2266	2202

According to the Subregion VI Preliminary Master Plan dated February 1992, "the construction of four additional elementary schools and one additional middle school is recommended through 2010". As of today, one school, Rosaryville Elementary, has been built and is in operation.

COMMENT: As noted in the Staff Report issued with the consideration of the Amended Basic Plan, the Kenwood Village development is in School Cluster 4. Largo High School, Kettering Middle School, and Arrowhead Elementary School serve this area. Per Section 24-122.02 of the prior Subdivision Regulations, and Prince George's County Council Resolutions CR-23-2001 and CR-38-2002, Adequate Public Schools Facility Regulations for Schools, impacts to school facilities will be further evaluated at the time of PPS and again at the time of SDP review.

TRANSPORTATION NETWORK AND ACCESS

A newly built interchange at Interstate 95/495 and Ritchie Marlboro Road dramatically increases convenient access to and from Kenwood Village. The new interchange is approximately one mile from the proposed development by way of White House Road and Ritchie Marlboro Road.

Proposed improvements to White House Road include the dedication of a 60 foot right-of-way from the proposed centerline and required improvements per DPW&T guidelines and standards. A single entrance is proposed into the new development from White House Road.

Kenwood Village will have a simple interior roadway system of a spine road and two cul-de-sacs. Access to all homes within Kenwood Village is from the interior roadway system.

COMMENT: The modifications to the internal circulation are addressed above. A Traffic Impact Study has been prepared and submitted. All of the impacted intersections will operate in accordance with the Transportation Review Guidelines. It is noted that the improvements along the property frontage will improve the operation of the intersection of White House Road and Harry S. Truman Drive, sufficient to accommodate the traffic to be generated by this development.

PARKS AND RECREATION

14.1 acres of Kenwood Village will be dedicated to M-NCPPC as shown in the Basic Plan. Future planning may include active recreational site amenities and passive recreational opportunities as well.

Several parks providing active and passive recreational activities are within 5 miles of the proposed development. For example, Walker Mill Regional Park and Robert M. Watkins Regional Park both provide athletic fields, picnic tables, playgrounds, tennis courts and hiking trails. Robert M. Watkins Regional Park also provides a children's zoo, miniature golf, a tennis bubble and a nature center.

COMMENT: The Department of Parks and Recreation noted in their review of the Basic Plan Amendment that the development of a 25-acre neighborhood park, southeast of the intersection of Ritchie Marlboro Road and White House Road is noted in the master plan. The master plan recommends trailhead facilities at this location for the Chesapeake Beach Railroad Trail, which is intended to be a major hiker/biker link to the public park system in the area when it is completed. The 19.1 acres of parkland dedication on the western portion of the site was completed with approval of Final Plat of Subdivision 5-15027. Given the increase in density by 52 dwelling units, DPR staff recommended the provision of on-site recreation within the development to be reviewed at the time of PPS. Private recreational facilities are proposed within the development and will be evaluated at the time of PPS and SDP.

TRAILS

No trail networks are planned for Kenwood Village. However, a connection to the Chesapeake Beach Trail Corridor is proposed. The proposed Chesapeake Beach Trail will one day extend from the town of Seat Pleasant to Chesapeake Beach using an abandoned railroad corridor.

COMMENT: As noted in the prior proposal, no trail networks are planned within the development, but a robust network of public sidewalks will be provided within the community. The prior connection to the Chesapeake Beach Trail Corridor was not to be constructed, but was shown as a future connection adjacent to a stormwater management facility. However, this southern property line is proposed to be fenced, which would impact the ability to construct this connection. Further, a gas line has now been installed along the southern property line that would need to be crossed by any trail across land which is in private ownership. Harry S. Truman Drive is now proposed to include a sidepath that will interconnect to the future Chesapeake Beach Trail. The Applicant is also proposing a future connection of the internal

road network and its series of sidewalks with Harry S. Truman Drive. The Applicant submits that access to the future Chesapeake Beach Trail is best accomplished over the public sidewalk network and the future sidepath along Harry S. Truman Drive from this development than an easement over private property.

PHASING

All infrastructure (water, sewer, roads, SWM ponds, etc) will be constructed in a single phase. Rough grading for the entire site will occur in the same phase. The market demand will define the sequence of development, but it is anticipated that construction will commence close to the main entrance and eventually extend to the end of the spine road.

COMMENT: The revised development proposal will still be constructed in a single phase.

CONCLUSION

The Kenwood Village Comprehensive Design Plan is consistent with the guidelines of the Melwood / Westphalia Approved Master Plan, 1994, for planning areas 77 & 78.

Specifically:

- **The Plan will protect relevant natural and other features of the physical environment**
- **The Plan will provide an exemplary planned neighborhood, which puts residents within minutes of the interstate, recreational facilities, environmental and cultural learning centers and very close to our Nation's Capital.**
- **The Plan will meet the needs for public facilities and adequate transportation (water and sewer, fire protection, police protection, libraries, schools, transportation network and access, parks and recreation, and trails).**
- **No historic sites occur within the property boundary.**
- **No retail or commercial areas are planned for the subject property.**

Finally, the Kenwood Village Comprehensive Design Plan meets all conditions set forth by the approved zoning ordinances numbers 50-1992 and 51-1992.

COMMENT: As set forth in the Statement of Justification, the revised CDP continues to be consistent with the applicable Master Plan, Plan Prince George's 2035 and the conditions of the Amended Basic Plan set forth in Zoning Ordinance Nos. 1-2023 and 2-2023.

EXHIBIT “D”
ANALYSIS OF CONDITIONS CDP-0303
APPROVED OCTOBER 17, 2005

The conditions of approval of CDP-0303 are set forth below with a comment addressing the applicability of the prior condition to proposed CDP-0303-01:

1. **Before approval of a specific design plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T, for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of DPW&T. If a signal is deemed warranted by DPW&T, then the applicant shall bond the signal before release of building permits for the subject property, and shall install it when directed by DPW&T.**

COMMENT: At the time this condition was originally adopted, unsignalized intersections with a delay of greater than 50 seconds were typically required to conduct a signal warrant study. The current Guidelines require a three-step test for unsignalized intersections. White House Road & Harry S Truman Drive does not meet the three-step adequacy test for unsignalized intersections under background and total conditions with the current intersection configuration. However, the construction of a westbound deceleration lane on White House Road is proposed with the development of the site as noted in the Traffic Impact Analysis submitted with the application. With this improvement, the intersection passes the three-step adequacy test. Thus, this condition is no longer applicable and should be deleted.

2. **During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.**

COMMENT: Consistent with the prior approval, the CDP shows a wider right of way entering the subdivision. The current CDP proposes an 80-foot right-of-way with a median to separate incoming and outgoing traffic. The median extends to the first intersecting street, at which point the right of way tapers to a 50' right of way. It is also noted that the proposed CDP adds a future connection to Harry S. Truman Drive, while the prior CDP only had one point of ingress and egress in future traffic conditions. Finally, the applicant met with DPIE to review the road widths and street network, and they were found to be consistent with DPIE standards. Thus, while this condition can be carried forward to the current application, the Applicant submits that it has been adequately addressed. The condition should,

however, be revised to note a transition from an 80-foot right-of-way rather than a 60-foot right-of-way.

3. **If any portion of the 50-foot buffer required by condition 13 in the approvals of A-9802 or A-9803 will be used for woodland conservation, then larger caliper trees and permanent protection shall be provided, for the reforestation. The buffer area shall be placed in a permanent conservation easement.**

COMMENT: Condition 13 of the original Basic Plan approval was replaced with Condition 12 of the amended Basic Plan. This Condition reflected the current requirement of a 75-foot non-disturbance buffer along both sides of all streams, rather than a 50-foot non-disturbance buffer. The condition now reads as follows:

“A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.”

The applicant would submit that this condition has been superseded and should be deleted. The buffer is fully wooded and no reforestation is proposed within the buffer to necessitate the planting of larger caliper trees. There is already a condition that requires a conservation easement to be included on the final plat. Thus, this condition is no longer applicable and should be deleted.

4. **The preliminary plan of subdivision application shall include a detailed soils study demonstrating that the site is geologically suitable for the proposed development.**

COMMENT: This Condition was satisfied at the time of the approval of the prior preliminary plan of subdivision. There are no areas proposed for development under the proposed CDP that were not proposed for development previously. Therefore, this condition is no longer applicable and should be deleted.

5. **Before comprehensive design plan certification, the existing tree lines on TCP-I/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.**

COMMENT: This condition has been superseded by the revised TCP I and the requested revision is no longer applicable. This condition should be deleted.

6. **A revised Type I Tree Conservation Plan, TCP-I/17/04, shall be submitted as part of the preliminary plan of subdivision application. The revised TCP-I shall add the following information:**

- a. **A refined limit of disturbance and conceptual grading proposed for the site.**
- b. **All anticipated PMA impacts.**
- c. **All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to the property.**
- d. **A table of proposed off-site infrastructure improvements associated with this application.**
- e. **Labelling of each woodland conservation area with a distinct identifier, showing the acreage and type of woodland conservation.**

COMMENT: This Condition should be deleted. An updated TCP I will be included with the preliminary plan of subdivision. Any revisions to the current TCP I which may be necessary can be addressed through a new condition.

- 7. **The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.**

COMMENT: An updated wetland study has been prepared and will be submitted with the preliminary plan of subdivision. This condition can be carried forward to this CDP.

- 8. **All subsequent plan submittals for this property, including the preliminary plan of subdivision and the specific design plans, shall further minimize the extent and number of anticipated PMA impacts as each phase of the development process involves more detailed information. Impacts solely associated with the creation of lots, are not allowed.**

COMMENT: The proposed revised layout will be evaluated for conformance with the current Environmental Technical Manual. As such, this condition is outdated and should be deleted. Any conditions related to conformance with the current Environmental Technical Manual can be addressed with a new condition(s).

- 9. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall be approved by the Environmental Planning Section and shall contain the delineated Patuxent River Primary Management Area, except areas of approved impacts. 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 the prior written consent of the Planning Director. The removal of hazardous trees, limbs, branches, or trunks is allowed."

COMMENT: This is a standard condition and should be carried forward using the current wording typically used.

- 10. Before issuance of permits which impact wetlands, wetland buffers, streams, or Waters of the United States, the applicant shall submit to the Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

COMMENT: This is a standard condition and should be carried forward with the current wording typically used.

- 11. A copy of the approved stormwater management concept plan and approval letter shall be submitted with the preliminary plan of subdivision application.**

COMMENT: This condition was previously satisfied with the approval of the prior preliminary plan of subdivision and therefore should be deleted. A revised site development concept plan has been submitted and is being reviewed, but approval of this application should not delay acceptance of the new preliminary plan of subdivision. The revised SDCP application is referenced as SDC # 19807-2022-0.

- 12. The preliminary plan of subdivision application shall include a Phase I noise study addressing potential adverse noise impacts from existing and widened White House Road (A-36) along the northern property boundary.**

COMMENT: During the review of the prior preliminary plan of subdivision, it was determined that the 65 dBA line did not extend beyond the regulated environmental features being retained on the subject property. Therefore no mitigation was required. Therefore, this condition has been addressed and is no longer applicable.

- 13. The applicant shall convey to the M-NCPPC 14.1 acres of open space, as designated on Exhibit A. The land to be conveyed shall be subject to the conditions in Exhibit C.**

COMMENT: This condition should be deleted as 19.4 acres was previously dedicated to M-NPPC with the recordation of the prior final plats. That deed is recorded in the Land Records of Prince George' County Maryland at L 37708 F 1.

- 14. The applicant shall dedicate 5,003 square feet off-site, as shown on Exhibit B. Before final plat, the applicant shall file for review and approval by Parks and Recreation a deed and metes and bounds description of the dedicated land. The land to be conveyed shall be subject to the conditions in Exhibit C.**

COMMENT: This condition should be deleted as the Applicant dedicated 4,117.45 square feet to the M-NCPPC in conformance with Condition 14. That deed is recorded in the Land Records of Prince George' County Maryland at L 37667 F 425.

15. **The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A, to and around the stormwater management pond to be built on dedicated parkland.**

COMMENT: At the time of the approval of the prior Specific Design Plan, it was determined that the stormwater management pond on dedicated parkland was no longer required or proposed. The same is true with the current proposal. Previously, the Department of Parks and Recreation (DPR) found that construction of a trail connector from the subject subdivision to the dedicated parkland is not feasible because of the major master-planned road (120-foot-wide Harry S Truman Drive) that separates the subdivision from the park. Therefore, this condition is no longer applicable and should be removed.

16. **The applicant shall grade the portion of the parkland for the open play field, as shown on DPR Exhibit A.**

COMMENT: Condition 10 of SDP-0805 required that, prior to the issuance of the 34th building permit, the Applicant shall make a payment to M-NCPPC in the amount of \$70,000 in 2013 dollars in lieu of grading of the southern portion of the dedicated parkland, construction of a 10-foot-wide gravel maintenance access road and preparation of detailed construction drawings for the improvements to the dedicated parkland. The Applicant agreed to carry the proposed fee-in-lieu forward with this application. Thus, the condition requiring the M-NCPPC land to be graded should be deleted.

17. **The applicant shall construct a stormwater management pond on dedicated parkland, in accordance with applicable standards in the Parks and Recreation Facilities Guidelines. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall have seating areas, and the area around the pond shall have attractive landscaping.**

COMMENT: A stormwater management pond is no longer necessary on the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

18. **All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.**

COMMENT: No trails were proposed on the prior SDP and no trails are proposed in conjunction with this application. Therefore, this condition is no longer applicable and should be removed.

19. **Before submission of a specific design plan (SDP), the applicant shall submit for review and approval by DPR a conceptual site plan for the improvements to be constructed on dedicated parkland.**

COMMENT: As noted above regarding Condition 16, Condition 10 of SDP-0805 required the payment of a fee-in-lieu of submitting site plans for improvements to the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

- 20. Construction drawings for the park improvements shall be approved by DPR staff and not be unreasonably withheld, prior to signature approval of the SDP.**

COMMENT: As noted above regarding Condition 16, Condition 10 of SDP-0805 required the payment of a fee-in-lieu of submitting construction drawings for improvements to the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

- 21. Before issuance of building permits for 50 percent of the lots, the applicant shall complete all improvements on dedicated parkland.**

COMMENT: As noted above regarding Condition 16, Condition 10 of SDP-0805 required the payment of a fee-in-lieu of constructing improvements to the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

- 22. Before submission of a final plat of subdivision, the applicant shall enter into a Recreational Facilities Agreement (RFA), for construction of the trail and pond improvements and grading for open play fields on park property. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.**

COMMENT: As noted above regarding Condition 16, Condition 10 of SDP-0805 required the payment of a fee-in-lieu of constructing improvements on the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

- 23. The applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the park improvements in an amount to be determined by DPR, at least two weeks before applying for a grading permit.**

COMMENT: As noted above regarding Condition 16, Condition 10 of SDP-0805 required the payment of a fee-in-lieu of constructing improvements on the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

- 24. Before conveyance of 14.1 acres to M-NCPPC, including a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreements among the applicant, the County Department of Environmental Resources, and the Department of**

Parks and Recreation, for construction, operation, and maintenance of the stormwater management facility.

COMMENT: The stormwater management pond is no longer proposed on the dedicated parkland. Therefore, this condition is no longer applicable and should be removed.

- 25. Before submitting a preliminary plan of subdivision application, the applicant shall identify archeological resources in the project area by conducting Phase I archeological investigations.**

A qualified archeologist shall conduct all investigations and follow the Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole, 1994). These investigations shall be presented in a draft report following the same guidelines. The report shall follow the American Antiquity or Society for Historical Archeology style guide, and cite whether a submittal is a draft report or final report on the cover and inside cover page of the document, along with the relevant development case numbers.

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

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

COMMENT: This condition was satisfied with the approval of the prior Preliminary Plan of Subdivision. Therefore, it is no longer applicable and should be removed.

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

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

COMMENT: This condition was satisfied with the approval of the prior Preliminary Plan of Subdivision. Therefore, it is no longer applicable and should be removed.

- 27. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.**

COMMENT: While a future trail is still shown within the Chesapeake Beach Railroad right-of-way, no construction has occurred in the 18 years following approval of the CDP. Further, a major gas line has since been constructed which the prior eight-foot-wide connection would have to cross. Given that the Applicant was not to construct the trail connection, prior to construction of the trail, access to the trail appears to be more appropriate from a future public sidewalk connection from Harry S. Truman Drive. As such, this condition is no longer applicable and should be deleted.

- 28. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.**

COMMENT: This condition should be carried forward with this CDP.

- 29. The 50-foot buffers along the east and south boundaries shall be labeled as nondisturbance buffers, and a six-foot-high black vinyl clad chain link fence shall be indicated on the plans.**

COMMENT: Condition 7 of Basic Plans A-9802-C-01 and A-9803-C-01 modified the buffers previously approved, as follows:

“A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550 feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a “B” buffer yard, as required by the 2010 Prince George’s County Landscape Manual, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.”

Thus, the 50-foot buffer along the eastern is a nondisturbance buffer except for the area where a proposed stormwater management facility is located and can be labeled as such. The 25-foot buffer along the southern property line is a landscaped buffer and will be planted in accordance with the Landscape Manual. The type of fencing shall be designated at the time of SDP. Thus, this condition has been superseded. The applicant would propose that the condition be reworded to state: “At the time of SDP, the buffers

and fencing required pursuant to Condition 7 of Basic Plans A-9802-C-01 and A-9803-C-01 shall be appropriately identified and labeled.

- 30. Before approval of a preliminary plan of subdivision and specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.**

COMMENT: No internal trails are proposed. The pedestrian circulation network will utilize public sidewalks which extend on both sides of the streets throughout the community. Therefore, this condition is no longer applicable.

- 31. The required side yard setback in Development Envelopes A through D shall be six feet, and the required side yard setback in Development Envelope E shall be eight feet.**

COMMENT: With the modification of the lot sizes through the amendment of the Basic Plans, modified development regulations are being proposed by the Applicant. A minimum front yard depth of 20 feet, side yard setback of 5 feet and rear yard setback of 20 feet are proposed in all development envelopes. As a result, this condition should be modified to require, prior to certification, that the Applicant add a development regulations table to the CDP.

- 32. At the time of preliminary plan of subdivision, adequate lot depth with respect to possible noise or visual impacts from adjacent White House Road shall be reviewed.**

COMMENT: During the review of the prior preliminary plan of subdivision, it was determined that the 65 dBA line did not extend beyond the regulated environmental features being retained on the subject property. Therefore, no mitigation was required. Therefore, this condition has been addressed and is no longer applicable.

- 33. Before approval of a specific design plan for the project, the following design issue shall be analyzed and provided for, to the extent feasible:**

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

COMMENT: The compatibility with the surrounding neighborhood is assured through the buffers which have been established and the landscaping which will be installed within those buffers, where required. The landscaping will be reviewed at the time of SDP. This condition should be carried forward with this CDP.

- 34. Before approval of a specific design plan, the applicant shall add a note to the plans that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed (and approved) crossing.**

COMMENT: This condition can remain, and this note can be added to the plans. This area will remain in a natural state and provides adequate screening and buffering for the proposed lots.

- 35. The public vehicular access to the future master-planned neighborhood park shall be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village shall be limited to pedestrian access only.**

COMMENT: Noted. This condition can be carried forward.

- 36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.**

COMMENT: Noted. As referenced above, the Applicant proposes that this trail connection be deleted and that access to the trail be provided from a future public sidewalk connection where Harry S. Truman crosses the trail.

- 37. The potential dedication of land for Harry S Truman Drive through the subject property shall be reviewed at the time of Preliminary Plan approval and shall take into account the recommendations of the Westphalia Comprehensive Conceptual Planning Study (2005); the impacts on the proposed development; the status of other road improvements in the vicinity; the engineering constraints; the environmental impacts; and the general feasibility of the road extension.**

COMMENT: This issue was resolved at the time of the prior Preliminary Plan. Right of way for Harry S. Truman Drive was dedicated with the recordation of the final plats of subdivision. Therefore, this condition is no longer applicable.

Considerations

- 1. At the time of specific design plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the request of property owners to the south for additional berming and screening.**

COMMENT: This consideration can be carried forward to the SDP. It is noted however, that a major gas transmission line has been constructed since this consideration was initially included which provides a physical buffer between the subject property and most of the property to the south. Fencing and landscaping will be provided that will further screen these properties. The fencing and landscaping can be addressed at the time of SDP.

- 2. At the time of specific design plan review, recreation facilities for subdivision shall be reevaluated and redesigned, so that recreation facilities are located near all lots. The facilities must include more than one centralized**

recreational facility. Existing or planned neighborhood park facilities adjacent to the subject site, and the trail head connection in its vicinity, shall not relieve the applicant of the responsibility to provide adequate recreation facilities proximate to all lots in the proposed subdivision.

COMMENT: This consideration should be deleted. The Applicant is proposing on-site recreational facilities. Further, the condition requires more than one centralized recreational facility. However, during the review of the prior SDP, it was noted that the area of dedicated parkland increased from 14.1 acres to 19.4 acres. Therefore, the Planning Board determined that a centralized recreational facility was appropriate. The Applicant has shown two possible locations for recreational facilities on the CDP. A determination will be made as to whether it is appropriate to have a single centralized facility or to provide additional locations. However, due to the compact nature of the community and the extensive sidewalk network, requiring multiple locations rather than allowing a centralized location, if determined appropriate, is not necessary.

TRAFFIC IMPACT ANALYSIS
FOR
KENWOOD VILLAGE

Prepared by:

LENHART TRAFFIC CONSULTING, INC.
TRAFFIC ENGINEERING & TRANSPORTATION PLANNING

October 13, 2022



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Section 1 Introduction

1.1 Project Description

This Traffic Impact Analysis was prepared for the Kenwood Village development, located south of White House Road and east of Ritchie Marlboro Road, in Westphalia, Maryland. **Exhibit 1** shows the location of the proposed development. The site is located within Transportation Service Area 2.

The subject property is currently undeveloped and is proposed to be developed with up to 120 single family units. Access to the site will be provided along White House Road, just east of the intersection of White House Road & Harry S Truman Drive with a full movement access point. Site frontage improvements will be provided and include acceleration/deceleration lanes along White House Road. A site plan has been included in Appendix A.

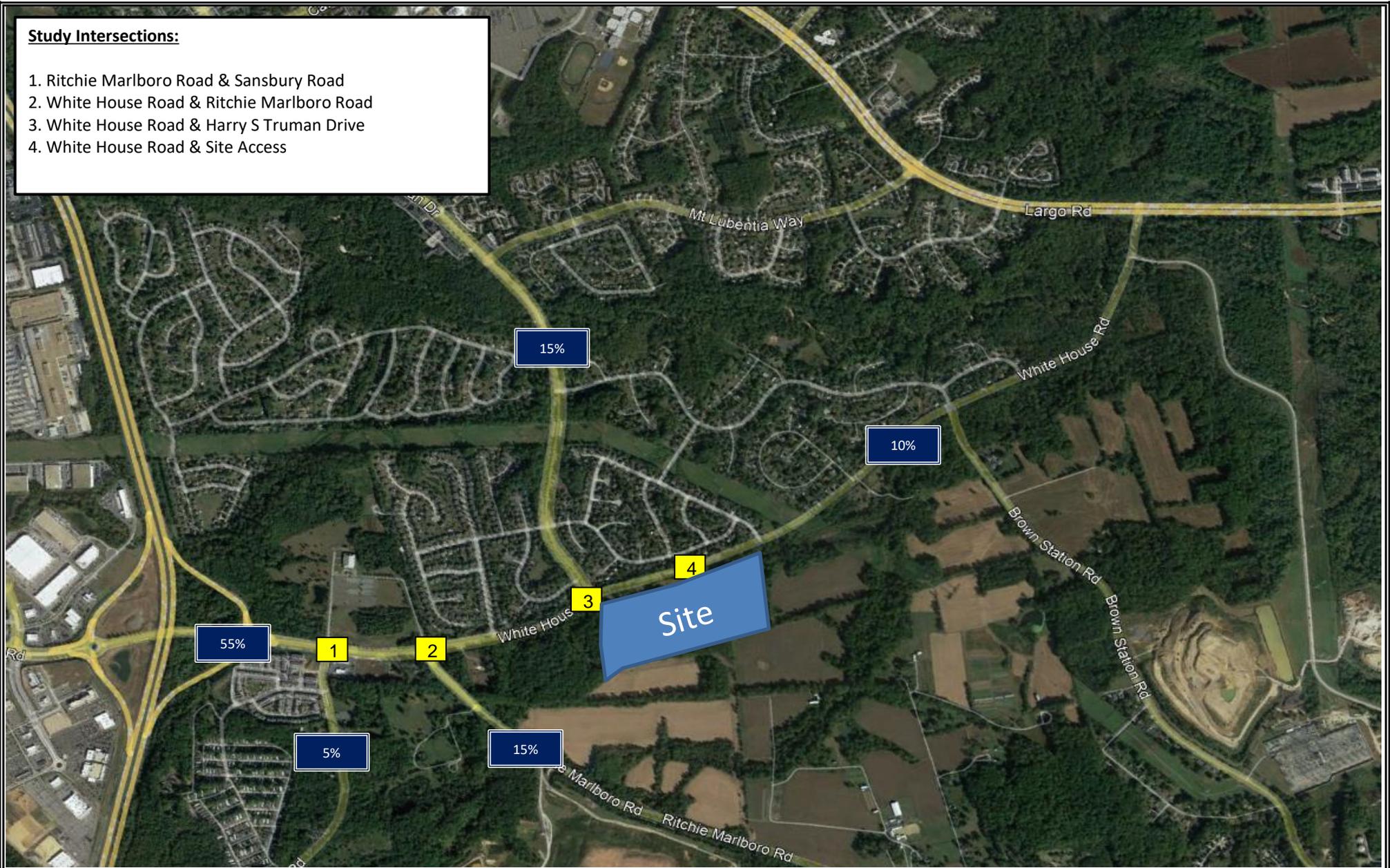
1.2 Scope of Study

M-NCPPC Guidelines require that signalized intersections operate with a CLV of less than 1,450 for studies conducted for sites located within Transportation Service Area 2.

M-NCPPC Guidelines require that unsignalized intersections be evaluated using the Highway Capacity Manual (HCM) unsignalized methodology based on a three-step test of adequacy. All intersections operating with an average of less than 50 seconds of delay per vehicle for the minor street movements are considered adequate (step one). If an intersection exceeds 50 seconds of delay, additional analyses are required including a consideration of the volume of traffic on the minor street approach. If the minor street volumes with greater than 50 seconds of delay are less than 100 vehicles per hour then the intersection is considered adequate (step two). If average delays exceed 50 seconds per vehicle for any movements with more than 100 vehicles per hour, a CLV analysis is conducted and if the CLV of the unsignalized intersection is 1,150 or better (step three) the intersection is deemed adequate.

Study Intersections:

1. Ritchie Marlboro Road & Sansbury Road
2. White House Road & Ritchie Marlboro Road
3. White House Road & Harry S Truman Drive
4. White House Road & Site Access



Due Diligence Study



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**Site
Location Map**

XX%

- Trip Assignment

**Exhibit
1**

Section 2 Existing Conditions

2.1 Description of Road Network

The key roads in the study area are:

- Ritchie Marlboro Road is a four-lane (two in each direction) roadway within the study network. The posted speed limit is 40 MPH.
- White House Road is a two-lane (one in each direction) roadway within the vicinity of the site. The posted speed limit is 40 MPH.

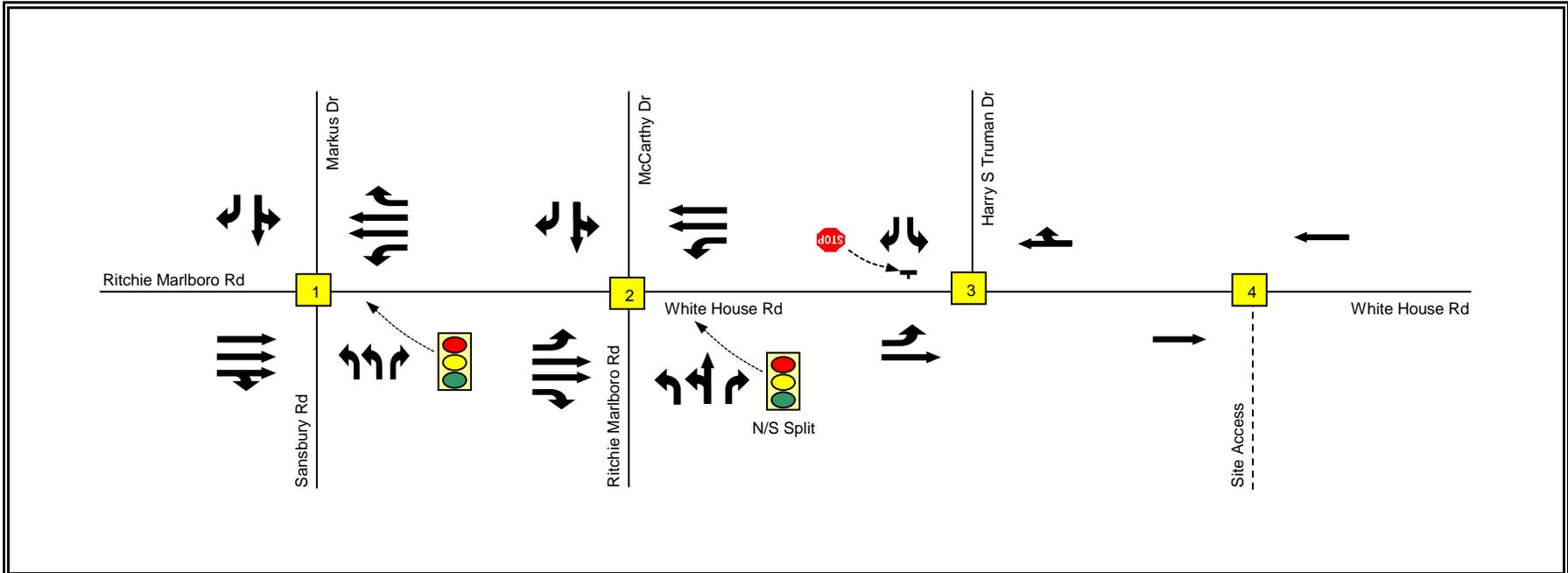
2.2 Existing Lane Configurations

The Existing Lane Use & Traffic Control Devices are shown on **Exhibit 2**.

2.3 Existing Traffic Counts

Peak hour turning movement counts were conducted with the results shown on **Exhibit 3**. The volumes shown on Exhibit 3 represent the existing volumes for the purposes of this study.

As required under M-NCPPC guidelines, the existing intersections were evaluated using HCM and CLV analyses and the results are shown on Exhibit 10. The relevant level of service worksheets are included in Appendix B.



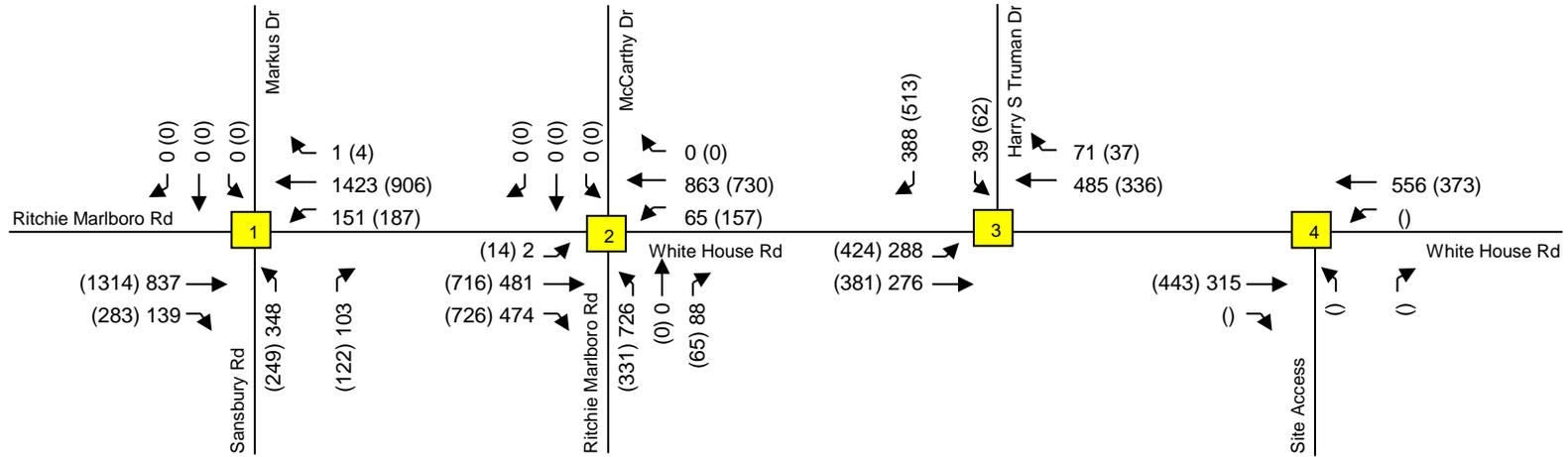
Traffic Impact Analysis

Lane Use & Traffic Control Devices

Exhibit 2



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Traffic Impact Analysis



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Existing
 Peak Hour Volumes

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
 3**

Section 3 Background Conditions

3.1 Annual Growth

An annual growth rate of one percent was applied for six years to account for increases in regional traffic not attributable to specific nearby development projects. Regional growth was applied to volumes along the primary through routes within the study area that would be expected to carry regional (non-local traffic) that would not otherwise be accounted for as part of traffic from specific approved background developments. **Exhibit 4** shows the resulting base peak hour volumes.

3.2 Approved Background Developments

The background developments were identified through PGAtlas and assumptions were confirmed as part of the scoping process and have been updated to reflect current development status. The location of each background development is shown in Appendix C (Exhibit C-1), along with background trip generation (Exhibit C-2) and assignment (Exhibits C-3 through C-18). **Exhibit 5** shows the total volume of all trips from the approved background developments.

3.3 Background Traffic Volumes

Background volumes, including regional growth and trips from approved developments, are shown on **Exhibit 6a**.

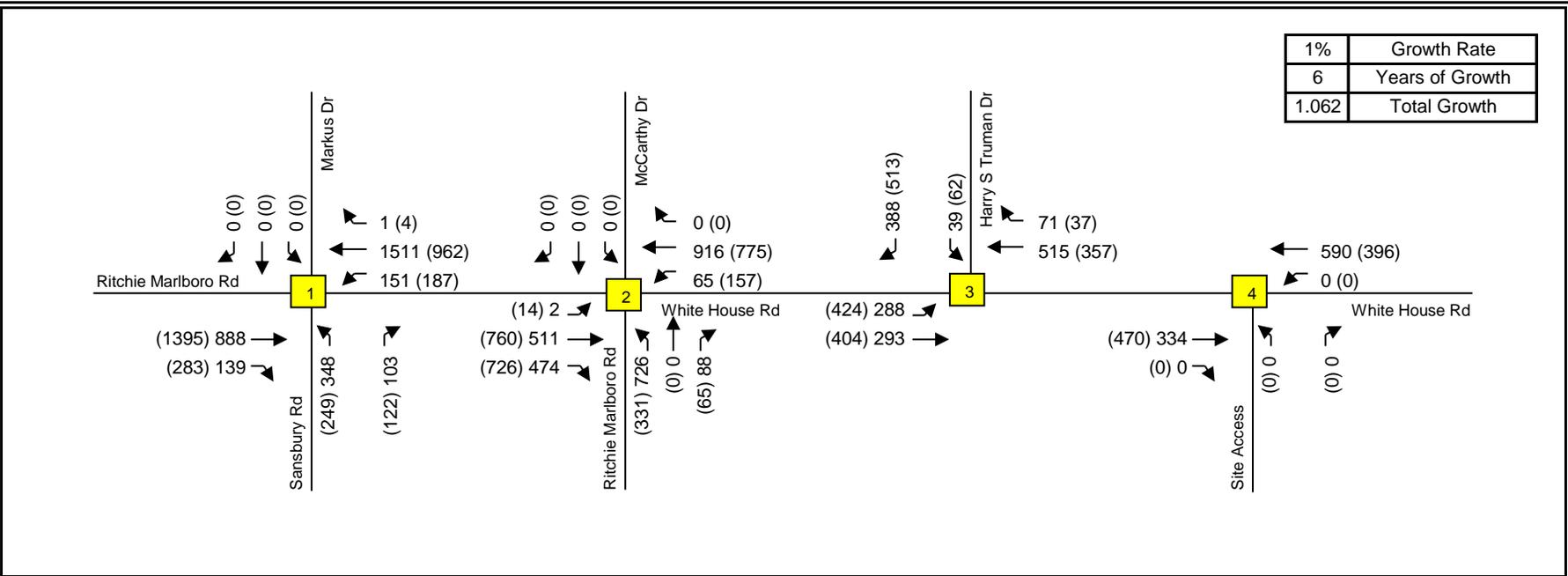
3.4 Approved Background Transportation Improvements

The following improvements are approved and funded as part of either County projects or projects required of nearby developments:

- Ritchie Marlboro Road & Sansbury Road
A third westbound through lane is being added along Ritchie Marlboro Road.
- Ritchie Marlboro Road & White House Road
Northbound Ritchie Marlboro Road is being re-striped to provide two left turn lanes and one shared left/thru/right.

Exhibit 6b shows the Background Lane Use and Traffic Control Devices with the above improvements in place.

Results of the HCM and CLV analyses for the Background condition are shown on Exhibit 9.



Note: The growth rate was applied to the mainline volume eastbound/westbound through movements along Ritchie Marlboro Road/White House Road.

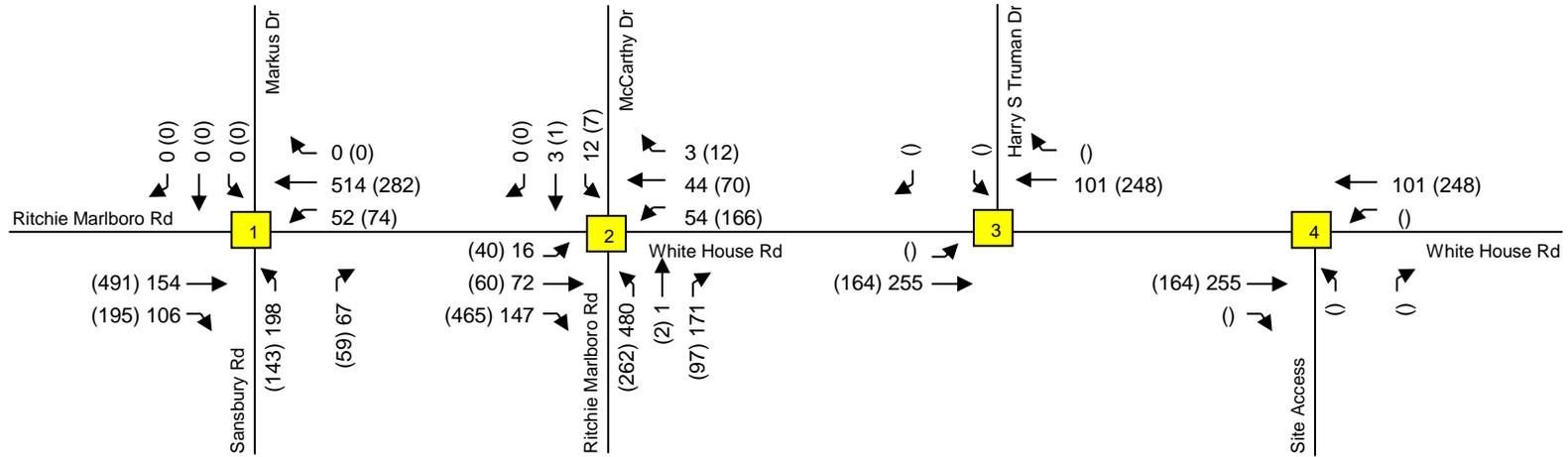
Traffic Impact Analysis

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**Base
Peak Hour Volumes**

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
4**



Traffic Impact Analysis

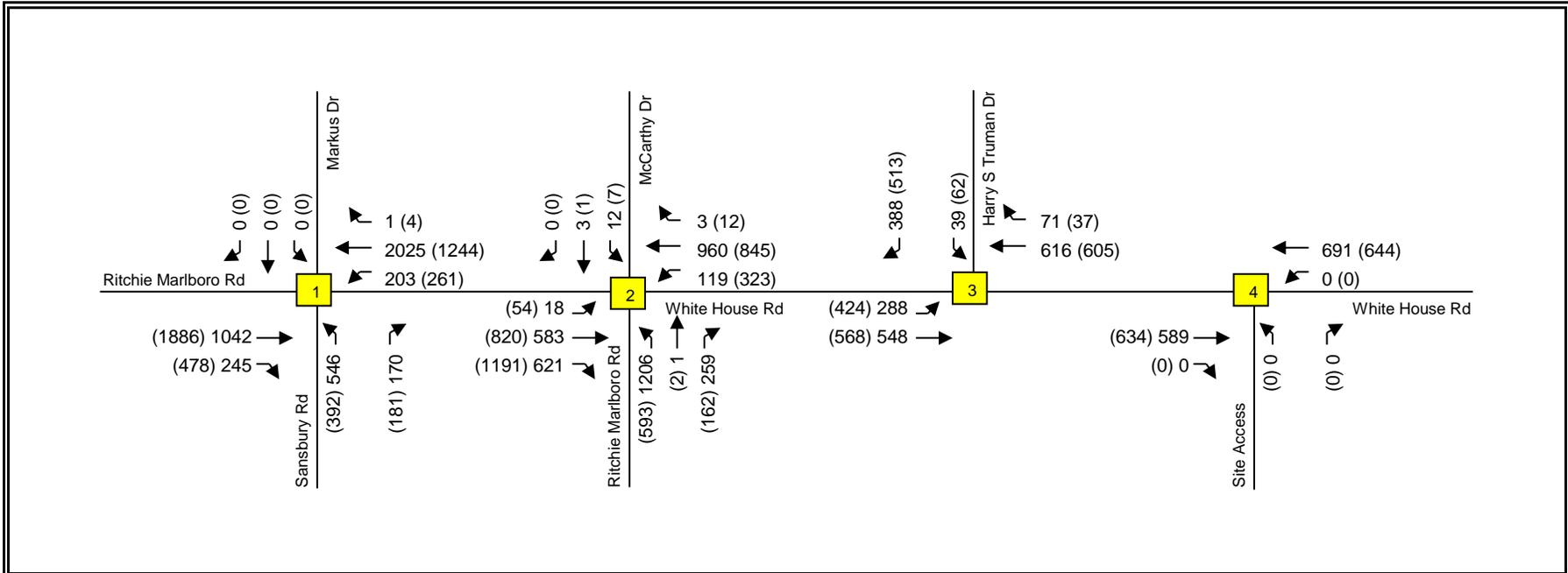


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Combined Trips from
 Background Developments

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
 5**



Traffic Impact Analysis

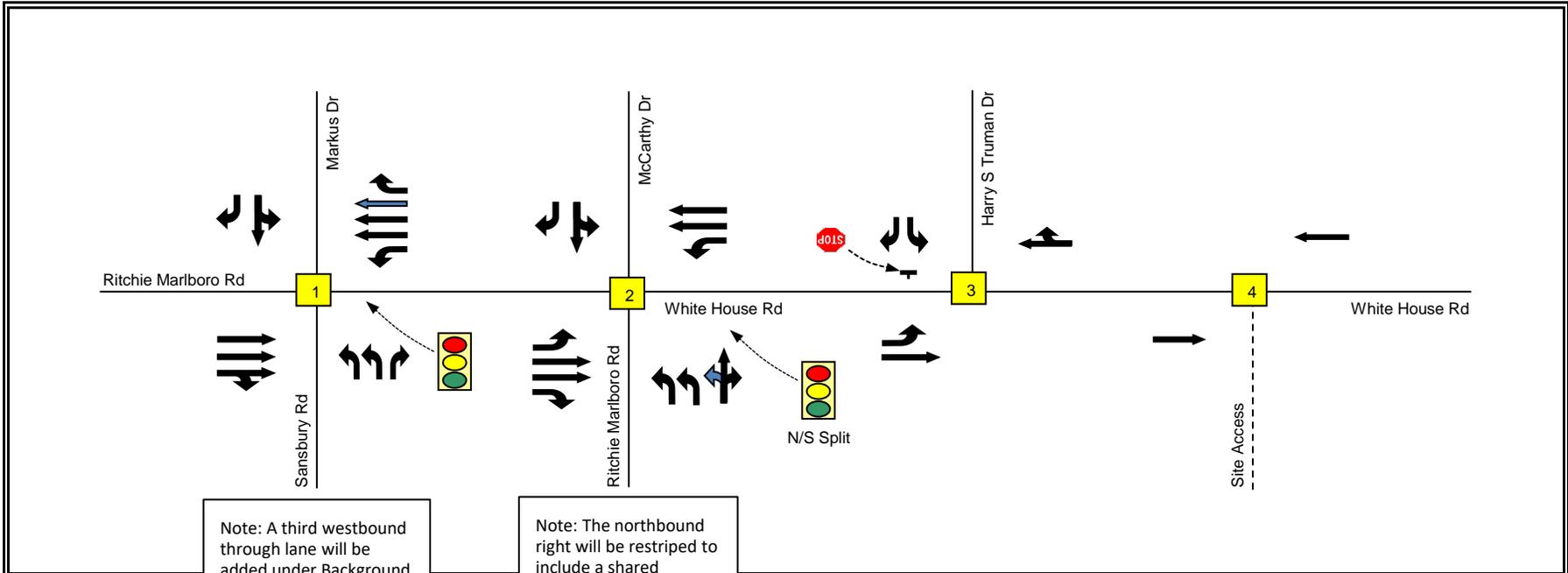


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Background
 Peak Hour Volumes

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Exhibit
 6a



Note: A third westbound through lane will be added under Background conditions as part of improvements being completed by previously approved developments.

Note: The northbound right will be restriped to include a shared left/thru/right turn lane under Background conditions as part of improvements being completed by previously approved



Traffic Impact Analysis

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Background Lane Use & Traffic Control Devices

 Existing
  Background

Exhibit 6b

Section 4 Projected Conditions with Site

4.1 Site Trip Generation

The subject property is currently undeveloped and is proposed to be developed with up to 120 single family units.

The trip generation for the site is detailed on **Exhibit 7**. Trip generation rates and totals are based on applicable rates from the Prince George's County Guidelines.

4.2 Site Trip Distribution & Trip Assignment

Exhibits 8 details the trip assignment for the site.

4.3 Total Traffic Volumes

The Total Peak Hour Volumes are shown on **Exhibit 9a**.

With the development of the site, an improvement to the intersection of White House Road & Harry S Truman Drive is proposed. This improvement consists of an acceleration/deceleration lane along White House Road. The proposed lane use with the improvements to the intersection of White House Road & Harry S Truman Drive and the site frontage is shown **Exhibit 9b**.

4.4 Projected Level of Service

The results of the HCM & CLV analysis are shown on **Exhibit 10**.

As shown, each study intersection meets the adequacy requirements of Prince George's County, with the exception of the intersection of White House Road & Harry S Truman Drive, which does not pass the three-tier adequacy test during the evening peak hour with the current intersection configuration. However, with the proposed improvement to the intersection, the three-tier adequacy test is passed.

Trip Generation Rates

Single Family Housing

Morning Trips = 0.75 x Units

Evening Trips = 0.90 x Units

Trip Distribution (In/Out)

20/80

65/35

Trip Generation Totals

		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family Housing	120 units	18	72	90	70	38	108
Total:		18	72	90	70	38	108

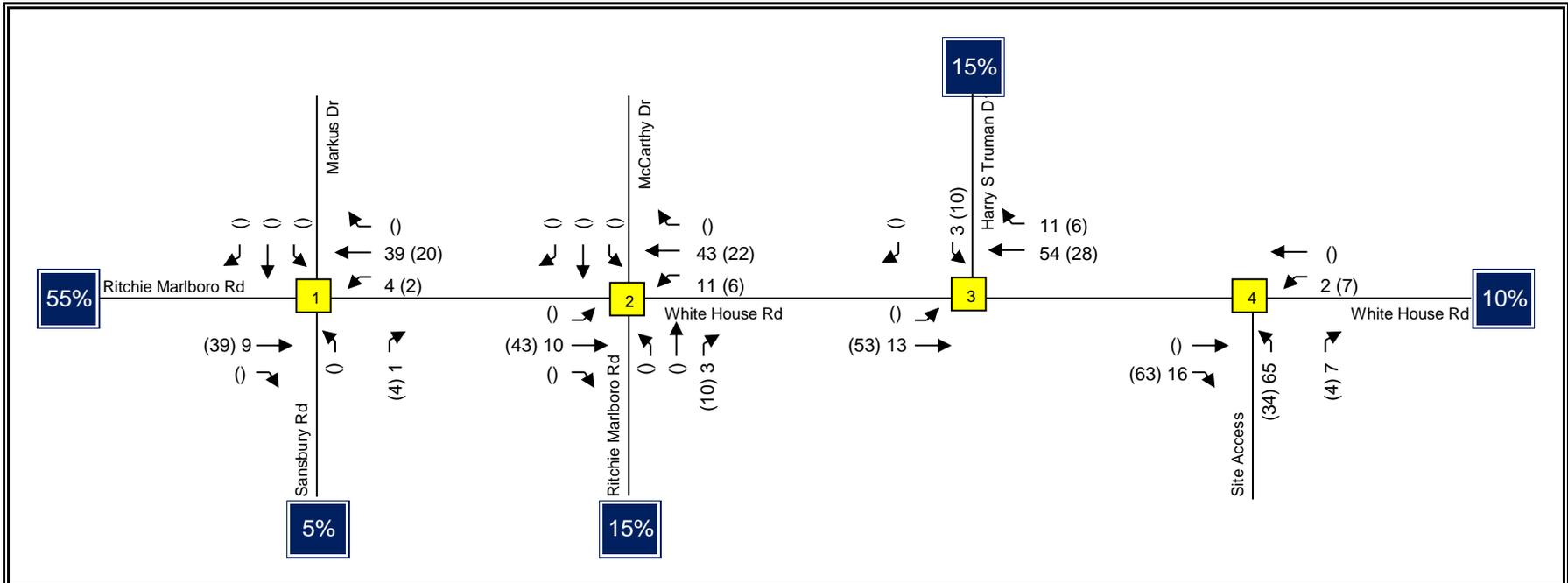
NOTE: Trip Generation Rates obtained from the MNCPPC Guidelines

Traffic Impact Analysis

Trip Generation for
Site

**Exhibit
7**

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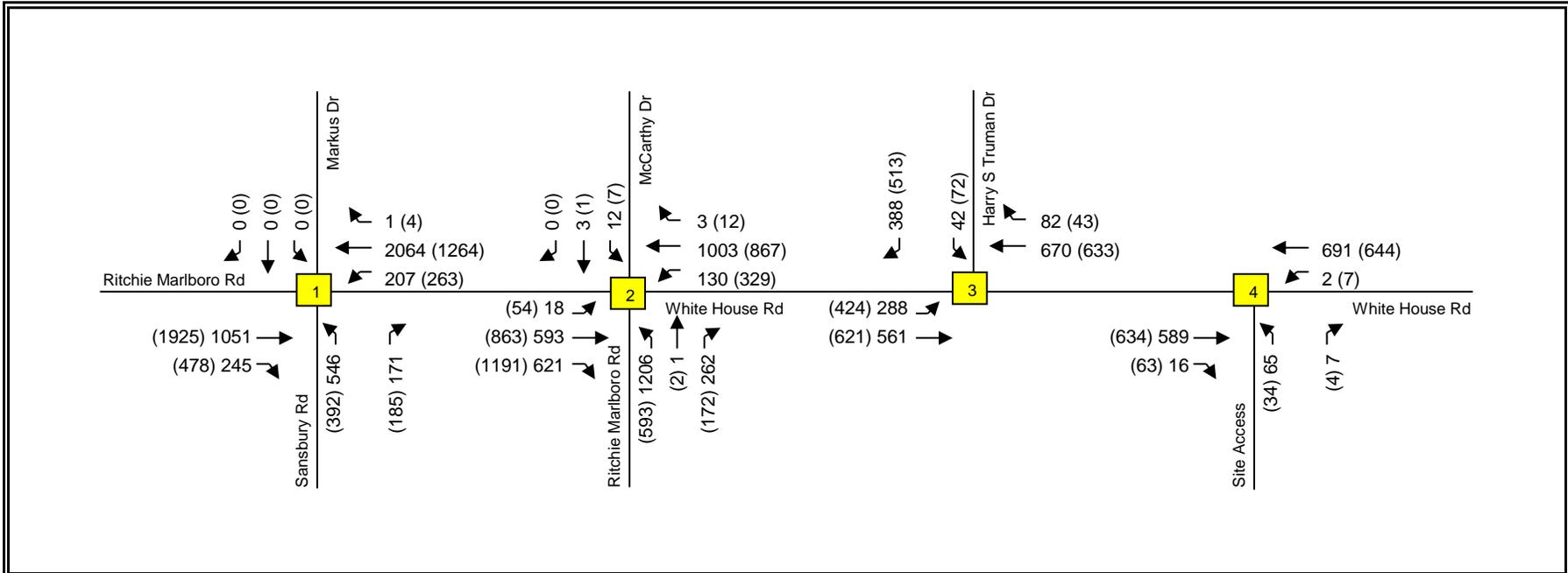
Traffic Impact Analysis

Trip Assignment
for Site

Exhibit
8

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Key: xx = AM Peak Vol's (xx) = PM Peak Vol's



Traffic Impact Analysis

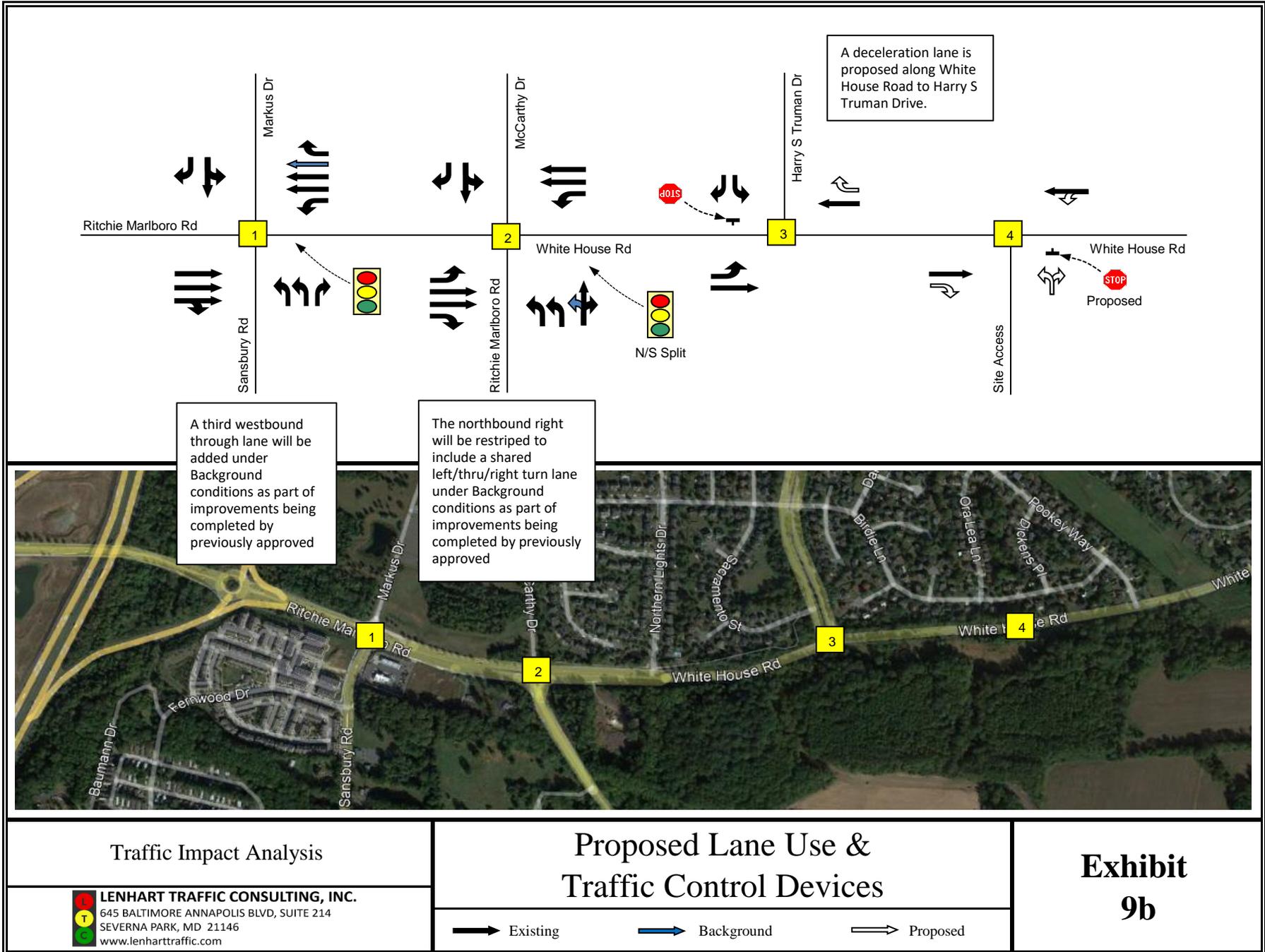


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Total
 Peak Hour Volumes

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Exhibit
 9a



Traffic Impact Analysis

Proposed Lane Use & Traffic Control Devices

Exhibit 9b



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Existing
 Background
 Proposed

Level of Service Results

Morning Peak Hour		Existing LOS	Background LOS	Total LOS	Total LOS with Imp.	Meets Standard?
1). Ritchie Marlboro Road & Sansbury Road	(signalized)	A / 992	B / 1077	B / 1092		Y
2). Ritchie Marlboro Road & White House Road	(signalized)	A / 913	C / 1223	C / 1247		Y
3). White House Road & Harry S Truman Drive	(unsignalized)					Y
<i>Step 1 - HCM Delay Test</i>						
<i>Southbound Approach</i>		73.1 sec.	241.0 sec.	348.3 sec.	311.2 sec.	N
<i>Step 2 - Minor Street Volume Test</i>		> 100 veh.	> 100 veh.	> 100 veh.	> 100 veh.	N
<i>Step 3 - CLV Test</i>		A / 944	B / 1075	B / 1140	B / 1058	Y
4). White House Road & Site Access	(unsignalized)					Y
<i>Step 1 - HCM Delay Test</i>						
<i>Northbound Approach</i>		N/A	N/A	44.6 sec.		Y
<i>Step 2 - Minor Street Volume Test</i>		--	--	--	--	N
<i>Step 3 - CLV Test</i>		--	--	--	--	Y
Evening Peak Hour		Existing LOS	Background LOS	Total LOS	Total LOS with Imp.	Meets Standard?
1). Ritchie Marlboro Road & Sansbury Road	(signalized)	A / 927	D / 1371	D / 1387		Y
2). Ritchie Marlboro Road & White House Road	(signalized)	A / 750	B / 1123	C / 1157		Y
3). White House Road & Harry S Truman Drive	(unsignalized)					Y
<i>Step 1 - HCM Delay Test</i>						
<i>Southbound Approach</i>		275.9 sec.	1190.5 sec.	1378.7 sec.	1364.2 sec.	N
<i>Step 2 - Minor Street Volume Test</i>		> 100 veh.	> 100 veh.	> 100 veh.	> 100 veh.	N
<i>Step 3 - CLV Test</i>		A / 886	C / 1155	C / 1189	B / 1146	Y
4). White House Road & Site Access	(unsignalized)					Y
<i>Step 1 - HCM Delay Test</i>						
<i>Northbound Approach</i>		N/A	N/A	34.4 sec.		Y
<i>Step 2 - Minor Street Volume Test</i>		--	--	--	--	N
<i>Step 3 - CLV Test</i>		--	--	--	--	Y

NOTES:

1. M-NCPPC Guidelines require that signalized intersections operate with a CLV of less than 1,450 for studies conducted for sites located within Transportation Service Area 2.
2. Unsignalized intersections are subject to a three step test of adequacy. An intersection meeting the requirements of any one of the three steps is considered adequate. Step one of the test considers an intersection adequate if HCM delay is less than 50 seconds for all movements. If an intersection fails step one of the test, step two of the test considers the intersection adequate if the minor street approach volumes are less than 100 vehicles during the peak hour. If an intersection also fails step two of the test, step three of the test considers the intersection adequate if the CLV is less than 1,150.

Traffic Impact Analysis	Results of Level of Service Analyses	Exhibit 10
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Section 5 Conclusions / Recommendations

5.1 Results of Analysis

This Traffic Impact Analysis was prepared for the Kenwood Village development, located south of White House Road and east of Ritchie Marlboro Road, in Westphalia, Maryland. The site is located within Transportation Service Area 2.

The subject property is currently undeveloped and is proposed to be developed with up to 120 single family units. Access to the site will be provided along White House Road, just east of the intersection of White House Road & Harry S Truman Drive with a full movement access point.

Based on the analyses contained in this report:

- All signalized intersections operate with a CLV of 1,450 or better, thereby meeting the requirements of Transportation Service Area 2.
- White House Road & Harry S Truman Drive does not meet the three-step adequacy test for unsignalized intersections under background and total conditions with the current intersection configuration. However, the construction of a westbound deceleration lane on White House Road is proposed with the development of the site. With this improvement, the intersection passes the three-step adequacy test.
- The site access point passes the first step of the three-step adequacy test for unsignalized intersections during both peak hours; therefore is deemed adequate as a single point of access to this subdivision. More specifically, the site access point actually passes all three steps of the unsignalized intersection methodology and should operate well. In addition, the Transportation Review Guidelines (TRG) Part 1 (Section 9.B.1) provides guidance on the number of access points required to adequately serve a subdivision. The TRG states that... *“For single family residential developments, a single access point should be limited to an ADT volume of 2,000.”* Using the Prince George’s County trip generation rates for single family units, a 222 unit subdivision would generate 1,998 trips per day. Therefore, a single family residential development with up to 222 units can adequately be served by one access point. Therefore, the proposed development will be adequately served with the single access point on White House Road.

In light of the results of this study and the improvements noted above, this project will satisfy the APFO requirements of Prince George’s County.

Appendix A

Supplemental Information
Turning Movement Counts

SPECIFIC DESIGN PLAN

KENWOOD VILLAGE LOTS 1-72

15TH ELECTION DISTRICT

PRINCE GEORGE'S COUNTY, MARYLAND

SHEET CONTENTS		
SHEET NAME	SHEET TITLE	SHEET NO.
C1	COVER SHEET	1
C2	SITE PLAN	2
C3	SITE PLAN	3
C4	SITE PLAN	4
C5	SITE PLAN	5
C6	SITE PLAN	6
C7	SITE PLAN	7
C8	SITE PLAN	8
C9	ADA NOTES & DETAILS	9
L1	LANDSCAPE PLAN	10
L2	LANDSCAPE PLAN	11
L3	LANDSCAPE PLAN	12
L4	LANDSCAPE PLAN	13
L5	LANDSCAPE PLAN	14
L6	LANDSCAPE NOTES & DETAILS	15
L7	LANDSCAPE NOTES & DETAILS	16
L8	LANDSCAPE DETAILS	17
A1	ARCHITECTURAL TEMPLATES	18
A2	JAMES ELEVATIONS	19
A3	POTOMAC ELEVATIONS	20
A4	POTOMAC ELEVATIONS	21
A5	RAPPANNOCK ELEVATIONS	22
A6	RAPPANNOCK ELEVATIONS	23
A7	ARCHITECTURAL TEMPLATES	24
A8	WINDSOR ELEVATIONS	25
A9	WINDSOR ELEVATIONS	26

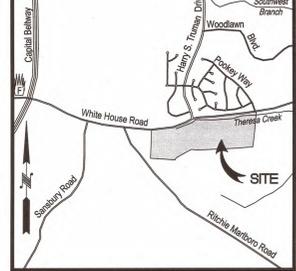
BENCHMARK DESCRIPTION

MD STATE PLANE COORDINATES
STATION: 20413
 NORTHING: 445403.522 SFT
 EASTING: 1361567.819 SFT
 NAVD 83: 138
 LOCATION: IN THE GRASS MEDIUM CAMPUS WAY SOUTH 0.1 MILES SOUTH ROUTE 202 (LARGO ROAD) STATION M.D. BY STAND W/SSC BRASS DISK STAMPED 20413 13° SET TOP ROUND CONCRETE MONUMENT SET BY M&I

STATION: 19742
 NORTHING: 427129.307 SFT
 EASTING: 1352917.022 SFT
 NAVD 83: 279.563
 LOCATION: NORTH SIDE OF WESTBOUND MARYLAND STATE ROUTE 4 (PENNSYLVANIA AVE) 500' EAST OF 1891-495 (CAPITAL BELTWAY) 500' WEST OF WESTPARK ROAD 30.5' NORTH OF THE C/L OF THE WESTBOUND LANE

STATION M.D. BY STANDARD NOS TRIANGULATION DISK STAMPED: 'LET 1987' SET IN A 10" ROUND CONCRETE MONUMENT

STATION: 19743
 NORTHING: 417544.846 SFT
 EASTING: 1372653.342 SFT
 NAVD 83: 112.644
 LOCATION: 34.8' NORTH OF THE EASTBOUND MARYLAND STATE ROUTE 4 (PENNSYLVANIA) 1.6 MILES EAST OF MARYLAND STATE ROUTE 223 (WOODY ROAD) 179' EAST OF PEPCO R/W. ALSO W/SSC BR 5225 STATION M.D. BY U.S.G.S BENCHMARK DISK STAMPED '131 1971' 10" OF COPPER COATED ROD, PROTECTED BY A 6" I.L.E. FLUSH



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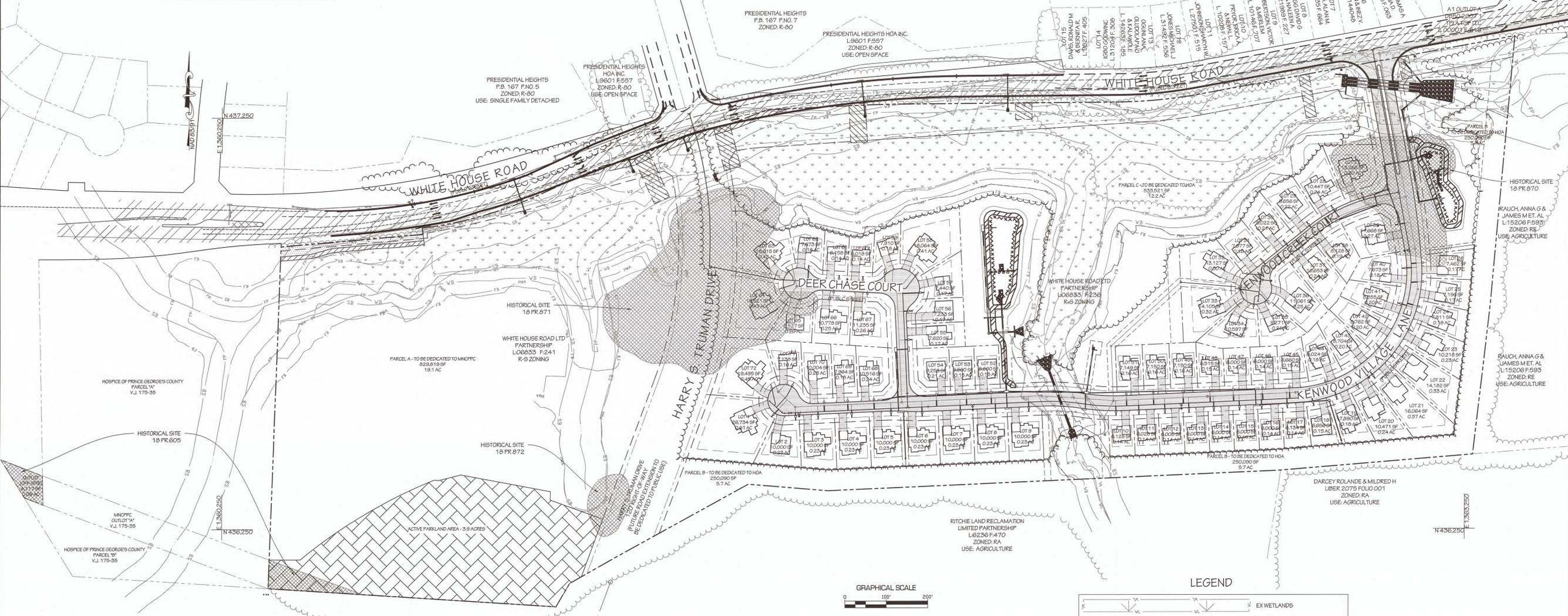


DATE	BY	REVISIONS
12/11/14	WZG	REV. 1 - LOT WIDTH NOTE #1
12/11/14	WZG	REV. 2 - ROAD NAMES AND W/SSC WATERLINE CORRECT LOT AREAS FOR LOTS 1-5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72

APPLICANT / OWNERS:
 THE WHITE HOUSE ROAD LIMITED PARTNERSHIP
 1615 M STREET, N.W. SUITE 800
 WASHINGTON, D.C. 20036
 (202) 459-9800

PROJECT NAME: KENWOOD VILLAGE
PROJECT NUMBER: SDP-0805-02
 For Conditions of Approval see Site Plan Cover Sheet and Approval Sheet
 Revision numbers must be included in the Project Number

SCALE: 1" = 100'
DATE: 10-11-13
DESIGN: MAS
DRAWN: MAS
REVIEWED: WZG
PROJECT #: 11-001000
SHEET No.: C1
1 OF 26

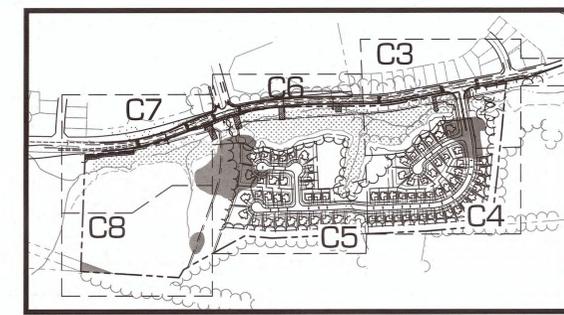
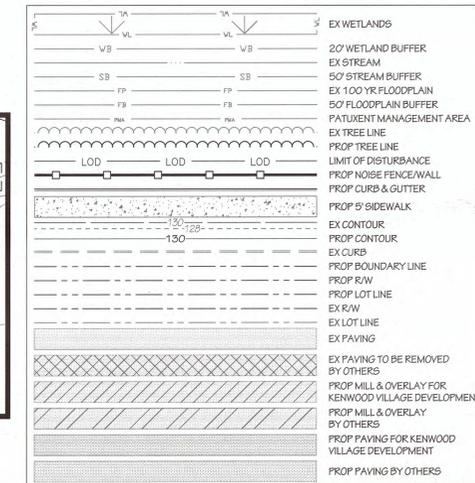


GENERAL NOTES

- PROPERTY OWNER/APPLICANT: THE WHITE HOUSE ROAD LIMITED PARTNERSHIP
 1615 M STREET, N.W. SUITE 800
 WASHINGTON, DC 20036
- THE PROPERTY IS KNOWN AS KENWOOD VILLAGE
 PRINCE GEORGE'S COUNTY TAX MAP NO. 85, GRID A1
 PARCELS 55 AND 73 (REFS: POLS 46330241 & 6833236)
 ADC MAP NO. 5651, GRID H2, J2
 ELECTION DISTRICT 15
 W/SSC GRID NO. 2035608
 CENSUS TRACT NO. 800701
- LAND AREAS:
 GROSS TRACT AREA: 63.1 ACRES
 100 YEAR FLOOD PLAIN: 11.8 ACRES
 NET TRACT AREA: 51.3 ACRES
 PROPOSED LOT AREA (72): 16.4 ACRES
 PROPOSED ROW AREA: 10.3 ACRES
 PARCEL A: 19.1 ACRES
 PARCEL B: 12.2 ACRES
 OUTLOT (OFF-SITE): 0.09 ACRES
 WOODLAND CONSERVATION: 23.4 ACRES
- ZONING: R-6
- ZONING REGULATIONS:
 MINIMUM LOT SIZE: 6,000 SF
 DEVELOPMENT ENVELOPE A-D MIN LOT SIZE: 6,000 SF
 DEVELOPMENT ENVELOPE E SETBACK:
 FRONT REAR YARD: 25 FEET
 SIDE YARD: 5 FEET
 DEV. ENVELOPE A-D DEV. ENVELOPE E SIDE YARD (CORNER LOT): 25 FEET
 MINIMUM LOT WIDTH AT STREET LINE: 50' N/A
 MINIMUM LOT WIDTH AT BUILDING LINE: N/A
 MAXIMUM LOT COVERAGE: N/A
 MAXIMUM BUILDING HEIGHT: N/A
 MAXIMUM DENSITY: 2.18 DWELLING UNITS PER GROSS ACRE (136 LOTS)
- PARKING SPACES REQUIRED: 144 (21.07)
 SPACES PROVIDED: 218 (2 CAR GARAGE & 1 SPACED DRIVEWAY)
- EXISTING USE: VACANT
- PROPOSED USE: 72 SINGLE FAMILY DETACHED RESIDENTIAL UNITS
- NEAREST INTERSECTING STREET: WHITE HOUSE ROAD & HARRY S. TRUMAN DRIVE
- PER MAP ENTITLED "FIRM FLOOD INSURANCE RATE MAP PRINCE GEORGE'S COUNTY MARYLAND PANEL 45 OF 122 COMMUNITY PANEL NO. 2455200045" THE PROPERTIES ARE LOCATED IN FLOOD HAZARD ZONE C (AREAS OF MINIMAL FLOODING)
- ELECTION DISTRICT 15
- WATER AND SEWER CATEGORIES:
 EXISTING: W-15-4
 PROPOSED: W/SS
- STORM WATER CONCEPT NUMBER: 43083-2005-02
- APPROVAL DATE: NOVEMBER 30, 2005
- EXPIRATION DATE: MAY 4, 2013
- STORM DRAIN WATER AND SEWER ARE SUBJECT TO FINAL APPROVAL. THESE UTILITIES ARE SUBJECT TO CHANGE AND SHOULD BE CONSTRUCTED PER THE APPROVED STORM DRAIN PLANS AND WATER AND SEWER PLANS.
- THIS PROPERTY IS NOT LOCATED WITHIN AN AVIATION POLICY AREA (APA).
- A 10-FOOT PUBLIC UTILITY EASEMENT (P.U.E.) IS REQUIRED ALONG ALL RIGHTS-OF-WAY.
- 19.1 ACRES TO BE DEDICATED TO M-NCPPC FOR FUTURE PARK.
- THERE ARE NO KNOWN CEMETERIES OR CONTIGUOUS TO THE PROPERTY.
- THE FOLLOWING ARCHEOLOGICAL SITES EXIST ON THE PROPERTY: 18FR870, 18FR871, 18FR872. A PHASE I ARCHEOLOGICAL SURVEY AND PHASE I WORK PLAN HAVE BEEN SUBMITTED AND APPROVED FOR THIS PROJECT.
- STREAMS AND WETLANDS EXIST ON THE PROPERTY.
- THIS PROPERTY IS NOT LOCATED WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- THIS BOUNDARY WAS PROVIDED BY THE RBA GROUP, SEPTEMBER, 2002 AND FIELD VERIFIED BY CHRISTOPHER CONSULTANTS, LTD. IN DECEMBER, 2005 THROUGH FEBRUARY, 2006.
- THE TOPOGRAPHY WAS PROVIDED BY THE RBA GROUP, SEPTEMBER, 2002 AND FIELD VERIFIED BY CHRISTOPHER CONSULTANTS, LTD. IN DECEMBER, 2005 THROUGH FEBRUARY, 2006, AND SUPPLEMENTED BY AXIOM ENGINEERING DESIGN MAY 2013.
- FULL CUT-OFF OPTIC LIGHT FIXTURES SHALL BE USED THROUGHOUT THE DEVELOPMENT AND SHALL BE DIRECTED DOWNWARD TO REDUCE GLARE AND LIGHT INTRUSION OR AS NOTICED BY DPW.
- CONSTRUCTION ACTIVITY SHALL CONFORM TO DUST CONTROL REQUIREMENTS AS SPECIFIED IN THE 2011 MARYLAND STANDARDS AND SPECIFICATIONS FOR SOIL PROTECTION AND EROSION CONTROL.
- CONSTRUCTION ACTIVITY SHALL CONFORM TO NOISE CONTROL REQUIREMENTS AS SPECIFIED IN SUBTITLE 19 OF THE PRINCE GEORGE'S COUNTY CODE.
- SOILING IN THE BUFFER ZONING ON BOTH SIDES OF THE STREAM/PARKLAND TO WHITE HOUSE ROAD SHALL BE PROVIDED, LEAVING THE WETLANDS IN A NATURAL STATE EXCEPT FOR THE PROPOSED CROSSINGS.
- A MINIMUM 5' SETBACK ARCHITECTURAL FEATURES SUCH AS WINDOWS, DOORS OR PORCHES OR BALCONIES SHALL BE ARRANGED IN A REASONABLY BALANCED DESIGN ON ALL SIDE ELEVATIONS AND A MINIMUM OF 4" SUCH FEATURES ON ALL HIGHLY-VISIBLE SIDE ELEVATIONS, WHICH SHALL INCLUDE LOTS 9, 10, 26, 27, 28, 31, 52, 54, 67, AND 68.
- ROCK OR OTHER MASONRY COVERING ON THE PRIMARY FINISH MATERIAL OF THE FRONT FACADES WILL BE WRAPPED ON THE SIDES OF ALL FRONT FACADE PROJECTIONS THAT ARE FINISHED WITH ROCK OR MASONRY.
- ALL CHIMNEYS WILL BE CLAD WITH ROCK STONE OR STUCCO.
- NO TWO IDENTICAL FACADES MAY BE LOCATED NEXT TO OR ACROSS FROM ONE ANOTHER.
- AT THE TIME OF BUILDING PERMIT SUBMITTAL, THE PERMIT PLANS SHALL LABEL ALL BUILDING SETBACKS (FRONT, SIDE, AND REAR YARDS) ON EACH LOT, LABEL GARAGES AS SINGLE OR DOUBLE CAR GARAGES, AND LIST THE ACTUAL PERCENTAGE OF LOT COVERAGE ON EACH LOT.
- PRIOR TO THE ISSUANCE OF THE 47TH BUILDING PERMIT, THE APPLICANT SHALL INSTALL THE REQUIRED INTERPRETIVE MEASURES FOR SITE 18FR871 AND WILL ENSURE THAT ALL THE ARCHEOLOGICAL ARTIFACTS ARE CATALOGUED IN A PERMANENT AND DATED WITH THE MAIN LAND ARCHEOLOGICAL CONSERVATION AS AT THE JEFFERSON PARTNERSHIP PARK AND MUSEUM IN ST. LEONARD, MARYLAND. PROOF OF DISPOSITION OF THE ARTIFACTS SHALL BE PROVIDED TO HISTORIC PRESERVATION.
- PRIVATE ON-SITE RECREATION FACILITIES:
 36.1. PRIOR TO APPROVAL OF THE FINAL PLANS, THE APPLICANT AND THE APPLICANT'S HEIRS, SUCCESSORS, AND/OR ASSIGNEES SHALL SUBMIT THESE ORIGINAL EXECUTED RECREATIONAL FACILITIES AGREEMENTS (RFAs) TO THE MARYLAND NATIONAL CAPITAL PARK AND PLANNING COMMISSION (MNCPC), PRINCE GEORGE'S COUNTY PLANNING DEPARTMENT, DEVELOPMENT REVIEW DIVISION (DRD), FOR CONSTRUCTION OF THE PRIVATE RECREATIONAL FACILITIES ON-SITE. UPON APPROVAL BY THE DRD DIVISION, THE RFA SHALL BE RECORDED AGAINST THE LAND RECORD OF PRINCE GEORGE'S COUNTY, UPPER MARYLAND.
 36.2. PRIOR TO APPROVAL OF BUILDING PERMITS, THE APPLICANT AND THE APPLICANT'S HEIRS, SUCCESSORS, AND/OR ASSIGNEES SHALL SUBMIT A PERFORMANCE BOND, LETTER OF CREDIT, OR OTHER SURETY BOND, GUARANTEE IN AN AMOUNT TO BE DETERMINED BY THE DRD DIVISION FOR CONSTRUCTION OF THE PRIVATE ON-SITE RECREATIONAL FACILITIES.
 36.3. THE PRIVATE ON-SITE RECREATIONAL FACILITIES SHALL BE CONSTRUCTED PRIOR TO ISSUANCE OF THE 43RD BUILDING PERMIT.
 37. PRIOR TO ISSUANCE OF THE 34TH BUILDING PERMIT, THE APPLICANT AND THE APPLICANT'S HEIRS, SUCCESSORS, AND/OR ASSIGNEES SHALL MAKE A PAYMENT TO THE MNCPC DEPARTMENT OF PARKS AND RECREATION IN THE AMOUNT OF \$70,000 IN 2013 TO CLARIFY THE BOUNDARIES OF THE 500' WIDE PARKING AND RECREATION PARKLAND AND CONSTRUCTION OF A 10-FOOT WIDE GRAVEL MAINTENANCE ACCESS ROAD FROM RITCHIE MARLBORO ROAD AND PREPARATION OF THE DETAIL ARCHITECTURAL DRAWINGS FOR THE PROPOSED PRIVATE RECREATIONAL PARKLAND. AT THE TIME OF PAYMENT, THIS AMOUNT SHALL BE ADJUSTED FOR INFLATION USING CONSUMER PRICE INDEX AND PREPARATION OF THE DETAIL ARCHITECTURAL DRAWINGS FOR THE PROPOSED PRIVATE RECREATIONAL PARKLAND. NO NOISE WALL SHALL BE REQUIRED ALONG HARRY S. TRUMAN EXTENDED.



LEGEND



SHEET KEY
 SCALE: 1" = 500'

Table 1: List of attachments for TIS scoping agreement
 The Maryland-National Capital Park and Planning Commission
 Prince George’s County Planning Department
 Transportation Planning Section, Countywide Planning Division

This form must be completed prior to commencing a Traffic Impact Study (TIS). The completed and signed Scoping Agreement should be submitted to the Transportation Planning Section (TPS) by the traffic consultant for concurrence and signature. TPS will return a signed copy, with any comments, to the traffic consultant for inclusion in the TIS. Failure to conduct the study in accordance with the guidelines and the signed Scoping Agreement may be grounds for rejection of the study, thereby necessitating an addendum or a new study prior to the start of the staff review.

Project Name:	Kenwood Village
Transportation Service Area: Please note if in Local Center or Regional Transit District (Map of TSAs in Appendix)	TSA 2
Zoning Classification per the ordinance this application is submitted under:	LCD
Proposed Zoning Classification (if rezoning was requested as part of application)	
Type of Application (see Table 4):	PPS
Project Location:	South of White House Road & east of Ritchie Marlboro Road
Traffic Consultant Name: Contact Number(s): Email Address(es):	Mike Lenhart (P): 410.216.3333 (F): 443.782.2288

Describe the Proposal Under Study: Residential—Number & Type of Units: Commercial—Amount & Type of Space: Other Uses and Quantity:	+/- 120 Single family residences			
Are pass-by trip rates in accordance with the Guidelines? (select one)	Yes	No	<input checked="" type="radio"/> N/A	If No, please provide explanation on separate sheet.
Are there diverted trips? (select one)	Yes	<input checked="" type="radio"/> No		If Yes, please provide explanation on separate sheet.

(Internal Trips)

Will a TOD credit be used? (Section 4 of the Guidelines) (select one)	Yes	<input checked="" type="radio"/> No	Note that all development in TSAs and Regional Transit Districts Centers will be evaluated for TOD.
Will a transit facilities credit be used? (Section 5 of the Guidelines) (select one)	Yes	<input checked="" type="radio"/> No	Need/nexus must be justified in study, and it must be supported by operating agency.
Will a bike/ped facilities credit be used? (Section 6 of the Guidelines) (select one)	Yes	<input checked="" type="radio"/> No	Need/nexus must be justified in study, and it must be supported by operating agency.
Are additional trip reductions (internal trips, transit trips, etc.) proposed? (select one)	Yes	<input checked="" type="radio"/> No	If Yes, please provide explanation on separate sheet.

Attach a map (or maps) showing the Study Area network with included intersections and links, estimated site trip distribution, and growth factors for through traffic.

SHA/DPW&T capital program improvements assumed:	Harry S. Truman CIP Project (If funded for construction)		
Other improvements assumed:	Westphalia Row and Venue lane use improvements		
Regional growth assumed:	1.0% Growth. Note that growth will be applied to thru movements along the mainline only. See attachment.		
Is mitigation (Section 8 of the Guidelines) to be proffered? (select one)	Yes	<input checked="" type="radio"/> No	Note the locational criteria in Section 8, and please note the clarifications regarding mitigation included in Section 3, Subsection E.
Is a cooperative funding arrangement (such as a SCRP, PFFIP, or some other pro rata) to be used? (select one)	Yes	<input checked="" type="radio"/> No	If Yes, please provide explanation on separate sheet, and note limitations in Section 3, Subsection E.
Will summer counts be used? (select one)	Yes	<input checked="" type="radio"/> No	The use of summer counts must have

		specific concurrence of TPS staff.
Have there been discussions with the permitting agency (DPW&T and/or SHA) regarding access to this site and the analysis requirements? (select one)	Yes <input type="radio"/> No <input checked="" type="radio"/>	Section 1, Subsection E strongly advises that these discussions occur early in the development review process. Note that driveway access onto arterial facilities must be justified and approved by the Planning Board as a part of the subdivision process.
Has a listing of background development been developed? (select one)	Yes <input checked="" type="radio"/> No <input type="radio"/>	If Yes, please provide the list so that TPS staff may either concur with it or provide changes.
Has a list of attachments been completed and attached (Table 2)?	Yes <input checked="" type="radio"/> No <input type="radio"/> See Table 2 below:	

SIGNED: *Amel M. Lit* 9/06/2022
Traffic Consultant Date

APPROVED: *Jun Yang* 9/7/2022
TPS Coordinator (or Supervisor) Date

This form is not required for sites that do not require a TIS.

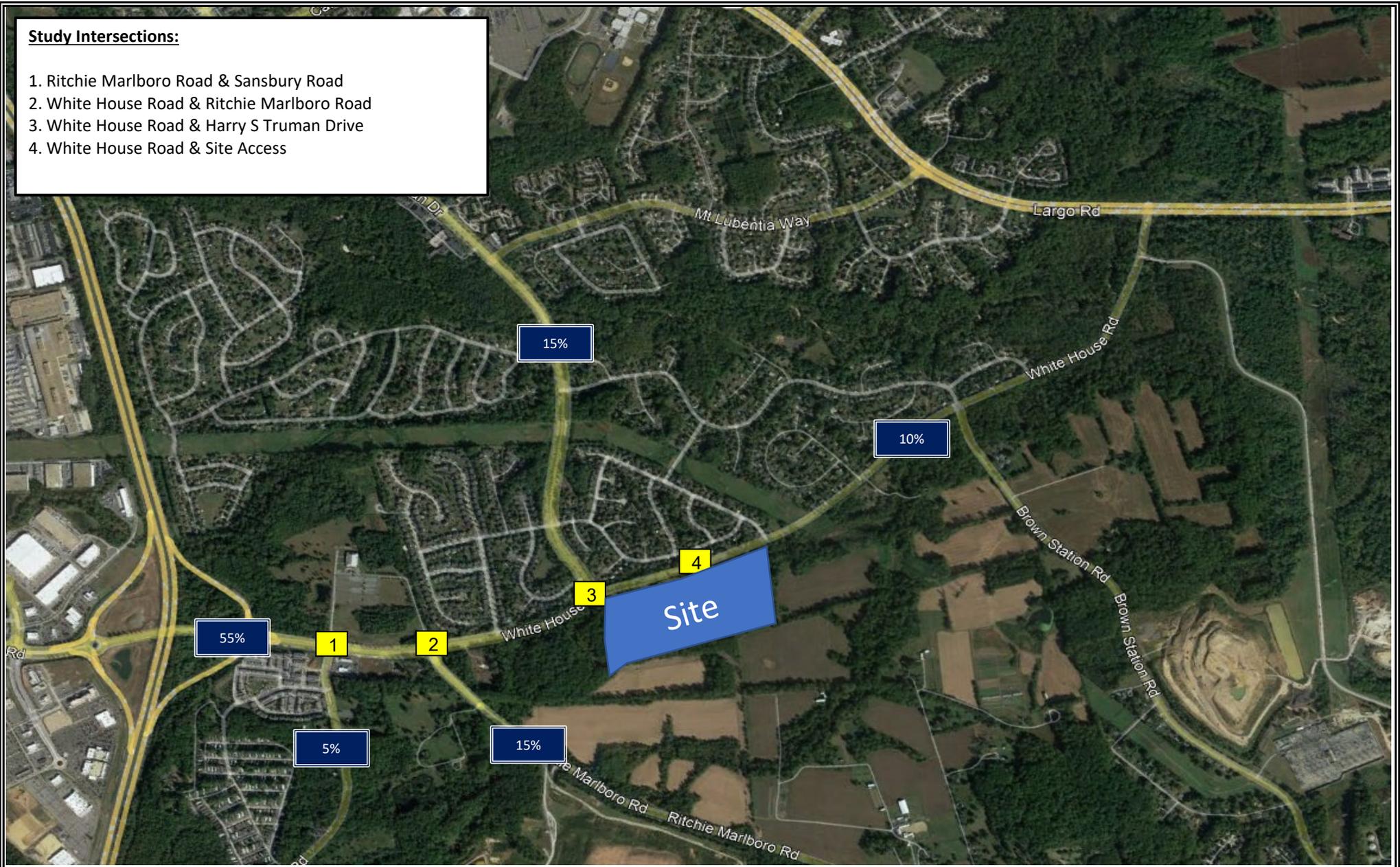
Table 2: List of attachments for TIS scoping agreement

No.	Attachment Description	Yes	No	N/A
1.	List of meeting attendees at Scoping Meeting:			X
2.	Aerial (map of project site):	X		
3.	List and map of Critical Intersections:	X		
4.	Map of Site Access:	X		
5.	Diagram and memo of Trip Distribution:	X		
6.	List and map of Trip Credits and Locations:			X
7.	List and map of Background Developments in Study Area:	X		

The aerial map, list of intersections, map of site access and diagram of trip distribution is shown on Ex 1. The background developments are listed on a separate exhibit.

Study Intersections:

1. Ritchie Marlboro Road & Sansbury Road
2. White House Road & Ritchie Marlboro Road
3. White House Road & Harry S Truman Drive
4. White House Road & Site Access



Due Diligence Study

Site
Location Map

**Exhibit
1**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

XX% - Trip Assignment

Trip Generation Rates

Single Family Housing

Morning Trips = 0.75 x Units

Evening Trips = 0.90 x Units

Trip Distribution (In/Out)

20/80

65/35

Trip Generation Totals

		AM Peak			PM Peak		
		In	Out	Total	In	Out	Total
Single Family Housing	120 units	18	72	90	70	38	108
Total:		18	72	90	70	38	108

NOTE: Trip Generation Rates obtained from the MNCPPC Guidelines

Traffic Impact Analysis

**Trip Generation for
Site**

**Exhibit
2**



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

TRAFFIC GROWTH PROJECTION

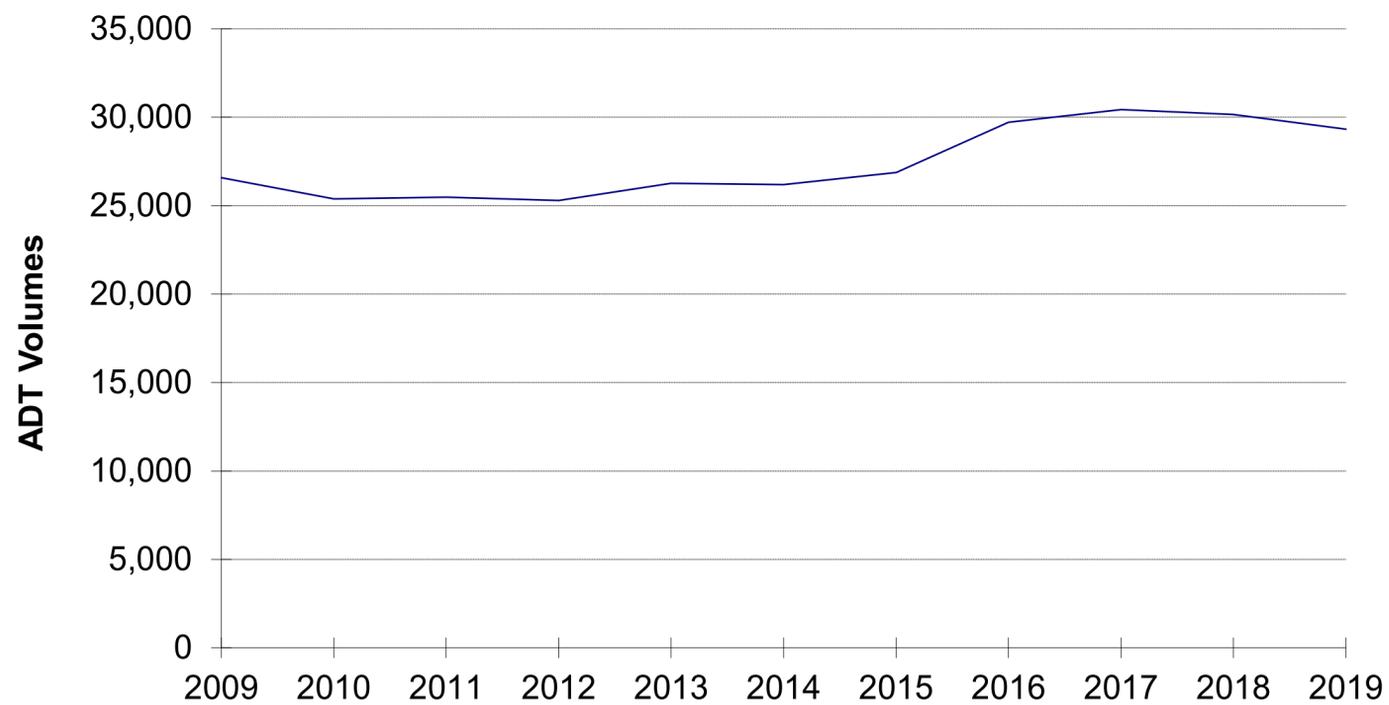
LOCATION: MD 202 west of Watkins Park Dr

REPORT DATE: 22-Jul-22

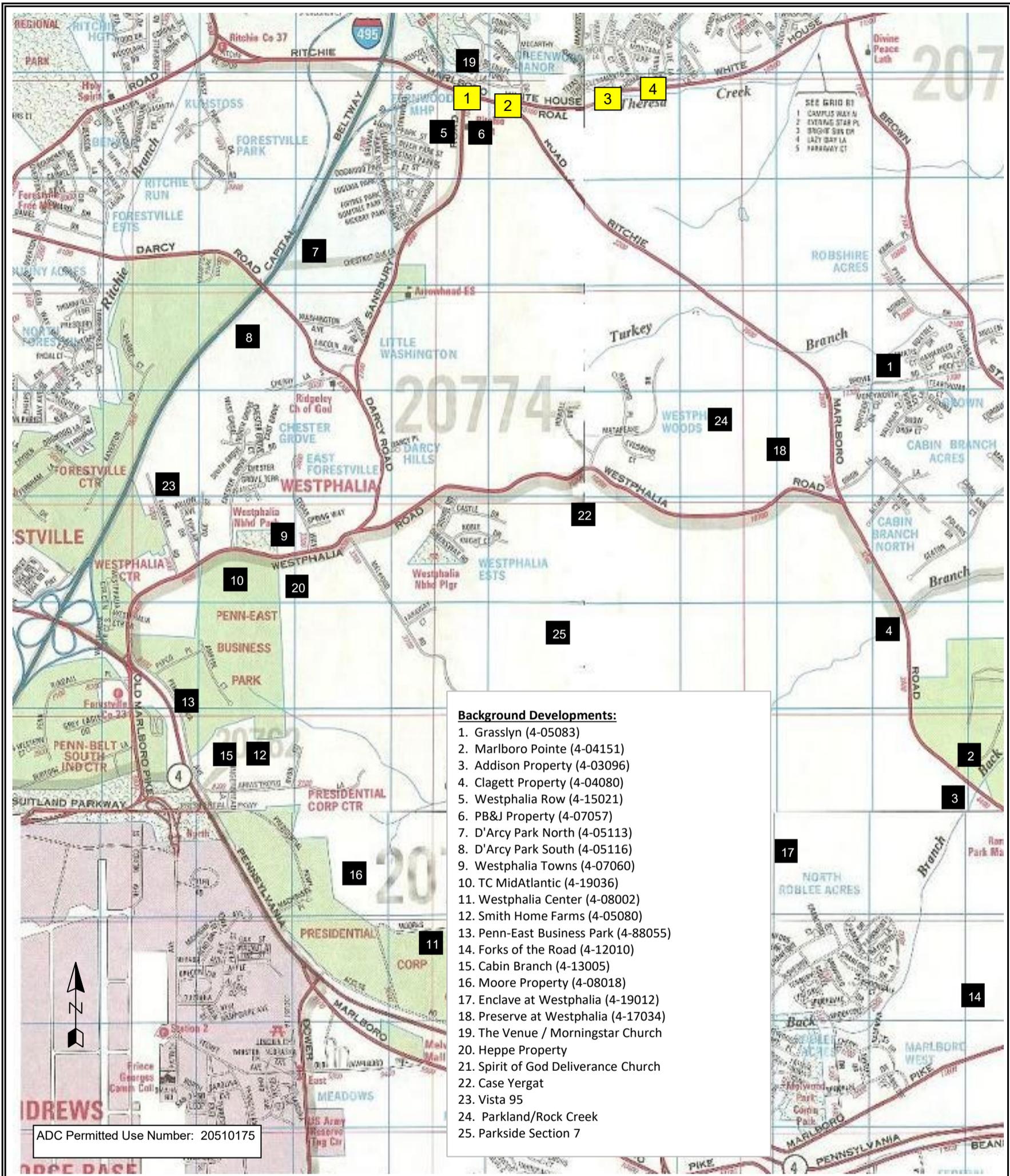
AVERAGE GROWTH: 1.06%

MATHEMATICAL GROWTH: 0.98%

Year	ADT Volume	Vol. increase	% increase	Average %
2009	26,592			
2010	25,390	-1,202	-4.52%	-4.52%
2011	25,491	101	0.40%	-2.06%
2012	25,292	-199	-0.78%	-1.63%
2013	26,270	978	3.87%	-0.26%
2014	26,191	-79	-0.30%	-0.27%
2015	26,872	681	2.60%	0.21%
2016	29,720	2,848	10.60%	1.69%
2017	30,431	711	2.39%	1.78%
2018	30,162	-269	-0.88%	1.49%
2019	29,330	-832	-2.76%	1.06%



TRAFFIC GROWTH
MD 202 west of Watkins Park Dr



Traffic Impact Analysis

Background Development
Location Map

Exhibit
C-1

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Weekday Morning Peak Hour (6:30 am - 9:30 am)																						
		Sansbury Rd Northbound					Markus Dr Southbound					Ritchie Marlboro Rd Eastbound					Ritchie Marlboro Rd Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
6:30-6:45	0	64	0	10	0	0	0	0	0	0	1	0	126	34	0	12	10	273	0	0	530	
6:45-7:00	0	83	0	15	0	0	0	0	0	0	0	0	138	32	1	6	23	337	0	0	634	
7:00-7:15	0	102	0	19	0	0	0	0	3	1	0	0	142	30	0	10	24	318	0	0	648	
7:15-7:30	0	82	0	25	0	0	0	0	0	3	0	0	200	38	1	11	24	379	0	0	759	
7:30-7:45	0	106	0	34	0	0	0	0	0	1	1	0	223	38	1	12	29	349	0	0	792	
7:45-8:00	0	82	0	20	0	0	0	0	0	0	0	0	213	32	0	8	28	372	1	0	756	
8:00-8:15	0	78	0	24	0	0	0	0	0	1	0	0	201	31	2	13	26	323	0	0	696	
8:15-8:30	0	56	0	26	0	0	0	0	0	1	0	0	222	50	0	11	30	278	0	0	673	
8:30-8:45	0	65	0	21	0	0	0	0	0	0	0	0	202	43	0	10	44	269	0	0	654	
8:45-9:00	0	76	0	24	0	0	0	0	0	0	1	0	196	35	0	10	31	279	0	0	652	
9:00-9:15	0	73	0	32	0	0	0	0	0	0	0	0	187	29	0	14	27	245	0	0	607	
9:15-9:30	0	66	0	30	0	0	0	0	0	1	0	0	208	21	1	12	23	217	1	0	578	

Hourly Totals																					
Time	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
6:30-7:30	0	331	0	69	0	0	0	0	3	4	1	0	606	134	2	39	81	1307	0	0	2577
6:45-7:45	0	373	0	93	0	0	0	0	3	5	1	0	703	138	3	39	100	1383	0	0	2841
7:00-8:00	0	372	0	98	0	0	0	0	3	5	1	0	778	138	2	41	105	1418	1	0	2962
7:15-8:15	0	348	0	103	0	0	0	0	0	5	1	0	837	139	4	44	107	1423	1	0	3012
7:30-8:30	0	322	0	104	0	0	0	0	0	3	1	0	859	151	3	44	113	1322	1	0	2923
7:45-8:45	0	281	0	91	0	0	0	0	0	2	0	0	838	156	2	42	128	1242	1	0	2783
8:00-9:00	0	275	0	95	0	0	0	0	0	2	1	0	821	159	2	44	131	1149	0	0	2679
8:15-9:15	0	270	0	103	0	0	0	0	0	1	1	0	807	157	0	45	132	1071	0	0	2587
8:30-9:30	0	280	0	107	0	0	0	0	0	1	1	0	793	128	1	46	125	1010	1	0	2493
AM Peak Hour	Northbound					Southbound					Eastbound					Westbound					Total
7:15-8:15	0	348	0	103	0	0	0	0	0	4	1	0	837	139	4	44	107	1423	1	4	3012

Weekday Evening Peak Hour (4 pm - 7 pm)																						
		Sansbury Rd Northbound					Markus Dr Southbound					Ritchie Marlboro Rd Eastbound					Ritchie Marlboro Rd Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
4:00-4:15	0	71	0	29	0	0	0	0	0	0	0	0	337	56	0	6	31	188	0	0	718	
4:15-4:30	0	57	0	25	0	0	0	0	0	0	1	0	330	52	0	11	34	207	0	0	717	
4:30-4:45	0	66	0	27	0	0	0	0	0	0	0	0	307	53	0	9	37	202	0	0	701	
4:45-5:00	0	70	0	31	0	0	0	0	0	0	0	0	325	68	0	10	46	213	0	0	763	
5:00-5:15	0	56	0	38	0	0	0	0	0	0	0	0	340	60	0	10	40	196	0	0	740	
5:15-5:30	0	58	0	28	0	0	0	0	0	0	1	0	318	67	0	13	36	245	1	0	767	
5:30-5:45	0	69	0	28	0	0	0	0	0	0	0	0	348	69	0	5	47	211	0	0	777	
5:45-6:00	0	65	0	28	0	0	0	0	0	0	0	0	294	63	0	9	31	219	0	0	709	
6:00-6:15	0	57	0	38	0	0	0	0	0	1	1	0	354	84	1	11	35	231	3	0	814	
6:15-6:30	0	77	0	28	0	0	0	0	0	0	0	0	322	71	0	11	32	199	1	0	741	
6:30-6:45	0	60	0	17	0	0	0	0	0	1	0	0	320	81	1	7	27	212	0	0	724	
6:45-7:00	0	61	0	20	0	0	0	0	0	0	0	0	282	59	0	9	26	187	1	0	645	

Hourly Totals																					
Time	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:00-5:00	0	264	0	112	0	0	0	0	0	0	1	0	1299	229	0	36	148	810	0	0	2899
4:15-5:15	0	249	0	121	0	0	0	0	0	0	1	0	1302	233	0	40	157	818	0	0	2921
4:30-5:30	0	250	0	124	0	0	0	0	0	0	1	0	1290	248	0	42	159	856	1	0	2971
4:45-5:45	0	253	0	125	0	0	0	0	0	0	1	0	1331	264	0	38	169	865	1	0	3047
5:00-6:00	0	248	0	122	0	0	0	0	0	0	1	0	1300	259	0	37	154	871	1	0	2993
5:15-6:15	0	249	0	122	0	0	0	0	0	1	2	0	1314	283	1	38	149	906	4	0	3069
5:30-6:30	0	268	0	122	0	0	0	0	0	1	1	0	1318	287	1	36	145	860	4	0	3043
5:45-6:45	0	259	0	111	0	0	0	0	0	2	1	0	1290	299	2	38	125	861	4	0	2992
6:00-7:00	0	255	0	103	0	0	0	0	0	2	1	0	1278	295	2	38	120	829	5	0	2928
PM Peak Hour	Northbound					Southbound					Eastbound					Westbound					Total
5:15-6:15	0	249	0	122	0	0	0	0	0	1	2	0	1314	283	1	38	149	906	4	1	3069

Peak Hour Turning Movement Count	Intersection: Ritchie Marlboro Rd & Sansbury Rd Weather: Clear Count by: CountCAM - DSS Count Day/Date: Tuesday, May 3, 2022 County: Prince Georges
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com	

Weekday Morning Peak Hour (6:30 am - 9:30 am)																						
		Ritchie Marlboro Rd Northbound					McCarthy Dr Southbound					White House Rd Eastbound					White House Rd Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
6:30-6:45	0	136	0	7	0	0	0	0	0	0	1	0	60	73	0	0	9	170	0	0	456	
6:45-7:00	0	181	0	13	0	0	0	0	0	1	4	0	59	99	0	0	9	178	0	0	543	
7:00-7:15	0	183	0	21	0	0	0	0	0	2	2	0	64	93	0	0	10	196	0	0	569	
7:15-7:30	0	200	0	19	0	0	0	0	0	1	0	0	97	130	0	0	19	207	0	0	672	
7:30-7:45	0	184	0	22	0	0	0	0	0	0	1	0	123	133	0	0	15	225	0	0	703	
7:45-8:00	0	182	0	25	0	0	0	0	0	1	1	0	144	98	0	0	14	214	0	0	678	
8:00-8:15	0	160	0	22	0	0	0	0	0	3	0	0	117	113	0	1	16	217	0	0	646	
8:15-8:30	0	141	0	16	0	0	0	0	0	1	3	0	108	134	0	0	20	175	0	0	597	
8:30-8:45	0	135	0	22	0	0	0	0	0	0	0	0	107	115	0	1	22	196	0	0	598	
8:45-9:00	0	128	0	12	0	0	0	0	0	0	1	0	103	125	0	0	17	190	0	0	576	
9:00-9:15	0	134	0	18	0	0	0	0	0	0	3	0	118	98	0	1	15	159	0	0	546	
9:15-9:30	0	92	0	8	0	0	0	0	0	0	2	0	125	108	0	1	10	149	0	0	495	

Hourly Totals																					
6:30-7:30	0	700	0	60	0	0	0	0	0	4	7	0	280	395	0	0	47	751	0	0	2244
6:45-7:45	0	748	0	75	0	0	0	0	0	4	7	0	343	455	0	0	53	806	0	0	2491
7:00-8:00	0	749	0	87	0	0	0	0	0	4	4	0	428	454	0	0	58	842	0	0	2626
7:15-8:15	0	726	0	88	0	0	0	0	0	5	2	0	481	474	0	1	64	863	0	0	2704
7:30-8:30	0	667	0	85	0	0	0	0	0	5	5	0	492	478	0	1	65	831	0	0	2629
7:45-8:45	0	618	0	85	0	0	0	0	0	5	4	0	476	460	0	2	72	802	0	0	2524
8:00-9:00	0	564	0	72	0	0	0	0	0	4	4	0	435	487	0	2	75	778	0	0	2421
8:15-9:15	0	538	0	68	0	0	0	0	0	1	7	0	436	472	0	2	74	720	0	0	2318
8:30-9:30	0	489	0	60	0	0	0	0	0	0	6	0	453	446	0	3	64	694	0	0	2215

AM		Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
7:15-8:15	0	726	0	88	0	0	0	0	0	0	2	0	481	474	0	1	64	863	0	0	2704	

Weekday Evening Peak Hour (4 pm - 7 pm)																						
		Ritchie Marlboro Rd Northbound					McCarthy Dr Southbound					White House Rd Eastbound					White House Rd Westbound					
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
4:00-4:15	0	70	0	14	0	0	0	0	0	0	0	0	181	195	0	0	29	151	0	0	640	
4:15-4:30	0	78	0	11	0	0	0	0	0	0	1	0	184	185	0	0	48	171	0	0	678	
4:30-4:45	0	74	0	11	0	0	0	0	0	0	4	0	152	179	0	0	41	170	0	0	631	
4:45-5:00	0	78	0	19	0	0	0	0	0	0	0	0	175	175	0	0	28	198	0	0	673	
5:00-5:15	0	78	0	9	0	0	0	0	0	1	5	0	186	187	1	2	40	172	0	0	679	
5:15-5:30	0	89	0	16	0	0	0	0	0	0	3	0	168	172	0	0	55	190	0	0	693	
5:30-5:45	0	86	0	21	0	0	0	0	0	0	6	0	187	192	0	0	32	170	0	0	694	
5:45-6:00	0	84	0	15	0	0	0	0	0	0	0	0	207	123	0	0	34	181	0	0	644	
6:00-6:15	0	85	0	9	1	0	0	0	0	1	8	0	198	173	0	2	34	180	0	1	689	
6:15-6:30	0	83	0	16	0	0	0	0	0	0	5	0	157	198	0	0	24	158	0	0	641	
6:30-6:45	0	76	0	8	0	0	0	0	1	0	3	3	148	176	0	0	20	169	0	0	604	
6:45-7:00	0	70	1	6	0	0	0	0	0	1	3	1	162	140	0	1	25	147	1	0	557	

Hourly Totals																					
4:00-5:00	0	300	0	55	0	0	0	0	0	0	5	0	692	734	0	0	146	690	0	0	2622
4:15-5:15	0	308	0	50	0	0	0	0	0	1	10	0	697	726	1	2	157	711	0	0	2663
4:30-5:30	0	319	0	55	0	0	0	0	0	1	12	0	681	713	1	2	164	730	0	0	2678
4:45-5:45	0	331	0	65	0	0	0	0	0	1	14	0	716	726	1	2	155	730	0	0	2741
5:00-6:00	0	337	0	61	0	0	0	0	0	1	14	0	748	674	1	2	161	713	0	0	2712
5:15-6:15	0	344	0	61	1	0	0	0	0	1	17	0	760	660	0	2	155	721	0	1	2723
5:30-6:30	0	338	0	61	1	0	0	0	0	1	19	0	749	686	0	2	124	689	0	1	2671
5:45-6:45	0	328	0	48	1	0	0	0	1	1	16	3	710	670	0	2	112	688	0	1	2581
6:00-7:00	0	314	1	39	1	0	0	0	1	2	19	4	665	687	0	3	103	654	1	1	2495

PM		Northbound					Southbound					Eastbound					Westbound					
Peak Hour	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total	
4:45-5:45	0	331	0	65	0	0	0	0	0	1	14	0	716	726	1	2	155	730	0	1	2741	

Peak Hour
Turning Movement Count



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Intersection: White House Rd & Ritchie Marlboro Rd

Weather: Clear

Count by: CountCAM - DSS

Count Day/Date: Tuesday, May 3, 2022

County: Prince Georges

Weekday Morning Peak Hour (6:30 am - 9:30 am)																					
N/A Northbound		Harry S Truman Dr Southbound					White House Rd Eastbound					White House Rd Westbound					Total				
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
6:30-6:45					0	0	4		86	0	0	30	32		0	0	84	11	0		247
6:45-7:00					0	0	5		82	0	0	44	33		0	0	91	15	0		270
7:00-7:15					0	1	5		98	0	0	52	35		0	0	103	15	0		309
7:15-7:30					0	0	6		88	1	0	59	57		0	0	117	14	0		341
7:30-7:45					0	0	5		117	0	0	84	62		0	0	113	15	0		396
7:45-8:00					0	1	9		96	0	0	77	83		0	0	130	26	0		422
8:00-8:15					0	9	9		87	1	0	68	74		0	0	125	16	0		388
8:15-8:30					0	12	8		87	1	0	70	54		0	0	91	13	0		335
8:30-8:45					0	8	8		83	0	0	70	60		0	0	120	11	0		360
8:45-9:00					0	3	10		95	0	0	76	41		0	0	96	15	0		336
9:00-9:15					0	6	9		80	2	0	80	53		0	0	71	8	0		307
9:15-9:30					0	2	5		71	2	0	71	63		0	0	77	8	0		297

Hourly Totals																					
6:30-7:30					0	1	20		354	1	0	185	157		0	0	395	55	0		1168
6:45-7:45					0	1	21		385	1	0	239	187		0	0	424	59	0		1317
7:00-8:00					0	2	25		399	1	0	272	237		0	0	463	70	0		1469
7:15-8:15					0	10	29		388	2	0	288	276		0	0	485	71	0		1549
7:30-8:30					0	22	31		387	2	0	299	273		0	0	459	70	0		1543
7:45-8:45					0	30	34		353	2	0	285	271		0	0	466	66	0		1507
8:00-9:00					0	32	35		352	2	0	284	229		0	0	432	55	0		1421
8:15-9:15					0	29	35		345	3	0	296	208		0	0	378	47	0		1341
8:30-9:30					0	19	32		329	4	0	297	217		0	0	364	42	0		1304

AM Peak Hour 7:15-8:15		Northbound					Southbound					Eastbound					Westbound					Total			
U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
0					10	29		388	0	0	288	276		0	0	485	71	0		0					1549

Weekday Evening Peak Hour (4 pm - 7 pm)																					
N/A Northbound		Harry S Truman Dr Southbound					White House Rd Eastbound					White House Rd Westbound					Total				
Time:	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
4:00-4:15					0	7	11		102	0	0	88	85		0	0	74	9	0		376
4:15-4:30					0	1	12		132	0	0	92	101		0	0	73	11	0		422
4:30-4:45					0	0	10		131	0	0	99	72		0	0	85	11	0		408
4:45-5:00					0	0	16		134	0	0	100	89		0	0	77	7	0		423
5:00-5:15					0	1	9		132	0	0	109	94		0	0	75	7	0		427
5:15-5:30					0	2	17		144	0	0	108	78		0	0	98	9	0		456
5:30-5:45					0	1	14		115	0	0	113	90		0	0	73	11	0		417
5:45-6:00					0	0	16		125	0	0	104	111		0	0	87	5	0		448
6:00-6:15					0	0	12		129	0	0	99	102		0	0	78	12	0		432
6:15-6:30					0	0	12		107	0	0	91	94		0	0	68	8	0		380
6:30-6:45					0	1	9		107	0	0	83	68		0	0	78	7	0		353
6:45-7:00					0	0	8		105	0	0	92	76		0	0	60	10	0		351

Hourly Totals																					
4:00-5:00					0	8	49		499	0	0	379	347		0	0	309	38	0		1629
4:15-5:15					0	2	47		529	0	0	400	356		0	0	310	36	0		1680
4:30-5:30					0	3	52		541	0	0	416	333		0	0	335	34	0		1714
4:45-5:45					0	4	56		525	0	0	430	351		0	0	323	34	0		1723
5:00-6:00					0	4	56		516	0	0	434	373		0	0	333	32	0		1748
5:15-6:15					0	3	59		513	0	0	424	381		0	0	336	37	0		1753
5:30-6:30					0	1	54		476	0	0	407	397		0	0	306	36	0		1677
5:45-6:45					0	1	49		468	0	0	377	375		0	0	311	32	0		1613
6:00-7:00					0	1	41		448	0	0	365	340		0	0	284	37	0		1516

PM Peak Hour 5:15-6:15		Northbound					Southbound					Eastbound					Westbound					Total			
U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	U-Turn	Left	Thru	Right	Peds	Total
0					3	59		513	0	0	424	381		0	0	336	37	0		0					1753

Peak Hour Turning Movement Count	Intersection: White House Rd & Harry S Truman Dr Weather: Clear Count by: CountCAM - DSS Count Day/Date: Tuesday, May 3, 2022 County: Prince Georges
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com	

Appendix B

Level of Service (LOS) Worksheets

CRITICAL LANE VOLUME (CLV) METHODOLOGY

for Prince Georges County

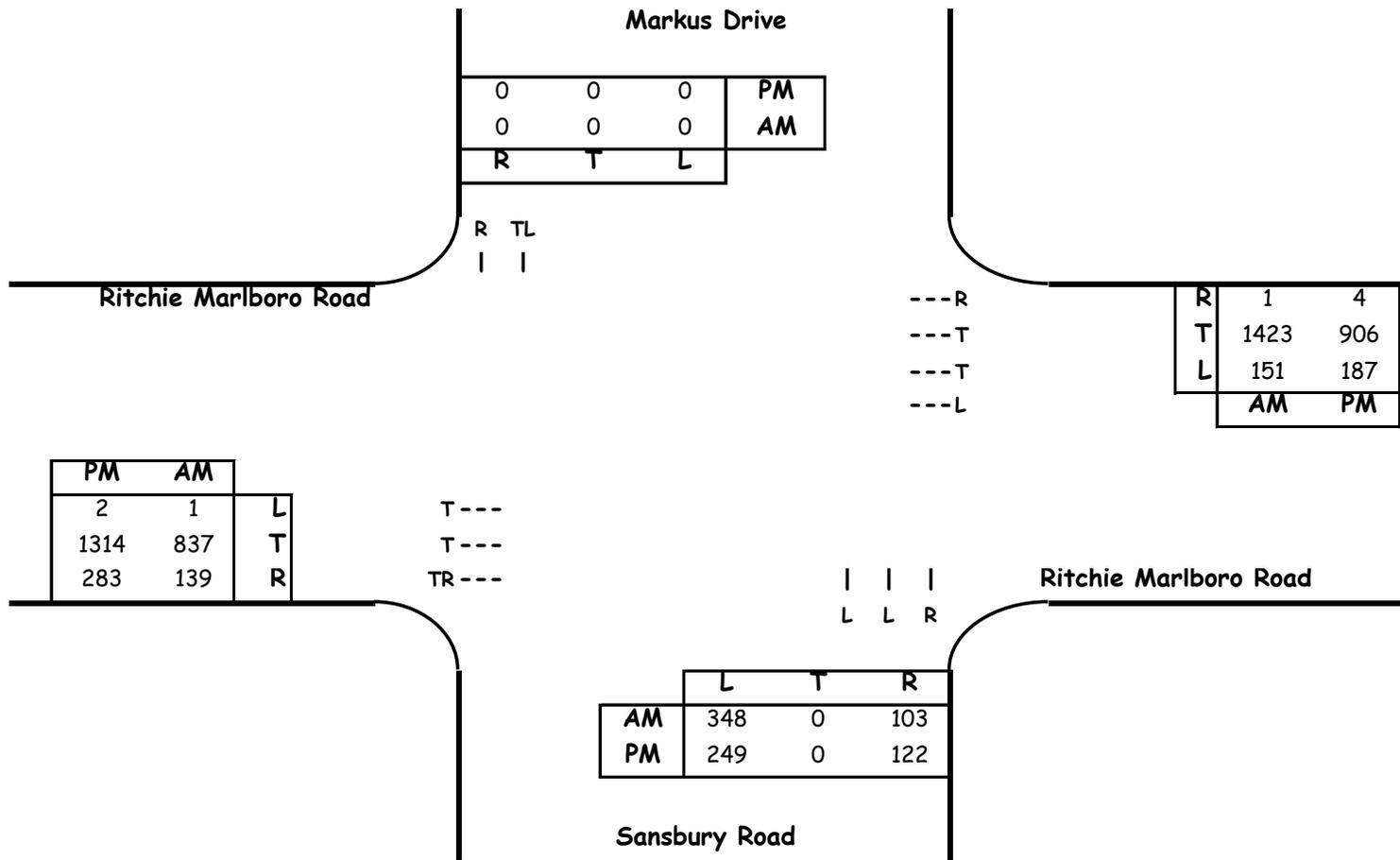
Intersection of: Ritchie Marlboro Road

and: Sansbury Road

Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



Capacity Analysis - North/South Split

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	348	0.6	209				209
SB	0	1	0				0
EB	976	0.37	361	151	1	151	783
WB	1423	0.55	783	1	0	0	
CLV TOTAL=							992
Level of Service (LOS) =							A

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	249	0.6	149				149
SB	0	1	0				0
EB	1597	0.37	591	187	1	187	778
WB	906	0.55	498	2	0	0	
CLV TOTAL=							927
Level of Service (LOS) =							A

Critical Lane Volume Analysis		Ritchie Marlboro Road & Sansbury Road (Existing Traffic)	Intersection 3
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning			

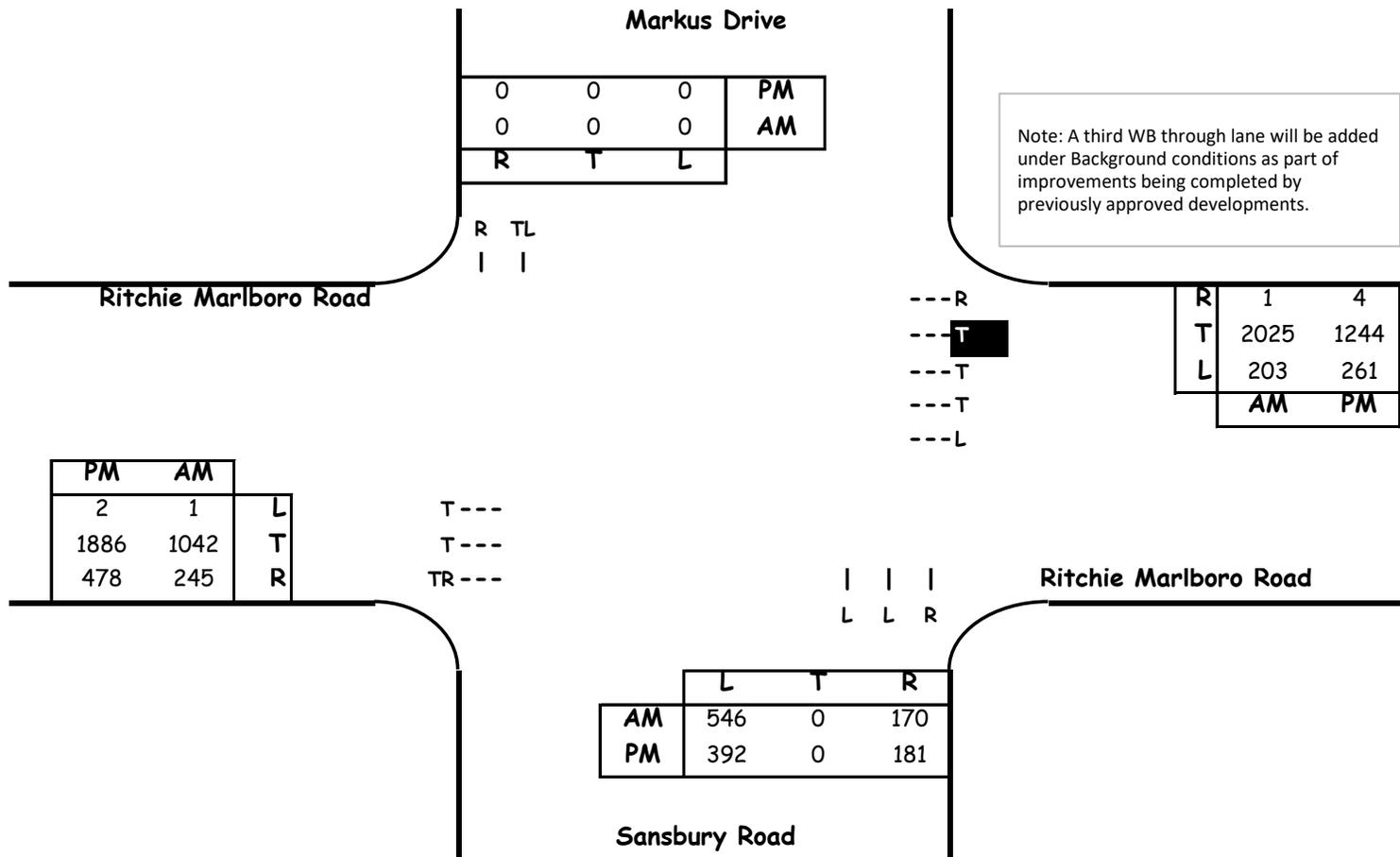
CRITICAL LANE VOLUME (CLV) METHODOLOGY

for Prince Georges County

Intersection of: Ritchie Marlboro Road
and: Sansbury Road
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



Capacity Analysis - North/South Split

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	546	0.6	328				328
SB	0	1	0				0
EB	1287	0.37	476	203	1	203	749
WB	2025	0.37	749	1	0	0	
CLV TOTAL=							1077
Level of Service (LOS) =							B

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	392	0.6	235				235
SB	0	1	0				0
EB	2364	0.37	875	261	1	261	1136
WB	1244	0.37	460	2	0	0	
CLV TOTAL=							1371
Level of Service (LOS) =							D

Critical Lane Volume Analysis		Ritchie Marlboro Road & Sansbury Road (Background Traffic)	Intersection 3
Lenhart Traffic Consulting, Inc. Traffic Engineering & Transportation Planning			

CRITICAL LANE VOLUME (CLV) METHODOLOGY

for Prince Georges County

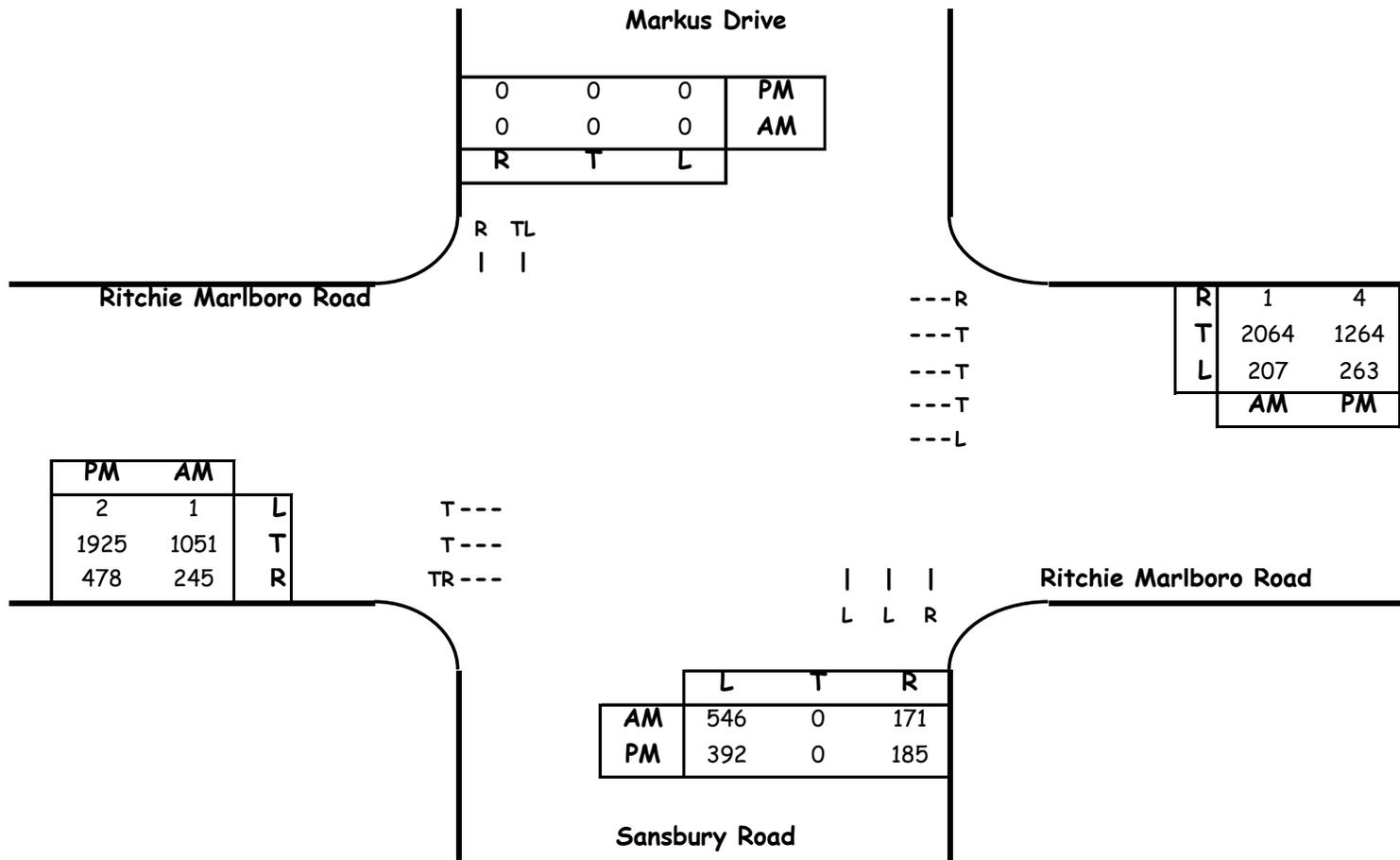
Intersection of: Ritchie Marlboro Road

and: Sansbury Road

Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



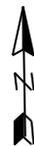
Capacity Analysis - North/South Split

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	546	0.6	328				328
SB	0	1	0				0
EB	1296	0.37	480	207	1	207	764
WB	2064	0.37	764	1	0	0	
CLV TOTAL=							1092
Level of Service (LOS) =							B

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	392	0.6	235				235
SB	0	1	0				0
EB	2403	0.37	889	263	1	263	1152
WB	1264	0.37	468	2	0	0	
CLV TOTAL=							1387
Level of Service (LOS) =							D

Critical Lane Volume Analysis

Lenhart Traffic Consulting, Inc.
Traffic Engineering & Transportation Planning



Ritchie Marlboro Road &
Sansbury Road
(Total Traffic)

**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

for Prince Georges County

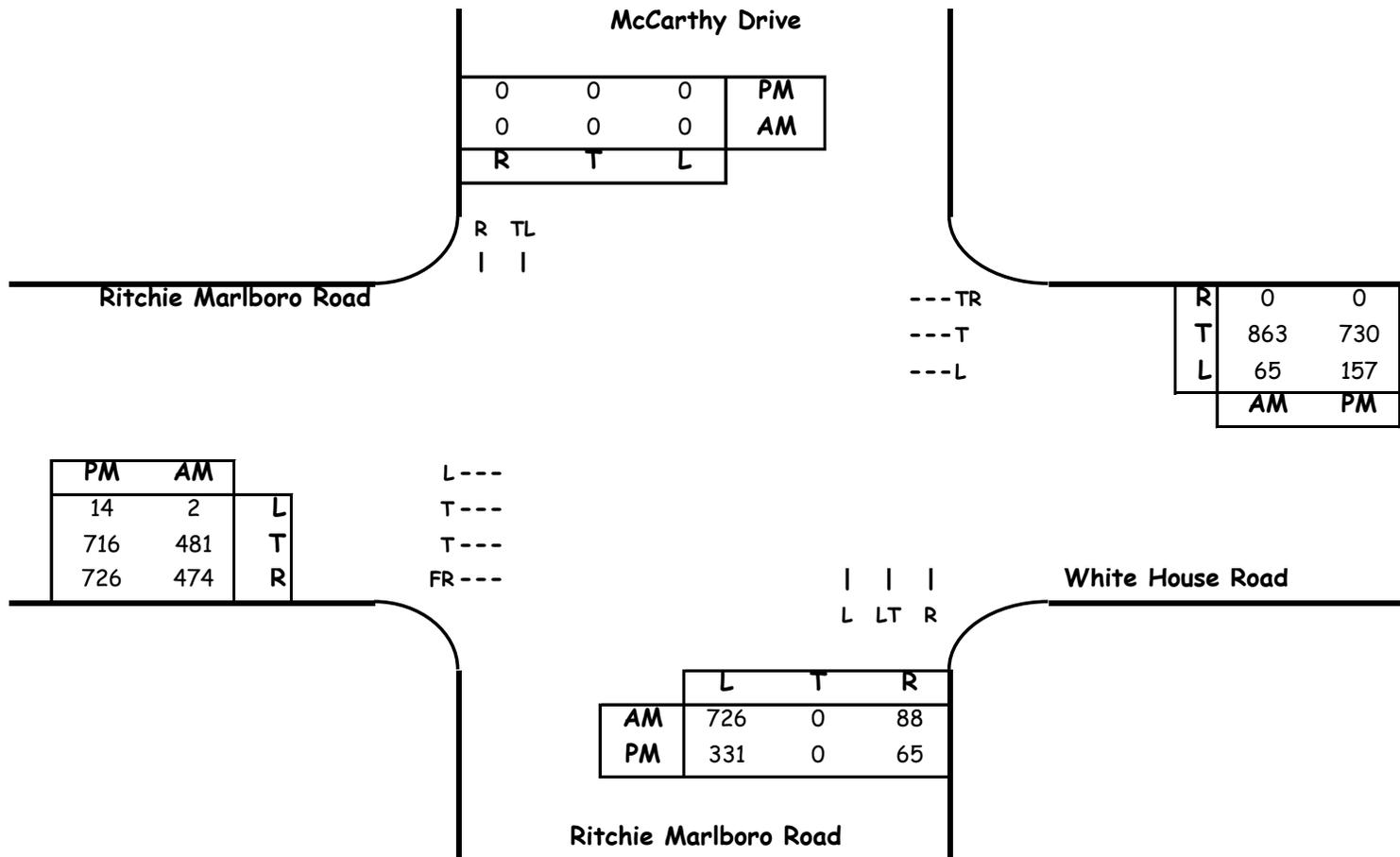
Intersection of: Ritchie Marlboro Road

and: White House Road

Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



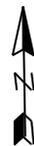
Capacity Analysis - North/South Split

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	726	0.6	436				436
SB	0	1	0				0
EB	481	0.55	265	65	1	65	477
WB	863	0.55	475	2	1	2	
CLV TOTAL=							913
Level of Service (LOS) =							A

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	331	0.6	199				199
SB	0	1	0				0
EB	716	0.55	394	157	1	157	551
WB	730	0.55	402	14	1	14	
CLV TOTAL=							750
Level of Service (LOS) =							A

Critical Lane Volume Analysis

Lenhart Traffic Consulting, Inc.
Traffic Engineering & Transportation Planning



Ritchie Marlboro Road &
White House Road
(Existing Traffic)

**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

for Prince Georges County

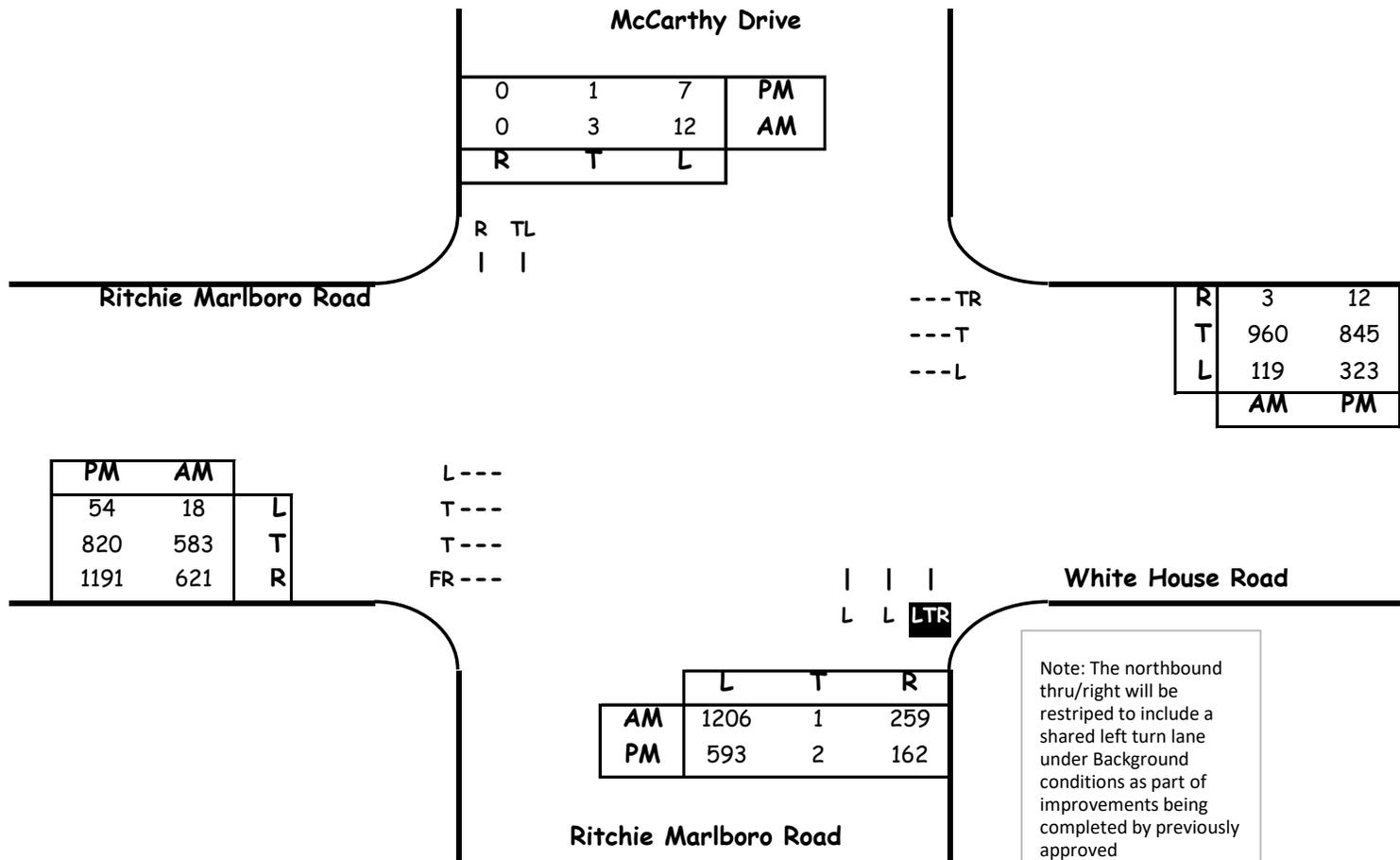
Intersection of: Ritchie Marlboro Road

and: White House Road

Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



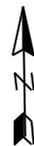
Capacity Analysis - North/South Split

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	1466	0.45	660				660
SB	15	1	15				15
EB	583	0.55	321	119	1	119	548
WB	963	0.55	530	18	1	18	
CLV TOTAL=							1223
Level of Service (LOS) =							C

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	757	0.45	341				341
SB	8	1	8				8
EB	820	0.55	451	323	1	323	774
WB	857	0.55	471	54	1	54	
CLV TOTAL=							1123
Level of Service (LOS) =							B

Critical Lane Volume Analysis

Lenhart Traffic Consulting, Inc.
Traffic Engineering & Transportation Planning



Ritchie Marlboro Road &
White House Road
(Background Traffic)

**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY

for Prince Georges County

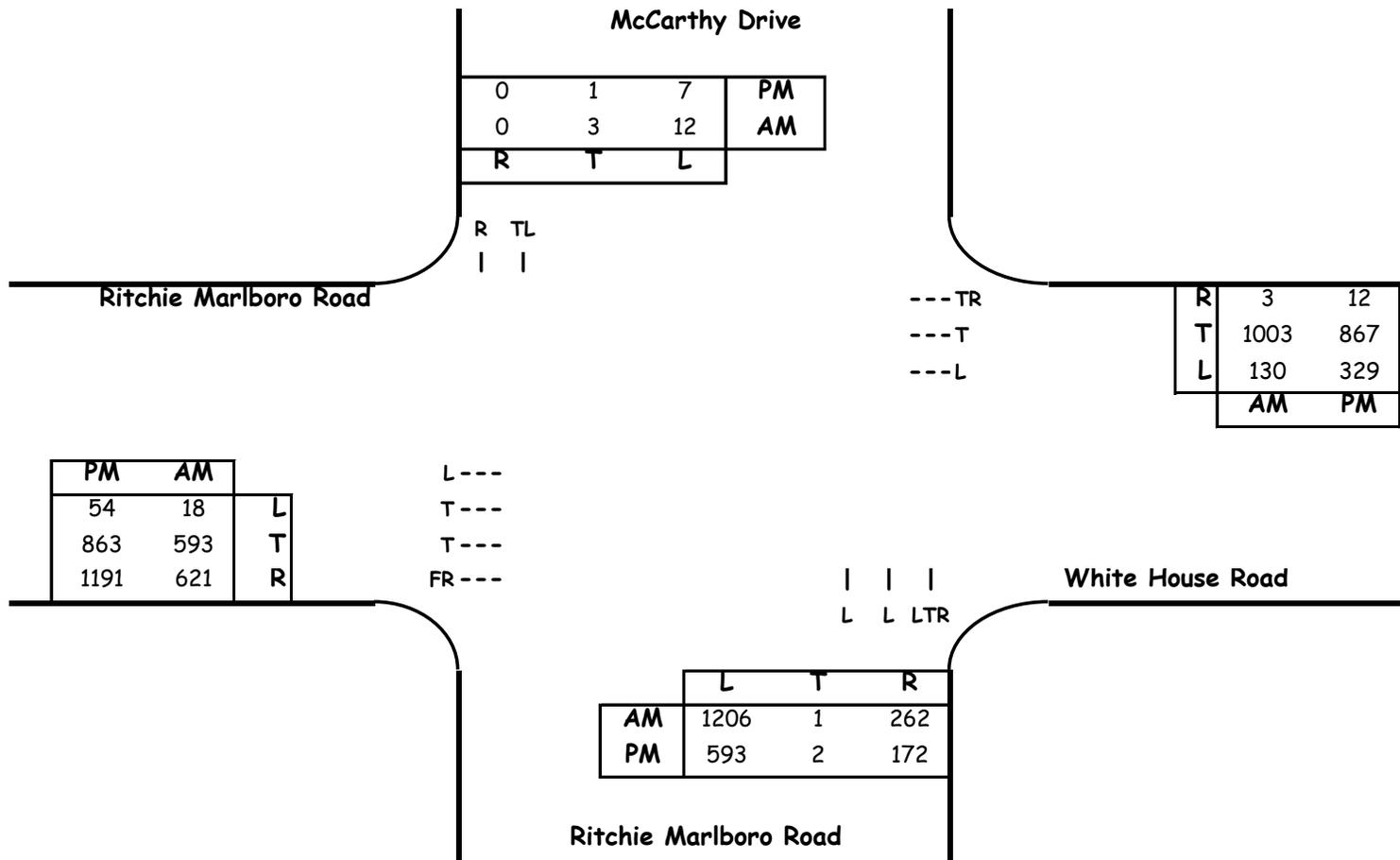
Intersection of: Ritchie Marlboro Road

and: White House Road

Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



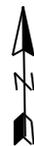
Capacity Analysis - North/South Split

Morning Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			AM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	1469	0.45	661				661
SB	15	1	15				15
EB	593	0.55	326	130	1	130	571
WB	1006	0.55	553	18	1	18	
CLV TOTAL=							1247
Level of Service (LOS)=							C

Evening Peak Hour							
Dir	Thru Volumes			+ Opposing Lefts			PM CLV
	VOL	x LUF	= Total	VOL	x LUF	= Total	
NB	767	0.45	345				345
SB	8	1	8				8
EB	863	0.55	475	329	1	329	804
WB	879	0.55	483	54	1	54	
CLV TOTAL=							1157
Level of Service (LOS)=							C

Critical Lane Volume Analysis

Lenhart Traffic Consulting, Inc.
Traffic Engineering & Transportation Planning



Ritchie Marlboro Road &
White House Road
(Total Traffic)

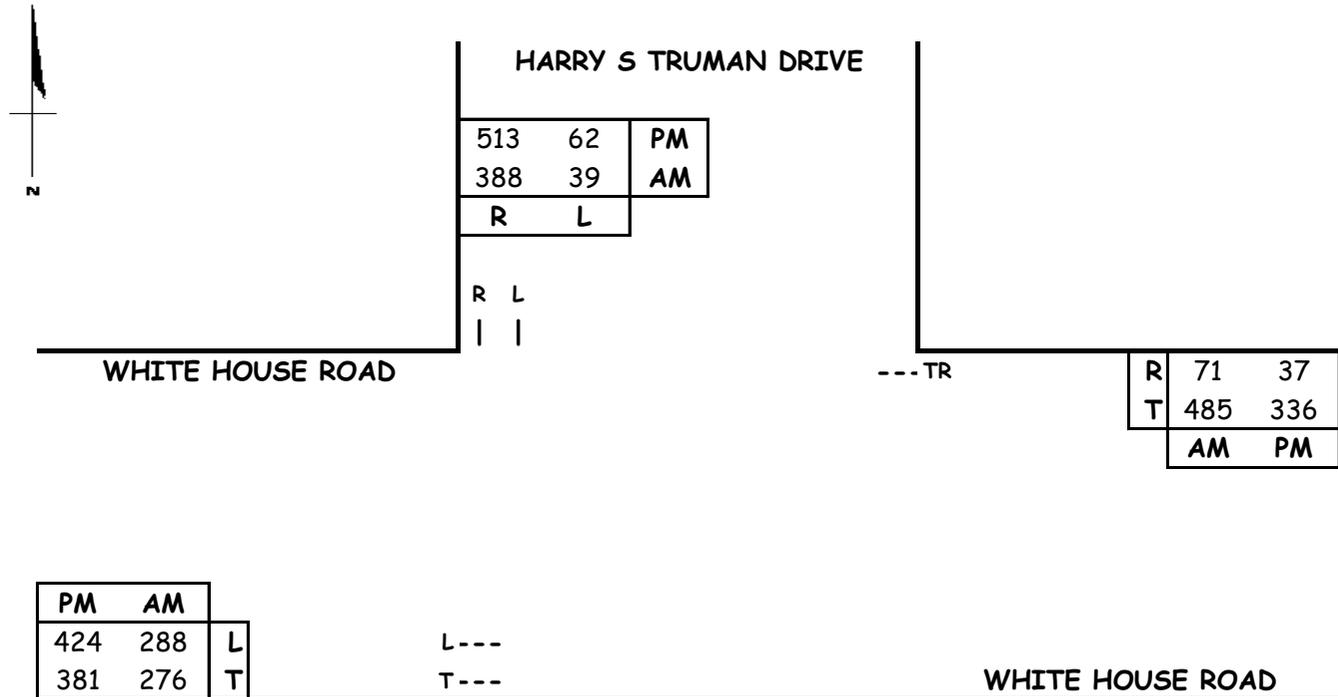
**Intersection
2**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for Prince Georges County

Intersection of: Harry S Truman Drive
and: White House Road
Conditions: Existing Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	AM
	VOL	x LUF	= Total	VOL x LUF = Total	CLV
SB	100	1.00	100		100
EB	276	1.00	276		844
WB	556	1.00	556	288 1.00 288	
CLV TOTAL=					944
Level of Service (LOS)=					A

Evening Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	PM
	VOL	x LUF	= Total	VOL x LUF = Total	CLV
SB	89	1.00	89		89
EB	381	1.00	381		797
WB	373	1.00	373	424 1.00 424	
CLV TOTAL=					886
Level of Service (LOS)=					A

Critical Lane Volume Analysis



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Harry S Truman Drive &
White House Road
(Existing Traffic)

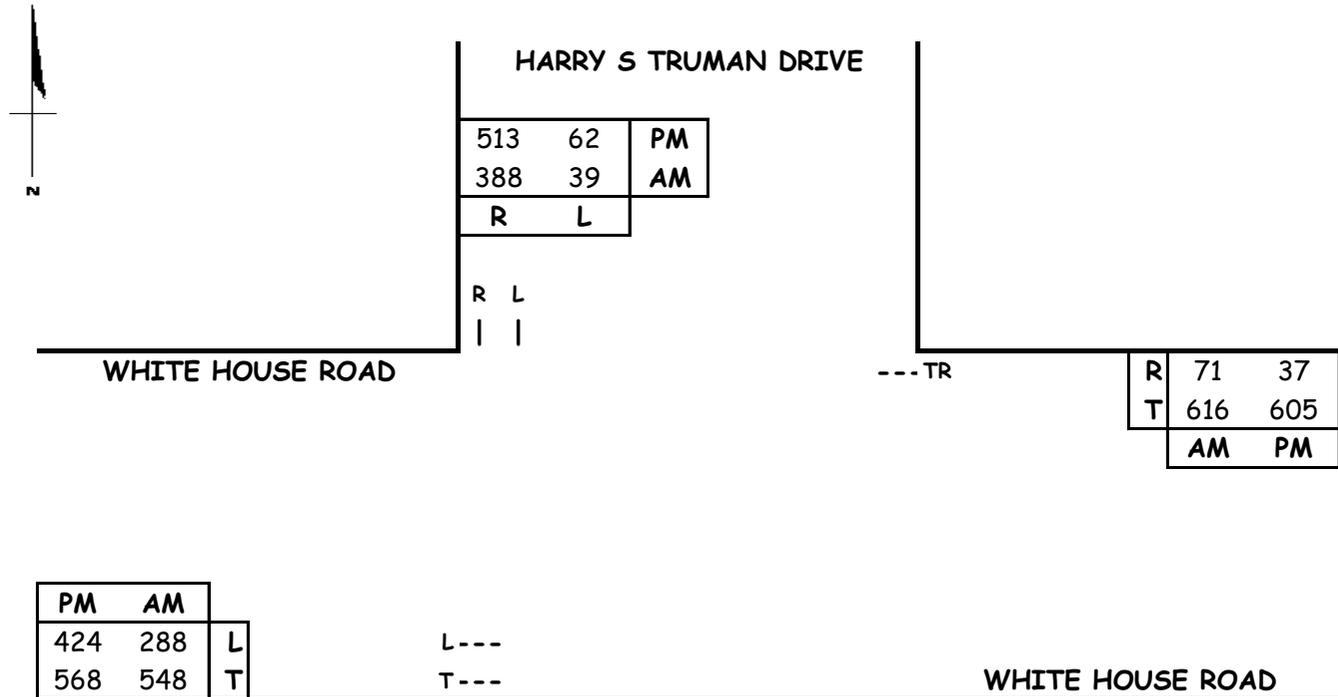
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for Prince Georges County

Intersection of: Harry S Truman Drive
and: White House Road
Conditions: Background Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	AM CLV
	VOL	x LUF	= Total	VOL x LUF = Total	
SB	100	1.00	100		100
EB	548	1.00	548		975
WB	687	1.00	687	288 1.00 288	
CLV TOTAL=					1075
Level of Service (LOS)=					B

Evening Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	PM CLV
	VOL	x LUF	= Total	VOL x LUF = Total	
SB	89	1.00	89		89
EB	568	1.00	568		1066
WB	642	1.00	642	424 1.00 424	
CLV TOTAL=					1155
Level of Service (LOS)=					C

Critical Lane Volume Analysis



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Harry S Truman Drive &
White House Road
(Background Traffic)

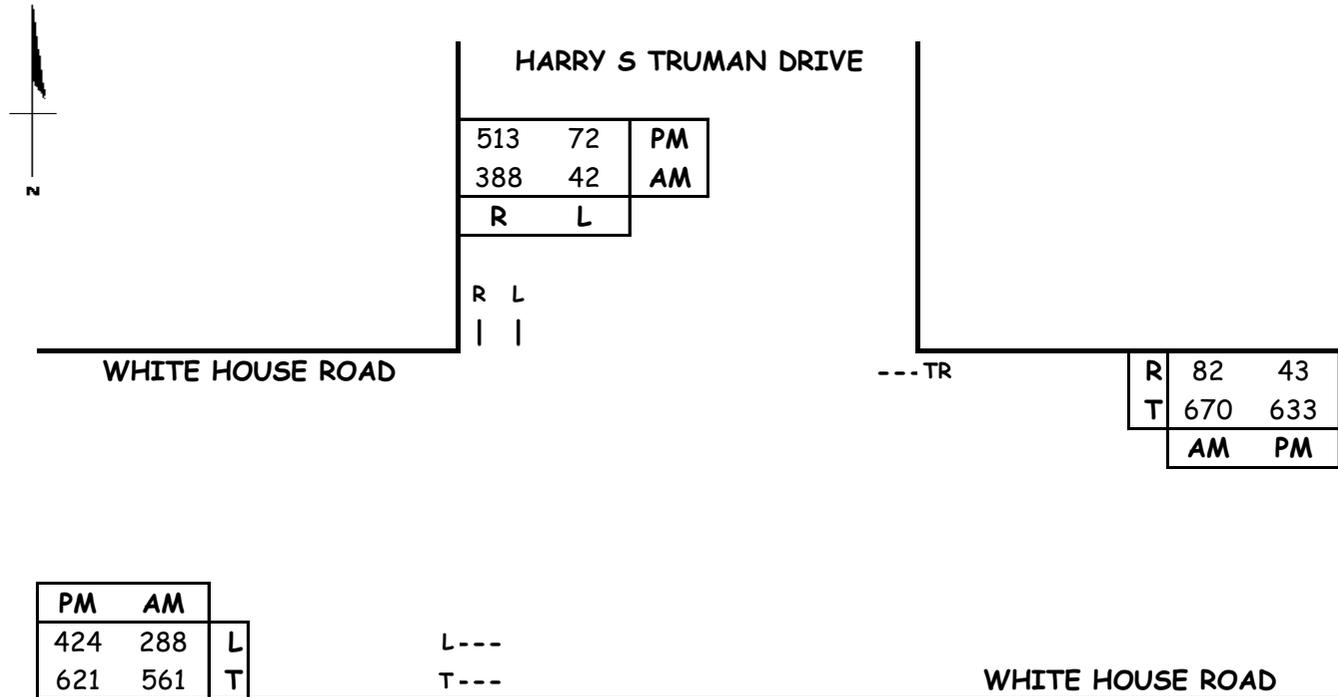
**Intersection
3**

CRITICAL LANE VOLUME (CLV) METHODOLOGY for Prince Georges County

Intersection of: Harry S Truman Drive
and: White House Road
Conditions: Total Traffic

Analyst: Lenhart Traffic Consulting (LTC)

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		AM CLV
	VOL	x LUF	= Total	VOL	x LUF = Total	
SB	100	1.00	100			100
EB	561	1.00	561			1040
WB	752	1.00	752	288	1.00 288	
CLV TOTAL=						1140
Level of Service (LOS)=						B

Evening Peak Hour						
Dir	Thru Volumes			+ Opposing Lefts		PM CLV
	VOL	x LUF	= Total	VOL	x LUF = Total	
SB	89	1.00	89			89
EB	621	1.00	621			1100
WB	676	1.00	676	424	1.00 424	
CLV TOTAL=						1189
Level of Service (LOS)=						C

Critical Lane Volume Analysis



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Harry S Truman Drive &
White House Road
(Total Traffic)

**Intersection
3**

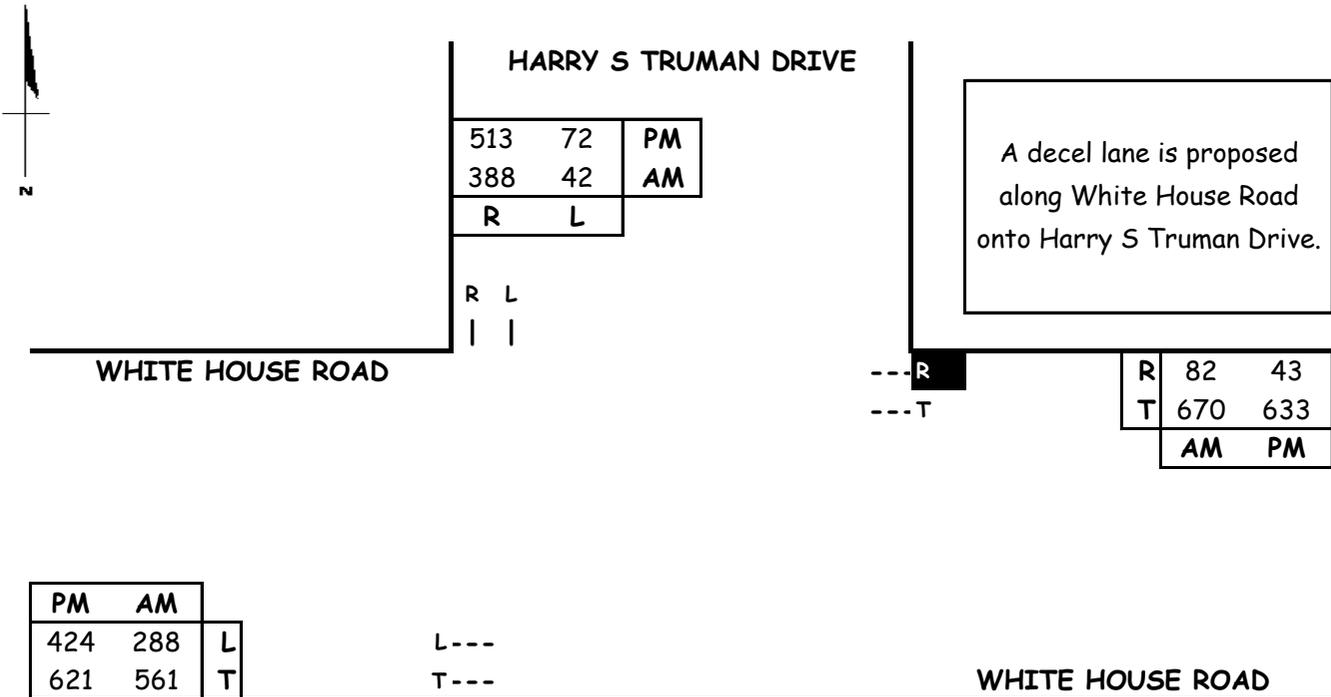
CRITICAL LANE VOLUME (CLV) METHODOLOGY for Prince Georges County

Intersection of: Harry S Truman Drive
and: White House Road

Analyst: Lenhart Traffic Consulting (LTC)

Conditions: Total Traffic with Improvement

Lane Use + Traffic Volumes



Capacity Analysis

Morning Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	AM CLV
	VOL	x LUF	= Total	VOL x LUF = Total	
SB	100	1.00	100		100
EB	561	1.00	561		958
WB	670	1.00	670	288 1.00 288	
CLV TOTAL=					1058
Level of Service (LOS)=					B

Evening Peak Hour					
Dir	Thru Volumes			+ Opposing Lefts	PM CLV
	VOL	x LUF	= Total	VOL x LUF = Total	
SB	89	1.00	89		89
EB	621	1.00	621		1057
WB	633	1.00	633	424 1.00 424	
CLV TOTAL=					1146
Level of Service (LOS)=					B

Critical Lane Volume Analysis



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Harry S Truman Drive &
White House Road
(Total Traffic with Improvement)

**Intersection
3**

HCM Unsignalized Intersection Capacity Analysis

3: White House Road & Harry S Truman Drive

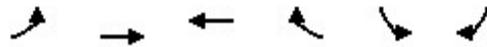
Kenwood Village
AM Existing



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↖	↗		↘	↙
Traffic Volume (veh/h)	288	276	485	71	39	388
Future Volume (Veh/h)	288	276	485	71	39	388
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	313	300	527	77	42	422
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	604				1492	566
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	604				1492	566
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	68				54	19
cM capacity (veh/h)	974				92	524
Direction, Lane #	EB 1	WB 1	SB 1	SB 2		
Volume Total	613	604	42	422		
Volume Left	313	0	42	0		
Volume Right	0	77	0	422		
cSH	974	1700	92	524		
Volume to Capacity	0.32	0.36	0.46	0.81		
Queue Length 95th (ft)	35	0	48	193		
Control Delay (s)	7.3	0.0	73.1	34.5		
Lane LOS	A		F	D		
Approach Delay (s)	7.3	0.0	38.0			
Approach LOS			E			
Intersection Summary						
Average Delay			13.1			
Intersection Capacity Utilization			73.6%		ICU Level of Service	D
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 3: White House Road & Harry S Truman Drive

Kenwood Village
 AM Background



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↗	↖		↘	↙
Traffic Volume (veh/h)	288	548	616	71	39	288
Future Volume (Veh/h)	288	548	616	71	39	288
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	313	596	670	77	42	313
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	747				1930	708
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	747				1930	708
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	64				9	28
cM capacity (veh/h)	861				46	434
Direction, Lane #	EB 1	WB 1	SB 1	SB 2		
Volume Total	909	747	42	313		
Volume Left	313	0	42	0		
Volume Right	0	77	0	313		
cSH	861	1700	46	434		
Volume to Capacity	0.36	0.44	0.91	0.72		
Queue Length 95th (ft)	42	0	93	141		
Control Delay (s)	8.2	0.0	241.0	31.9		
Lane LOS	A		F	D		
Approach Delay (s)	8.2	0.0	56.6			
Approach LOS			F			
Intersection Summary						
Average Delay			13.7			
Intersection Capacity Utilization			94.8%		ICU Level of Service	F
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: White House Road & Harry S Truman Drive

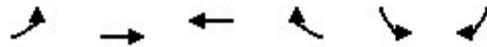
Kenwood Village
AM Total



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔	↔		↔	↔
Traffic Volume (veh/h)	288	561	670	82	42	388
Future Volume (Veh/h)	288	561	670	82	42	388
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	313	610	728	89	46	422
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	817				2008	772
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	817				2008	772
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	61				0	0
cM capacity (veh/h)	811				40	399
Direction, Lane #	EB 1	WB 1	SB 1	SB 2		
Volume Total	923	817	46	422		
Volume Left	313	0	46	0		
Volume Right	0	89	0	422		
cSH	811	1700	40	399		
Volume to Capacity	0.39	0.48	1.15	1.06		
Queue Length 95th (ft)	46	0	114	352		
Control Delay (s)	9.0	0.0	348.3	93.6		
Lane LOS	A		F	F		
Approach Delay (s)	9.0	0.0	118.6			
Approach LOS			F			
Intersection Summary						
Average Delay			28.9			
Intersection Capacity Utilization			99.0%	ICU Level of Service	F	
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 3: White House Road & Harry S Truman Drive

Kenwood Village
 AM Total with Improvement



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕	↕	↕	↕
Traffic Volume (veh/h)	288	561	670	82	42	388
Future Volume (Veh/h)	288	561	670	82	42	388
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	313	610	728	89	46	422
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	817			1964	728	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	817			1964	728	
tC, single (s)	4.1			6.4	6.2	
tC, 2 stage (s)						
tF (s)	2.2			3.5	3.3	
p0 queue free %	61			0	0	
cM capacity (veh/h)	811			43	423	
Direction, Lane #	EB 1	WB 1	WB 2	SB 1	SB 2	
Volume Total	923	728	89	46	422	
Volume Left	313	0	0	46	0	
Volume Right	0	0	89	0	422	
cSH	811	1700	1700	43	423	
Volume to Capacity	0.39	0.43	0.05	1.08	1.00	
Queue Length 95th (ft)	46	0	0	109	312	
Control Delay (s)	9.0	0.0	0.0	311.2	74.5	
Lane LOS	A			F	F	
Approach Delay (s)	9.0	0.0		97.8		
Approach LOS				F		
Intersection Summary						
Average Delay			24.5			
Intersection Capacity Utilization			94.1%		ICU Level of Service	F
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Site Access & White House Road

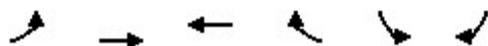
Kenwood Village
AM Total

						
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Volume (veh/h)	589	16	2	691	65	7
Future Volume (Veh/h)	589	16	2	691	65	7
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	640	17	2	751	71	8
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None			None		
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			657	1395		640
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			657	1395		640
tC, single (s)			4.1	6.4		6.2
tC, 2 stage (s)						
tF (s)			2.2	3.5		3.3
p0 queue free %			100	54		98
cM capacity (veh/h)			931	155		475
Direction, Lane #	EB 1	EB 2	WB 1	NB 1		
Volume Total	640	17	753	79		
Volume Left	0	0	2	71		
Volume Right	0	17	0	8		
cSH	1700	1700	931	167		
Volume to Capacity	0.38	0.01	0.00	0.47		
Queue Length 95th (ft)	0	0	0	56		
Control Delay (s)	0.0	0.0	0.1	44.6		
Lane LOS			A	E		
Approach Delay (s)	0.0		0.1	44.6		
Approach LOS				E		
Intersection Summary						
Average Delay			2.4			
Intersection Capacity Utilization			48.6%	ICU Level of Service	A	
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: White House Road & Harry S Truman Drive

Kenwood Village
PM Existing



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↖	↗		↘	↙
Traffic Volume (veh/h)	424	381	336	37	62	513
Future Volume (Veh/h)	424	381	336	37	62	513
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	461	414	365	40	67	558
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	405				1721	385
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	405				1721	385
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	60				0	16
cM capacity (veh/h)	1154				59	663
Direction, Lane #	EB 1	WB 1	SB 1	SB 2		
Volume Total	875	405	67	558		
Volume Left	461	0	67	0		
Volume Right	0	40	0	558		
cSH	1154	1700	59	663		
Volume to Capacity	0.40	0.24	1.14	0.84		
Queue Length 95th (ft)	49	0	138	233		
Control Delay (s)	7.9	0.0	275.9	32.5		
Lane LOS	A		F	D		
Approach Delay (s)	7.9	0.0	58.6			
Approach LOS			F			
Intersection Summary						
Average Delay			22.9			
Intersection Capacity Utilization			76.9%		ICU Level of Service	D
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: White House Road & Harry S Truman Drive

Kenwood Village
PM Background



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔	↔		↔	↔
Traffic Volume (veh/h)	424	568	605	37	62	513
Future Volume (Veh/h)	424	568	605	37	62	513
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	461	617	658	40	67	558
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	698				2217	678
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	698				2217	678
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	49				0	0
cM capacity (veh/h)	898				23	452
Direction, Lane #	EB 1	WB 1	SB 1	SB 2		
Volume Total	1078	698	67	558		
Volume Left	461	0	67	0		
Volume Right	0	40	0	558		
cSH	898	1700	23	452		
Volume to Capacity	0.51	0.41	2.86	1.23		
Queue Length 95th (ft)	75	0	211	563		
Control Delay (s)	11.7	0.0	1190.5	150.4		
Lane LOS	B		F	F		
Approach Delay (s)	11.7	0.0	261.9			
Approach LOS			F			
Intersection Summary						
Average Delay			73.4			
Intersection Capacity Utilization			100.9%		ICU Level of Service	G
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

3: White House Road & Harry S Truman Drive

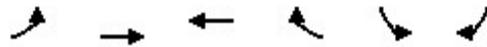
Kenwood Village
PM Total



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↔	↔		↔	↔
Traffic Volume (veh/h)	424	621	633	43	72	513
Future Volume (Veh/h)	424	621	633	43	72	513
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	461	675	688	47	78	558
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	735				2308	712
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	735				2308	712
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	47				0	0
cM capacity (veh/h)	870				20	433
Direction, Lane #	EB 1	WB 1	SB 1	SB 2		
Volume Total	1136	735	78	558		
Volume Left	461	0	78	0		
Volume Right	0	47	0	558		
cSH	870	1700	20	433		
Volume to Capacity	0.53	0.43	3.95	1.29		
Queue Length 95th (ft)	80	0	Err	607		
Control Delay (s)	12.7	0.0	Err	173.7		
Lane LOS	B		F	F		
Approach Delay (s)	12.7	0.0	1378.7			
Approach LOS			F			
Intersection Summary						
Average Delay			355.5			
Intersection Capacity Utilization			106.0%		ICU Level of Service	G
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis
 3: White House Road & Harry S Truman Drive

Kenwood Village
 PM Total with Improvement



Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations		↕	↕	↕	↕	↕
Traffic Volume (veh/h)	424	621	633	43	72	513
Future Volume (Veh/h)	424	621	633	43	72	513
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	461	675	688	47	78	558
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type		None	None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	735			2285	688	
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	735			2285	688	
tC, single (s)	4.1			6.4	6.2	
tC, 2 stage (s)						
tF (s)	2.2			3.5	3.3	
p0 queue free %	47			0	0	
cM capacity (veh/h)	870			20	446	
Direction, Lane #	EB 1	WB 1	WB 2	SB 1	SB 2	
Volume Total	1136	688	47	78	558	
Volume Left	461	0	0	78	0	
Volume Right	0	0	47	0	558	
cSH	870	1700	1700	20	446	
Volume to Capacity	0.53	0.40	0.03	3.81	1.25	
Queue Length 95th (ft)	80	0	0	Err	576	
Control Delay (s)	12.7	0.0	0.0	Err	157.2	
Lane LOS	B			F	F	
Approach Delay (s)	12.7	0.0	1364.2			
Approach LOS				F		
Intersection Summary						
Average Delay			351.8			
Intersection Capacity Utilization			103.4%	ICU Level of Service	G	
Analysis Period (min)			15			

HCM Unsignalized Intersection Capacity Analysis

4: Site Access & White House Road

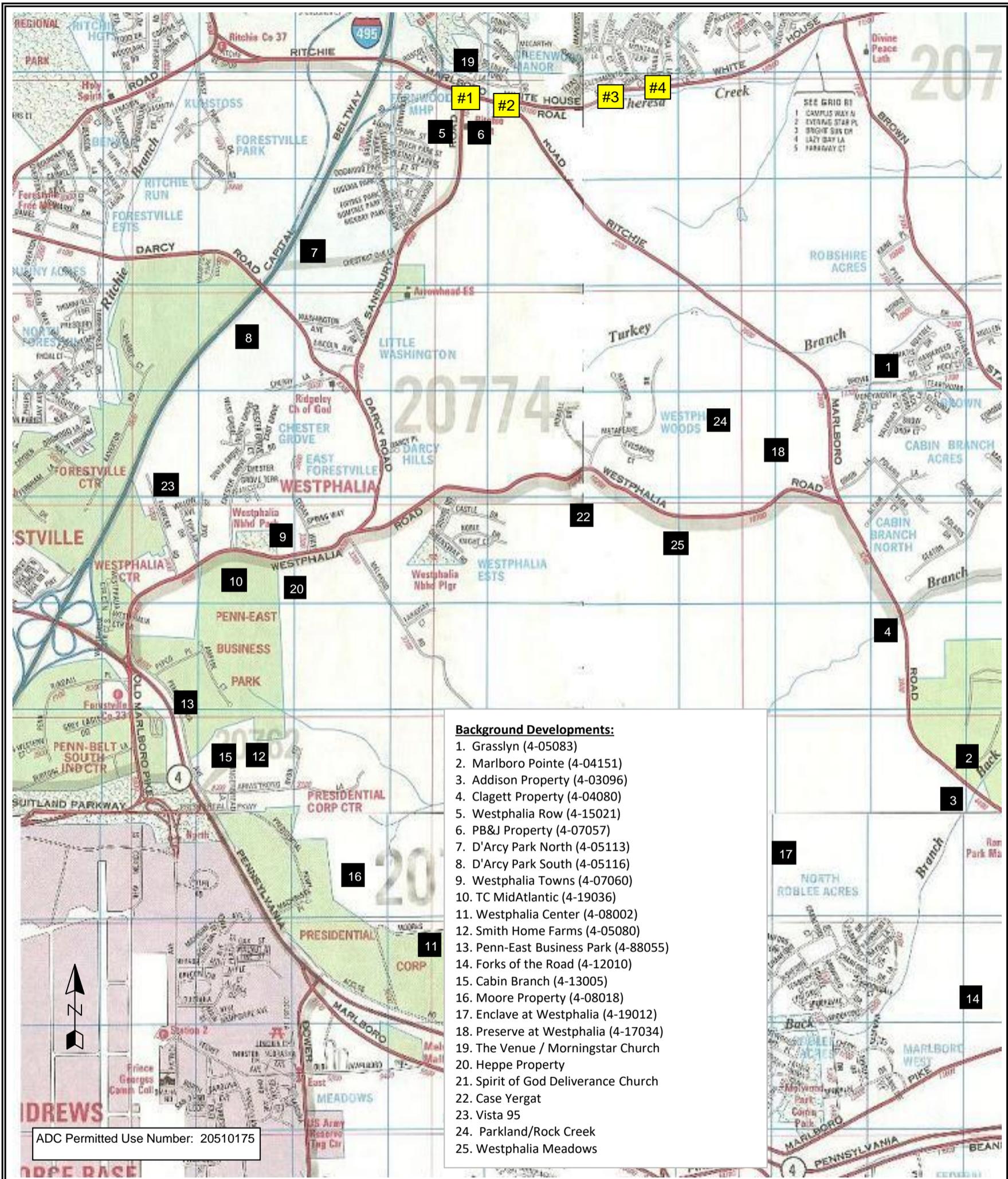
Kenwood Village
PM Total



Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑	↑		↑	↑	
Traffic Volume (veh/h)	634	63	7	644	34	4
Future Volume (Veh/h)	634	63	7	644	34	4
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	689	68	8	700	37	4
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None		None			
Median storage (veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			757		1405	689
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			757		1405	689
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			99		76	99
cM capacity (veh/h)			854		152	446
Direction, Lane #	EB 1	EB 2	WB 1	NB 1		
Volume Total	689	68	708	41		
Volume Left	0	0	8	37		
Volume Right	0	68	0	4		
cSH	1700	1700	854	163		
Volume to Capacity	0.41	0.04	0.01	0.25		
Queue Length 95th (ft)	0	0	1	24		
Control Delay (s)	0.0	0.0	0.3	34.4		
Lane LOS			A	D		
Approach Delay (s)	0.0		0.3	34.4		
Approach LOS				D		
Intersection Summary						
Average Delay			1.1			
Intersection Capacity Utilization			49.5%	ICU Level of Service	A	
Analysis Period (min)			15			

Appendix C

Background Developments



Traffic Impact Analysis

Background Development
Location Map

Exhibit
C-1

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

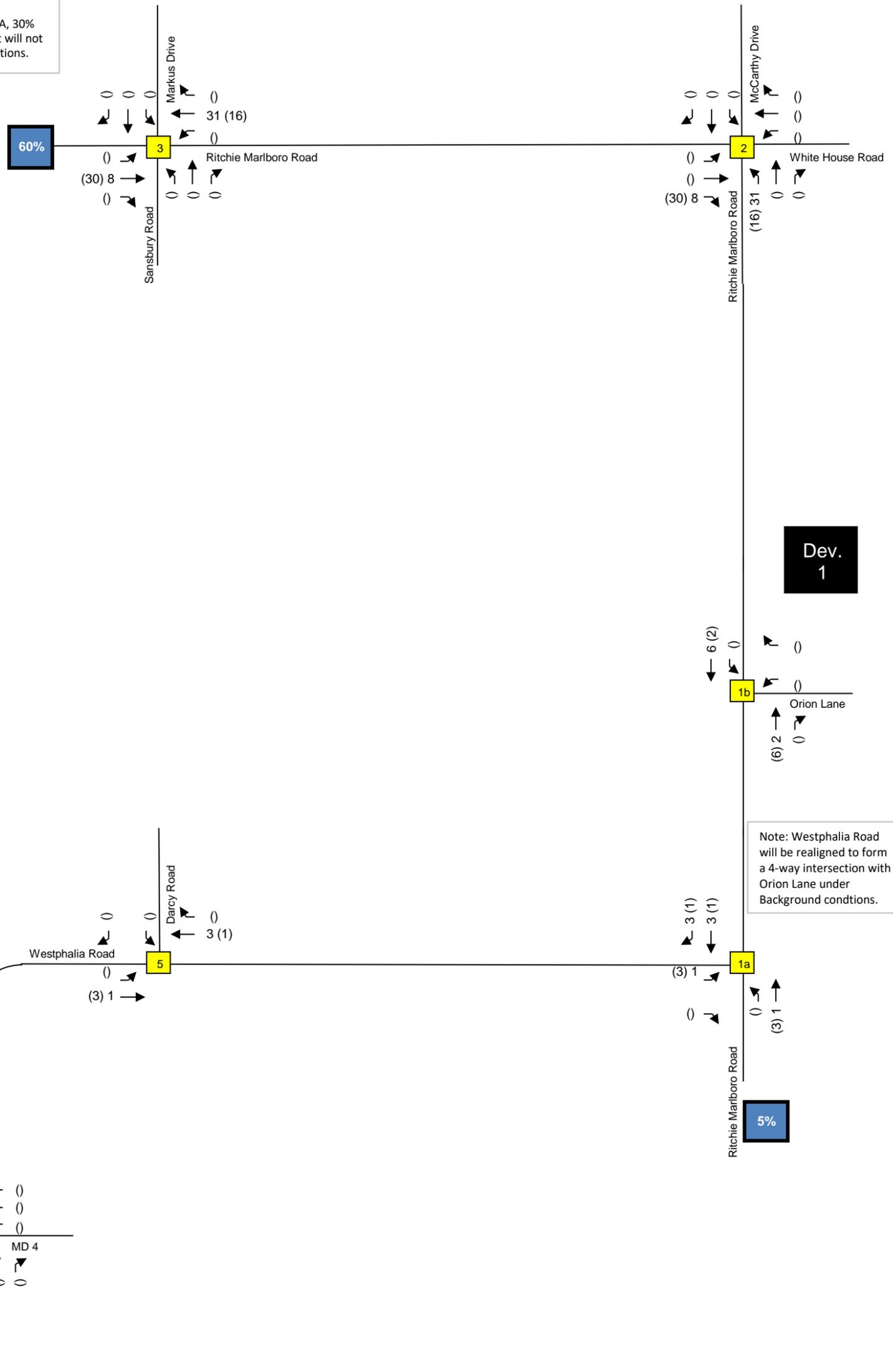
Trip Generation Totals

			AM Peak			PM Peak			
			In	Out	Total	In	Out	Total	
1	Grasslyn	Single-Family Housing (Prince Georges County Rates)	85 units	13	51	64	50	27	77
2	Marlboro Pointe	Single-Family Housing (Prince Georges County Rates)	55 units	8	33	41	33	17	50
3	Addison Property	Single-Family Housing (Prince Georges County Rates)	75 units remaining	11	45	56	44	24	68
4	Marlboro Ridge	Single-Family Housing (Prince Georges County Rates)	30 units remaining	5	18	23	18	9	27
		Townhouse (Prince Georges County Rates)	75 units remaining	11	42	53	39	21	60
5	Westphalia Row	Townhouse (Prince Georges County Rates)	19 units remaining	3	10	13	10	5	15
6	PB&J	Trip Cap from PP 4-07057 minus DSP 08043-01		22	22	44	27	26	53
7	D'Arcy Park N	Townhouse (Prince Georges County Rates)	329 units	46	184	230	171	92	263
		Apartments (garden and mid-rise, Prince Georges County Rates)	168 units	17	70	87	66	35	101
8	D'Arcy Park S	Townhouse (Prince Georges County Rates)	460 units	64	258	322	239	129	368
9	Westphalia Towns	Single-Family Housing (Prince Georges County Rates)	5 units	1	3	4	3	2	5
		Townhouse (Prince Georges County Rates)	200 units	28	112	140	104	56	160
10	TC MidAtlantic	Warehousing (0.3 FAR, Prince Georges County Rates)	324,480 sq.ft.	104	26	130	26	104	130
		General Office (0.4 FAR, Prince George's County Rates)	38,400 sq.ft.	69	8	77	13	58	71
11	Westphalia Town Ctr	Phase I Trip Cap from 4-08002		1350	260	1610	385	1334	1719
		minus Phase 1 Townhouses	348 units	-49	-195	-244	-181	-97	-278
				1301	65	1366	204	1237	1441
12	Smith Home Farm (From Traffic Group Study Dated 11/11/2021)	Phases 1-3	0 units remaining	Built Out					
		Phases 4-6	967 units remaining	87	378	465	329	151	480
		Section 7 - Townhouse Units	639 units	77	338	415	303	152	455
		Section 7 - Shopping Center	46,000 sq. ft.	27	17	44	37	40	77
13	Penn East Business Pk			Built Out					
14	Forks of The Road	Trip Cap from PP 4-12010 minus DSP-17057	59,156 sq.ft. Commercial/Retail	69	47	116	84	101	185
15	Cabin Branch	Townhouse (Prince Georges County Rates)	204 units remaining	29	114	143	106	57	163
		Retail (ksf, ITE-820) (After subtracting 60% pass-by trips)	8,600 sq.ft. (Primary Trips)	3	2	5	10	10	20
16	Moore Property	Apartments (garden and mid-rise, Prince Georges County Rates)	640 units	67	266	333	250	134	384
17	Enclave at Westphalia	Townhouse (Prince Georges County Rates)	356 units	50	199	249	185	100	285
18	Preserve at Westphalia	Single-Family Housing (Prince Georges County Rates)	108 units	16	65	81	63	34	97
		Townhouse (Prince Georges County Rates)	184 units	26	103	129	96	51	147
		Shopping Center (ksf, ITE-820)	12,500 sq.ft.	98	60	158	56	61	117
		-50% Pass By Trips		-49	-30	-79	-28	-31	-59
		Primary Trips		49	30	79	28	30	58
19	The Venue	Townhouse (Prince Georges County Rates)	90 units remaining	13	50	63	47	25	72
20	Heppe Property	Townhouse (Prince Georges County Rates)	37 units remaining	5	21	26	20	10	30
21	Spirit of God Deliverance Church	Church (under 25,000 square feet (Prince George's County Rates))	18,112 sq. ft.	6	4	10	5	5	10
		Day Care (Prince George's County Rates)	30 students	13	11	24	12	13	25
22	Case Yergat	Single-Family Housing (Prince George's County Rates)	531 units max	80	318	398	311	167	478
		Townhouse (Prince George's County Rates)	130 units max	18	73	91	68	36	104
23	Vista 95	Industrial (Light Service, Prince George's County Rates)	387,556 sq.ft.	267	66	333	66	267	333
24	Parkland/Rock Creek	Single-Family Housing (Prince Georges County Rates)	99 units	15	59	74	58	31	89
		Townhouse (Prince Georges County Rates)	423 units	59	237	296	220	118	338
		Senior Adult Housing - Multifamily (Prince George's County Rates)	160 units	8	13	21	16	10	26
		Shopping Center (ksf, ITE-820)	12,500 sq.ft.	18	12	30	41	41	82
		-50% Pass By Trips		-9	-6	-15	-20	-21	-41
25	Westphalia Meadows	Single-Family Housing (Prince George's County Rates)	100 units	15	60	75	59	31	90
		Townhouse (Prince George's County Rates)	185 units	26	104	130	96	52	148

Note: Trip Generation Rates obtained from Prince George's County Transportation Review Guidelines and/or ITE Trip Generation Manual, 10th Edition as specified in the Guidelines.

Traffic Impact Analysis	Trip Generation for Background Developments	Exhibit C-2
 LENHART TRAFFIC CONSULTING, INC. 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214 SEVERNA PARK, MD 21146 www.lenharttraffic.com		

Note: Trip assignment based on the approved TIA for the Grasslyn development. Based on that TIA, 30% of traffic from the development will not pass through the study intersections.



Traffic Impact Analysis

Background Development #1 Trip Assignment

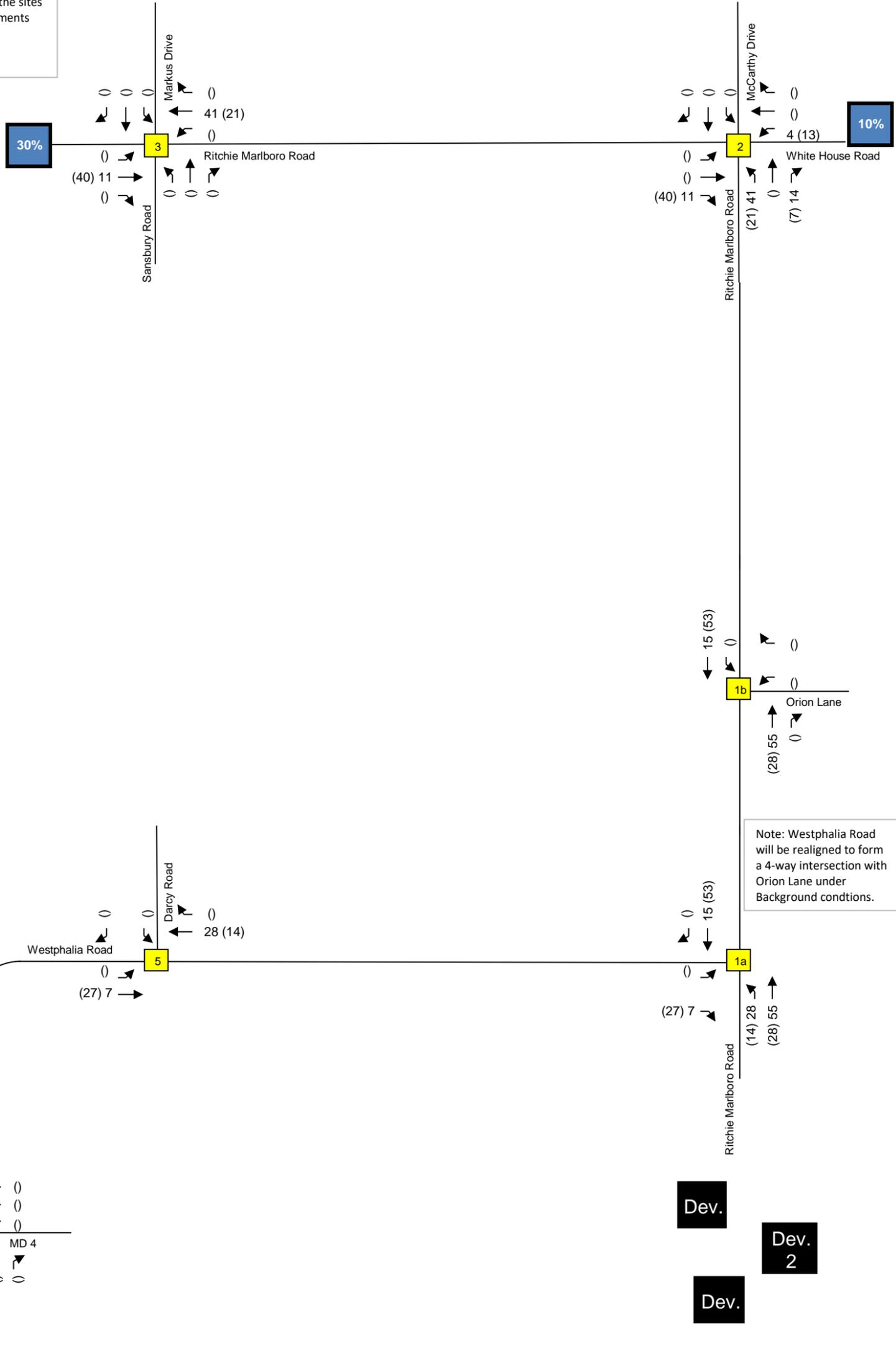
**Exhibit
C-3**



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: Based on the location of the sites 40% of traffic from the developments will not pass through the study intersections.



Note: Westphalia Road will be realigned to form a 4-way intersection with Orion Lane under Background conditions.

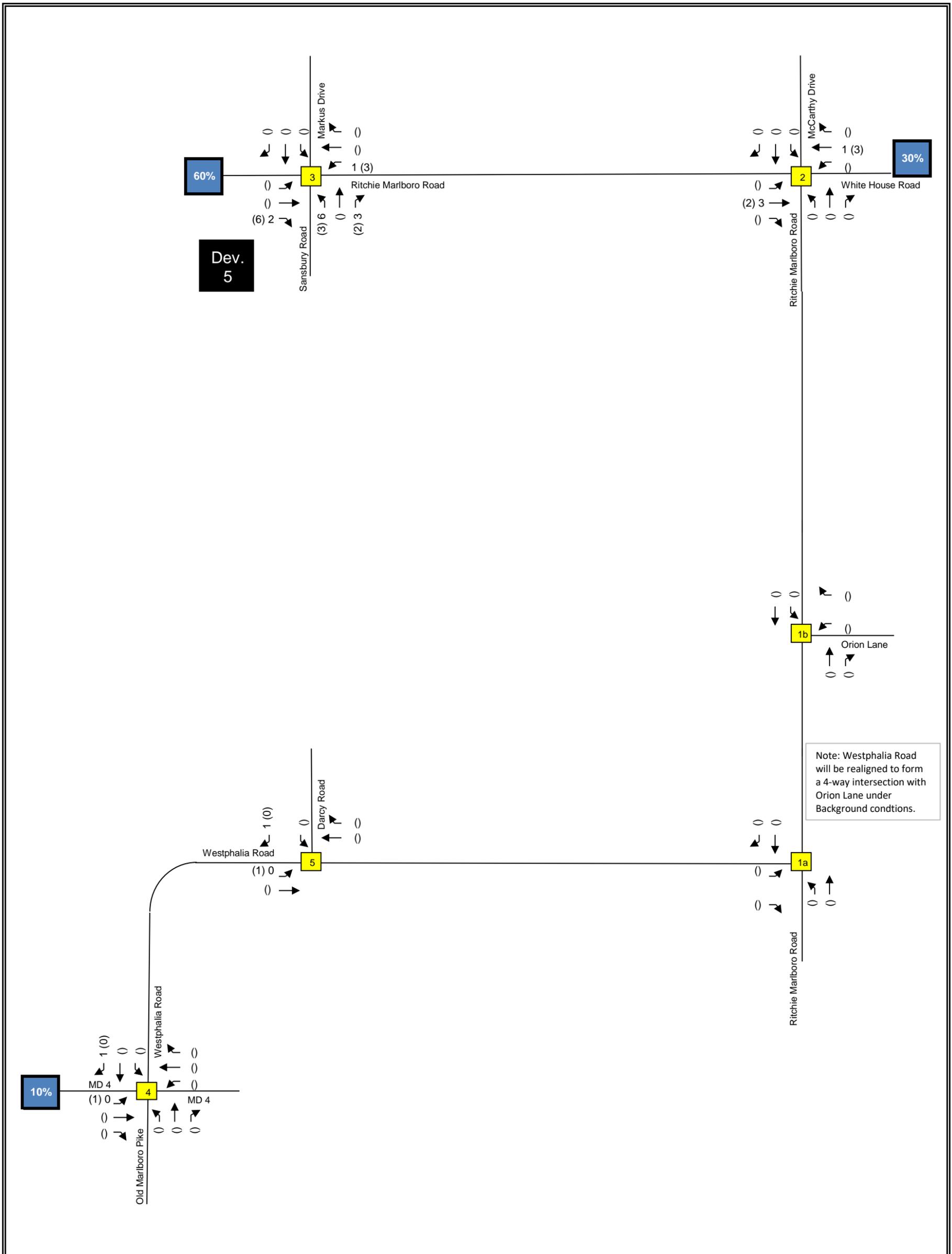
Traffic Impact Analysis

Background Developments # 2, 3 & 4 Trip Assignment

**Exhibit
C-4**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's



Traffic Impact Analysis

Background Development # 5 Trip Assignment

**Exhibit
C-5**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: The site has access points on Ritchie Marlboro Road east of Sansbury Road. It is assumed that 50% of traffic to westbound Ritchie Marlboro Road will exit the site on Sansbury Road and turn left at Intersection 3 and 50% will use the Ritchie Marlboro Road access and make a u-turn at Intersection 2. It is also assumed that northbound right-turning traffic out of the site will use this access, rather than

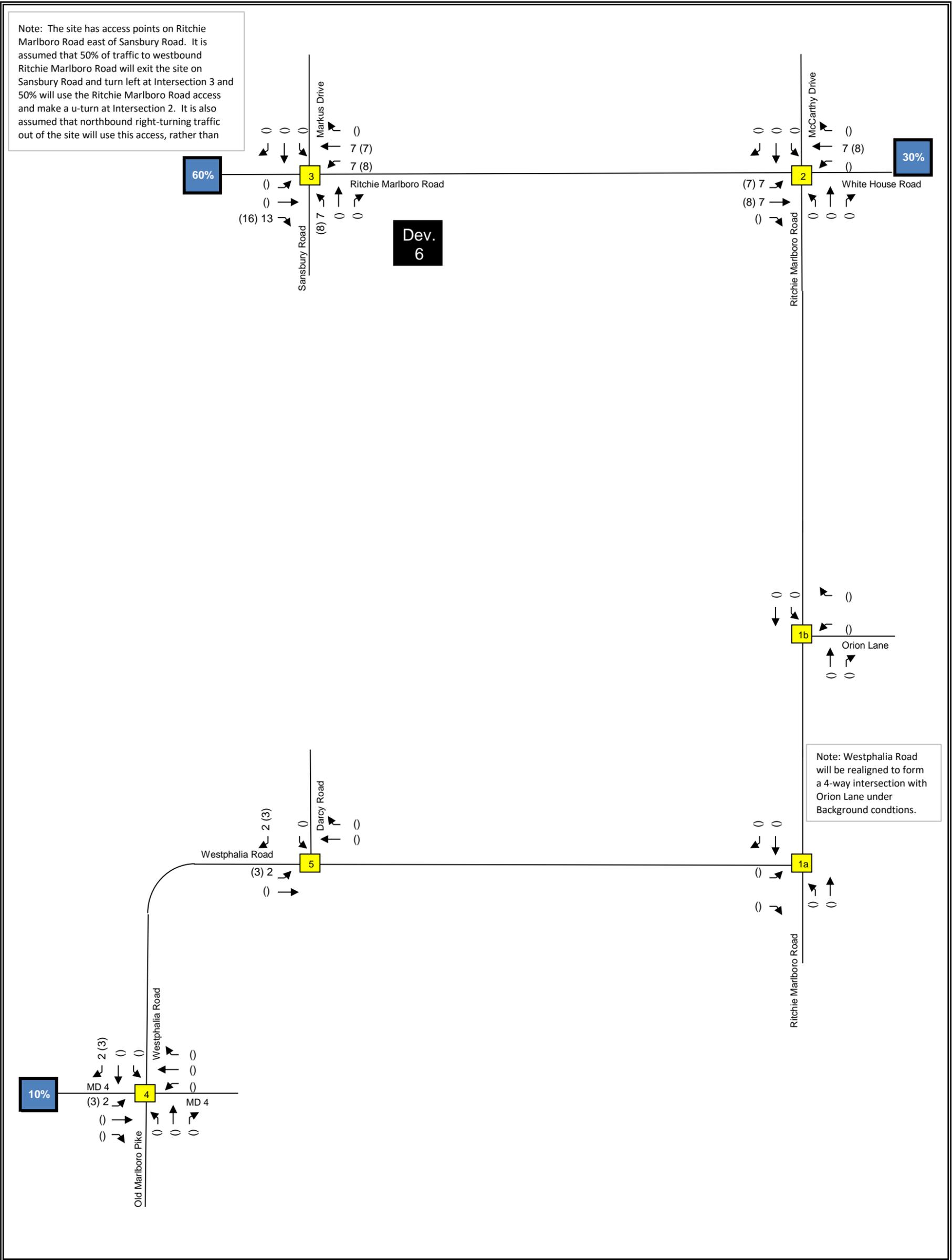
60%

30%

Dev.
6

10%

Note: Westphalia Road will be realigned to form a 4-way intersection with Orion Lane under Background conditions.



Traffic Impact Analysis

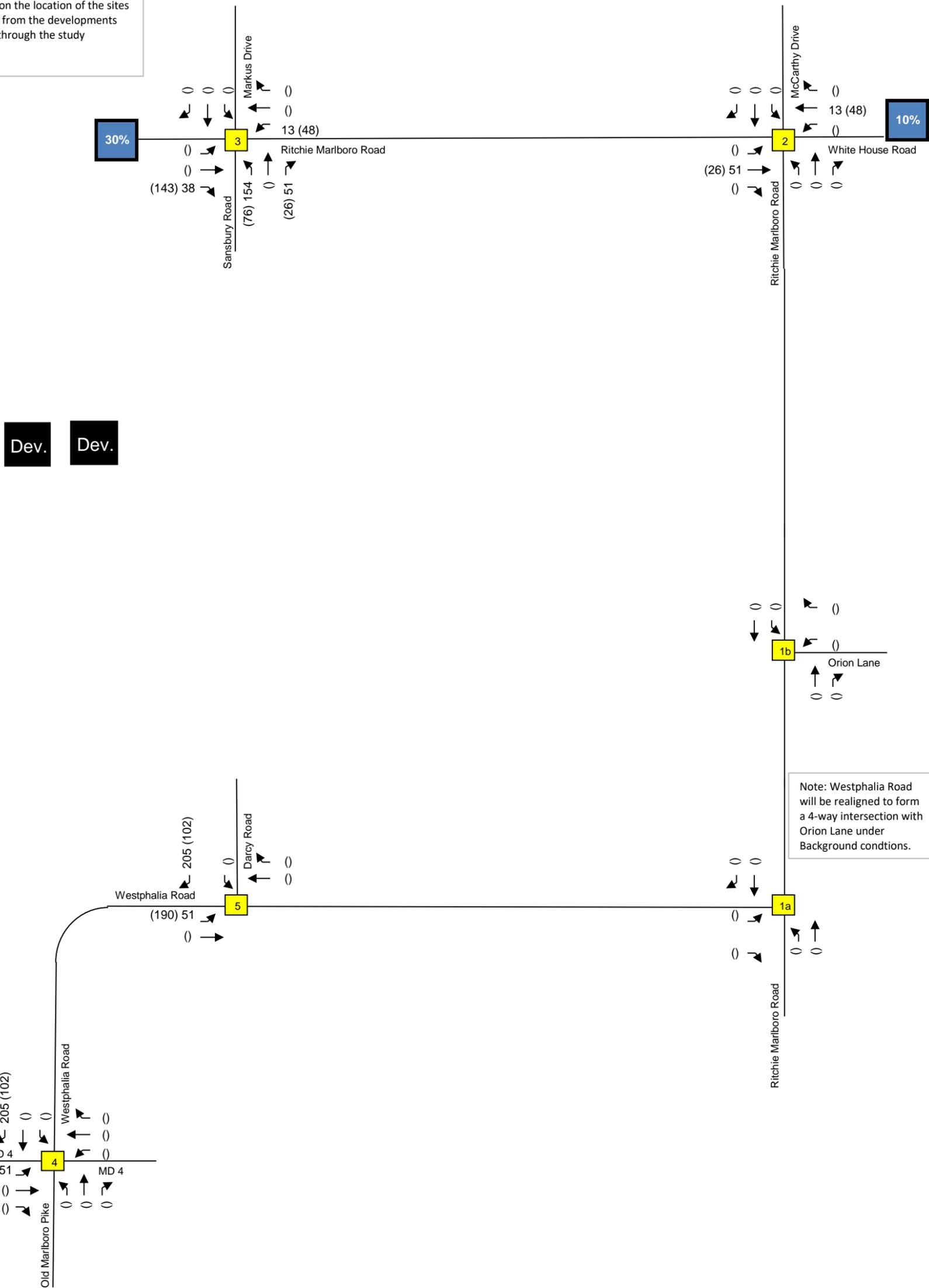
Background Development # 6 Trip Assignment

**Exhibit
C-6**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: Based on the location of the sites 20% of traffic from the developments will not pass through the study intersections.



Note: Westphalia Road will be realigned to form a 4-way intersection with Orion Lane under Background conditions.

Traffic Impact Analysis

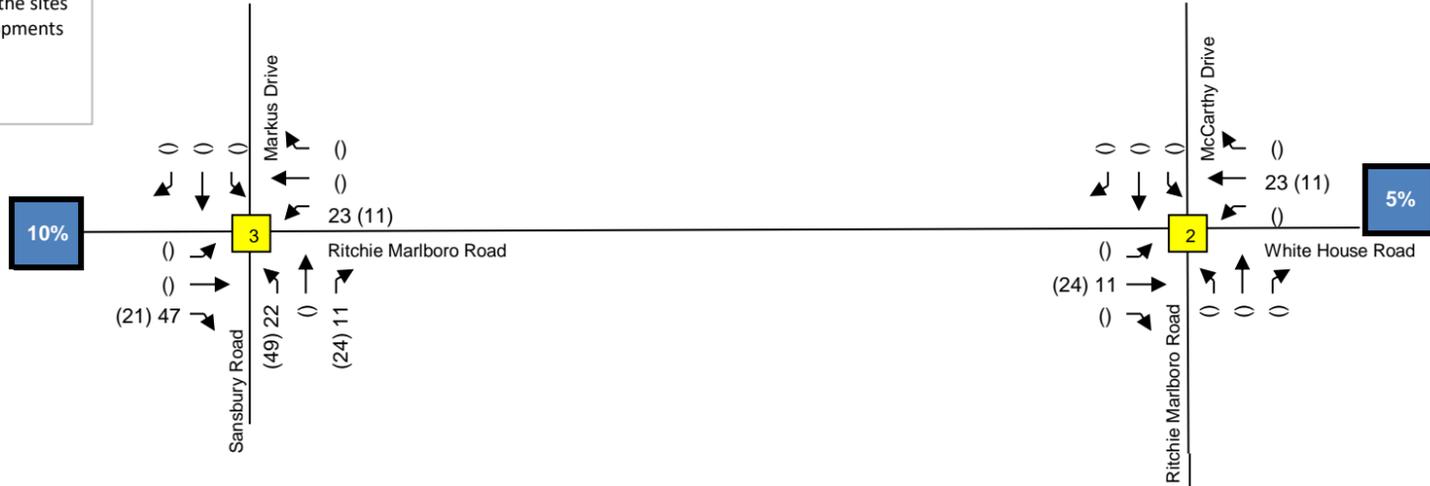
Background Developments # 7 & 8 Trip Assignment

**Exhibit
C-7**

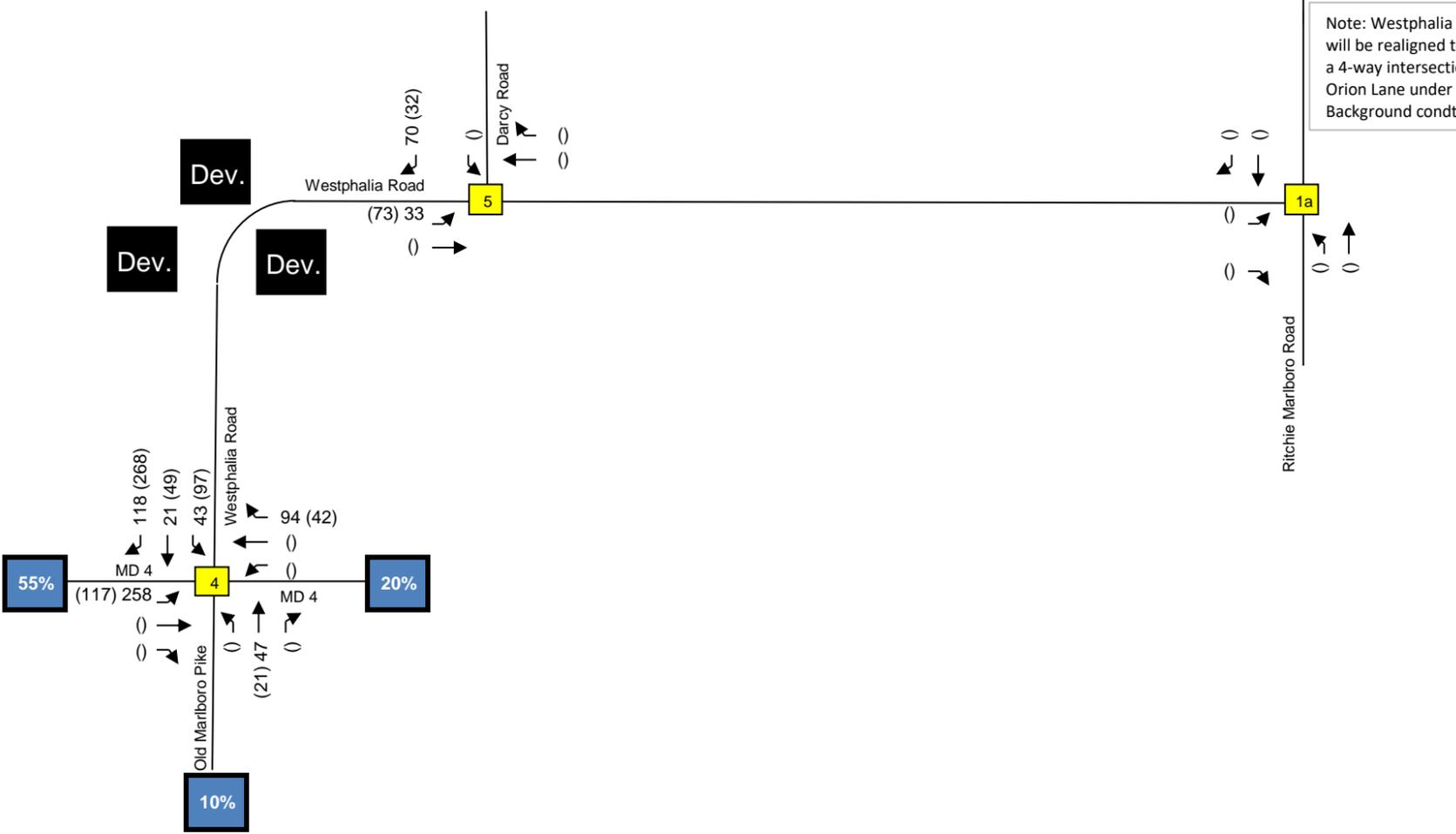
LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: Based on the location of the sites all of the traffic from the developments will pass through the study intersections.



Note: Westphalia Road will be realigned to form a 4-way intersection with Orion Lane under Background conditions.



Traffic Impact Analysis

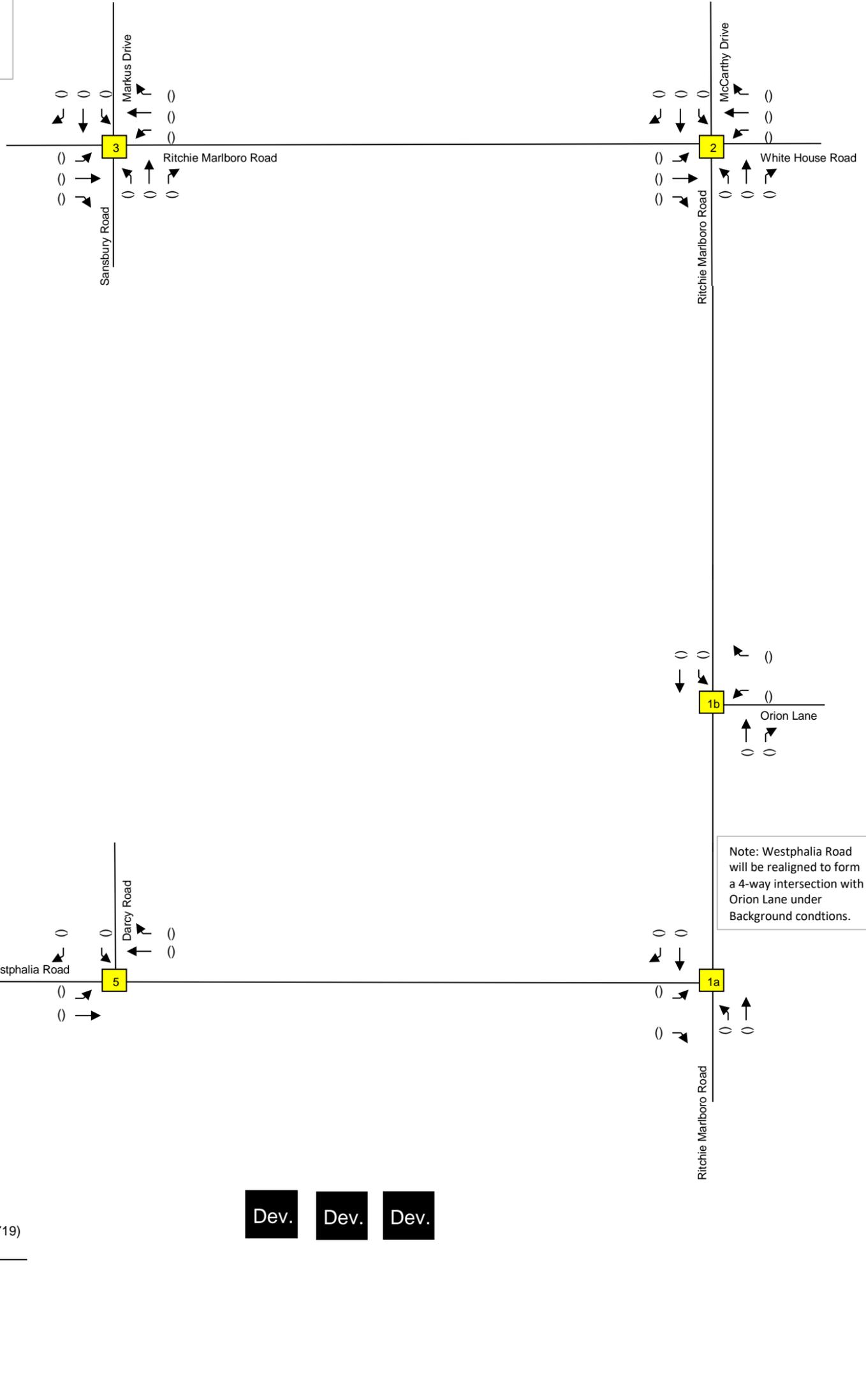
Background Developments # 9, 10, & 23 Trip Assignment

**Exhibit
C-8**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: Based on the location of the sites 50% of all traffic from the developments would not pass through the study intersections.



Traffic Impact Analysis

LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

Background Developments # 11, 15 & 16

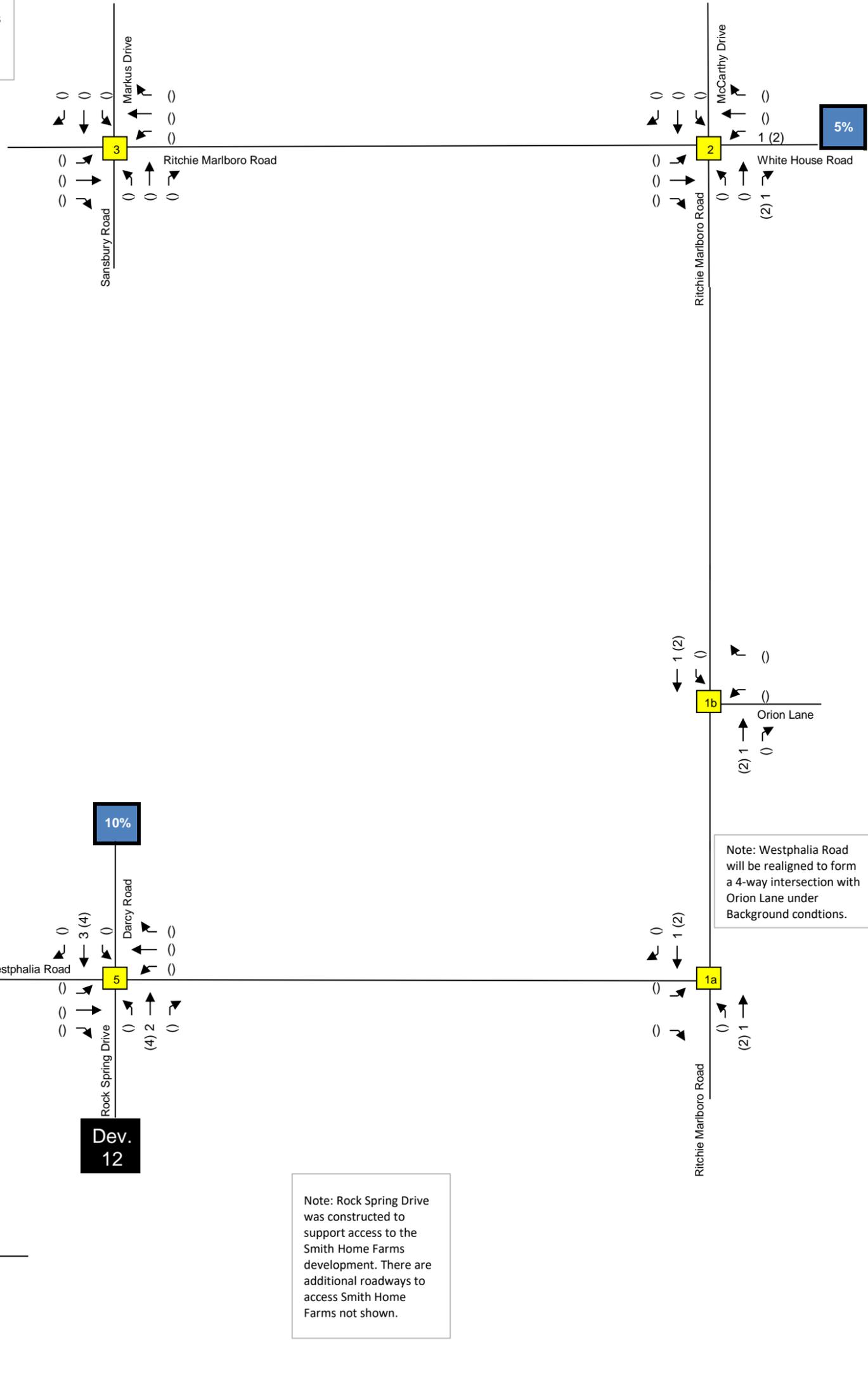
Trip Assignment

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Exhibit

C-9

Note: Based on the location of the sites 40% of all traffic from the developments would not pass through the study intersections.



Traffic Impact Analysis

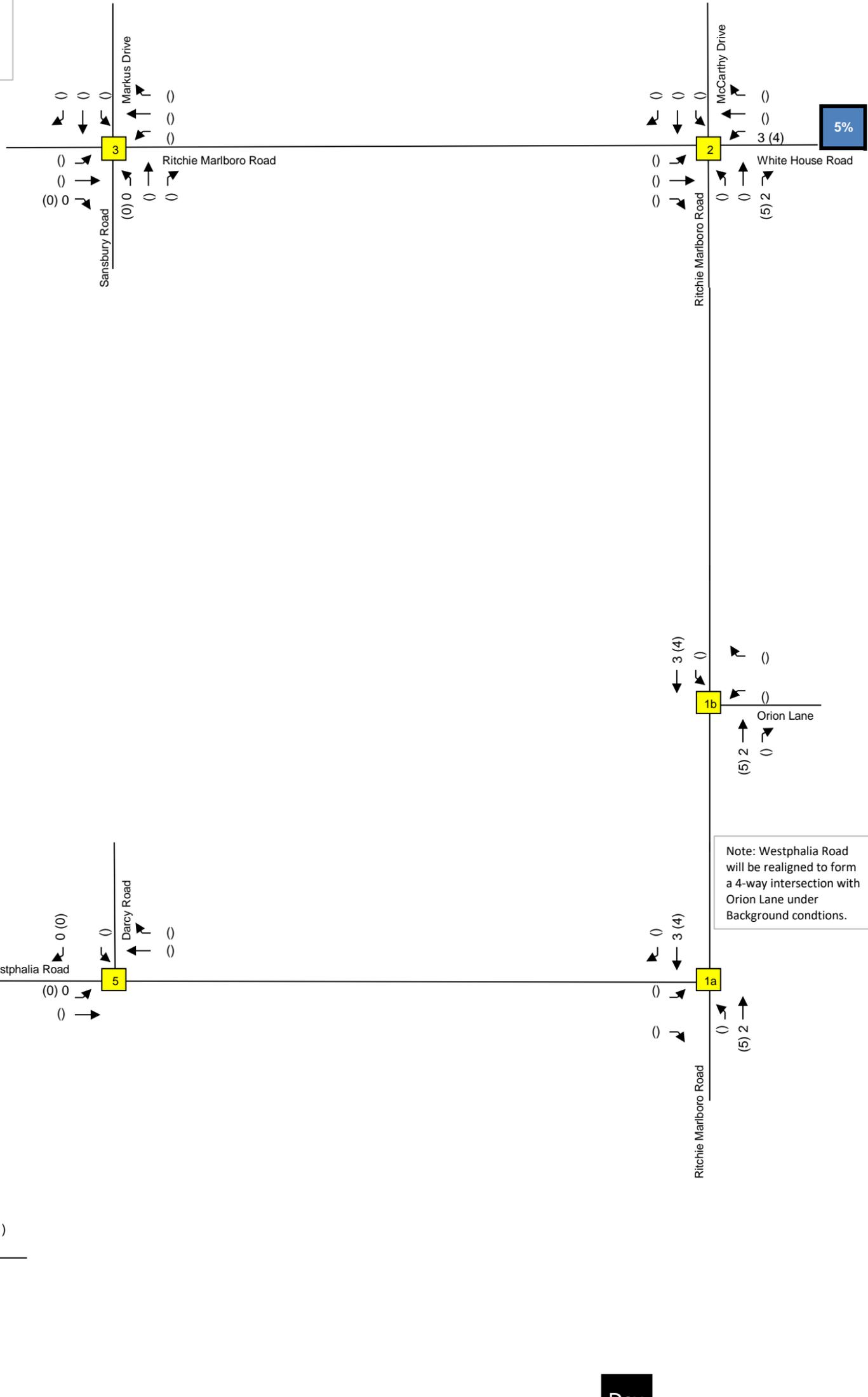
LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

Background Development #12 Trip Assignment

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
 C-10**

Note: Based on the location of the sites 65% of all traffic from the developments would not pass through the study intersections.



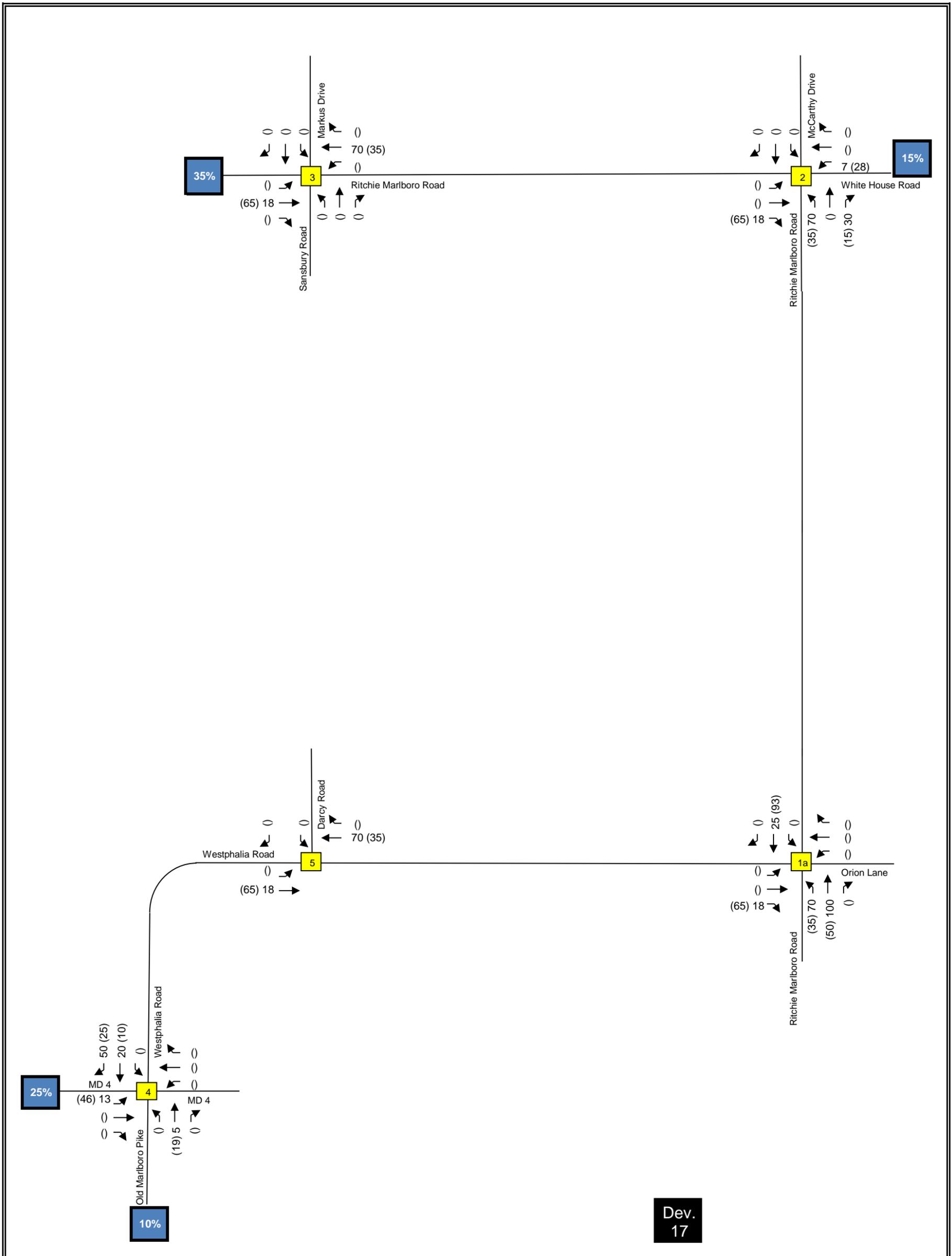
Traffic Impact Analysis

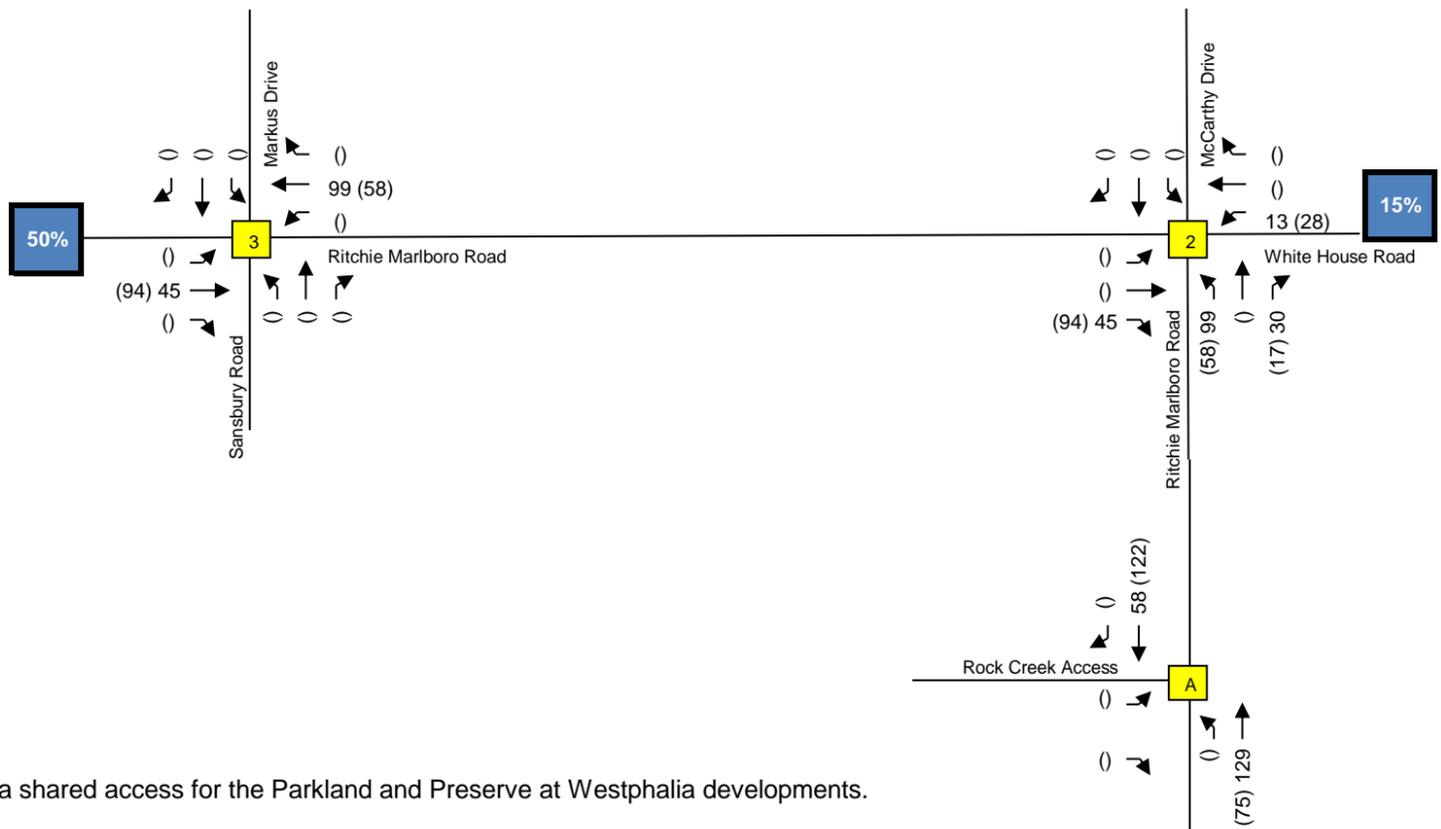
LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

Background Development # 14 Trip Assignment

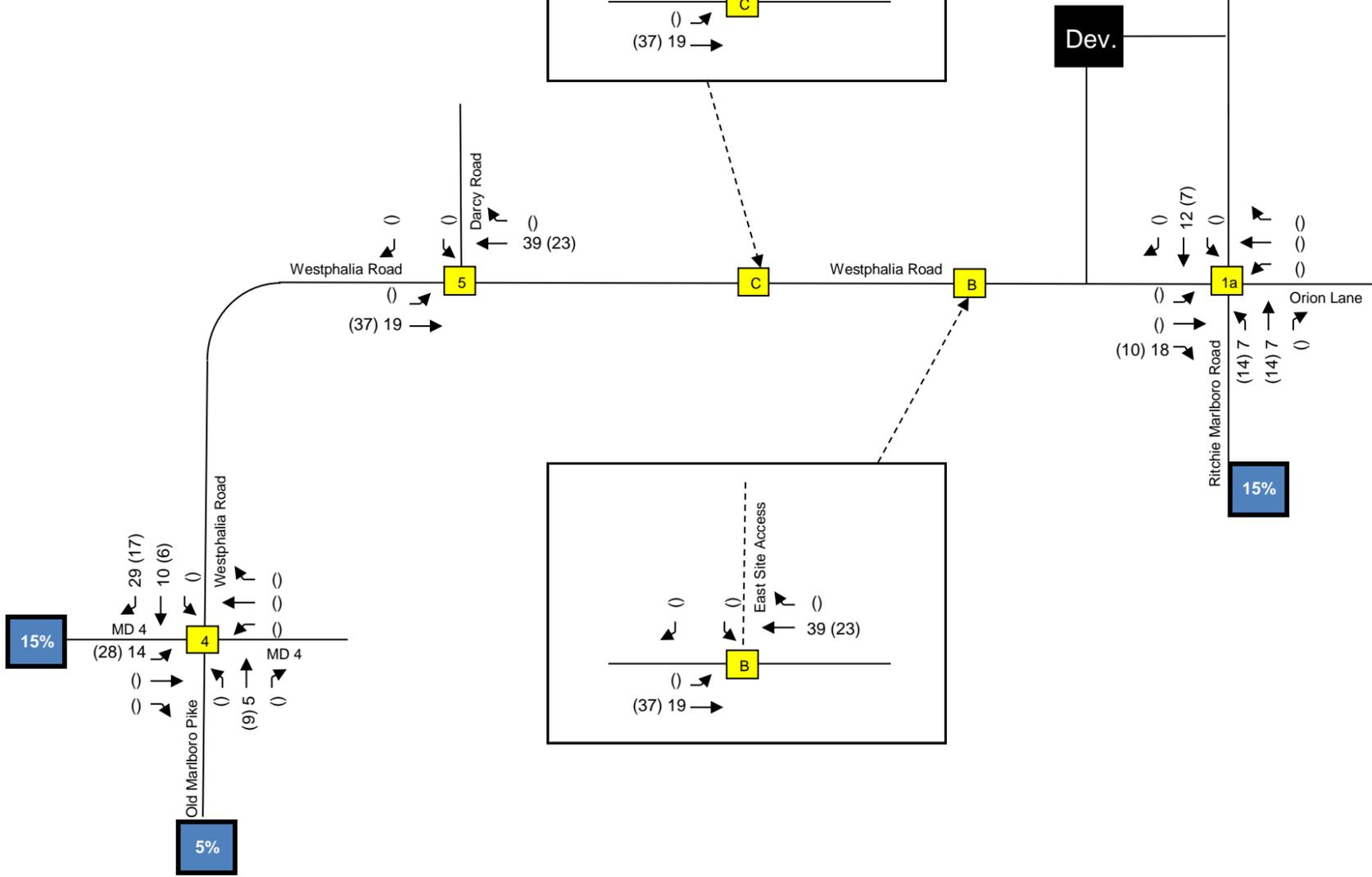
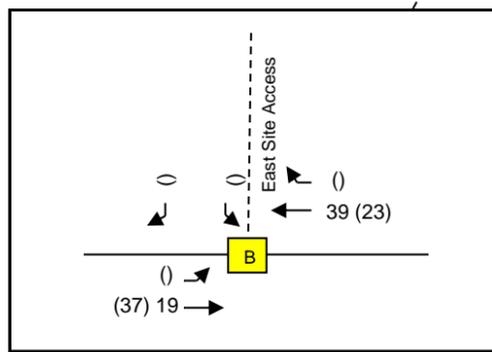
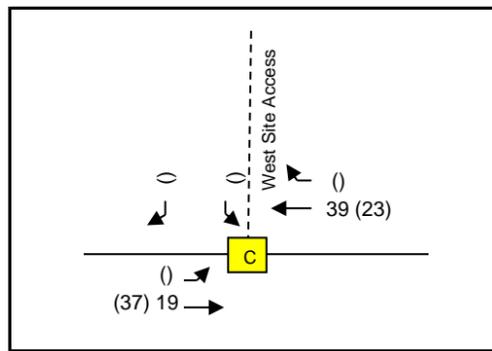
Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
 C-11**





Note: Intersection B is a shared access for the Parkland and Preserve at Westphalia developments.



Traffic Impact Analysis

Background Development #18 Trip Assignment

**Exhibit
C-13**

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

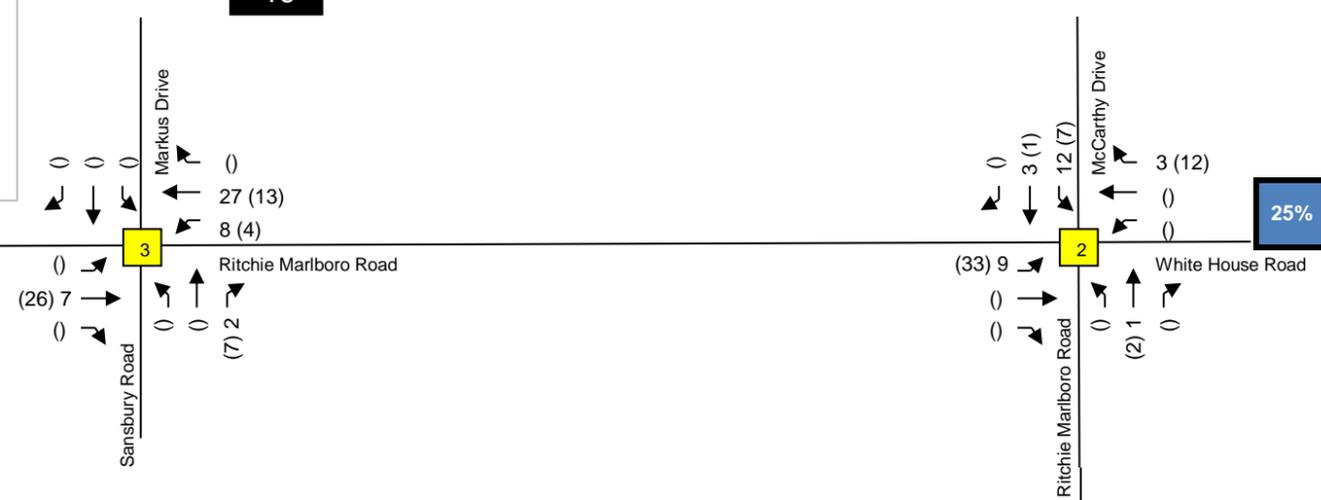
Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: The site has access points on Ritchie Marlboro Road east of Sansbury Road. It is assumed that 50% of traffic to westbound Ritchie Marlboro Road will exit the site on Sansbury Road and turn left at Intersection 3 and 50% will use the Ritchie Marlboro Road access and make a u-turn at Intersection 2. It is also assumed that northbound right-turning traffic out of the site will use this access, rather than

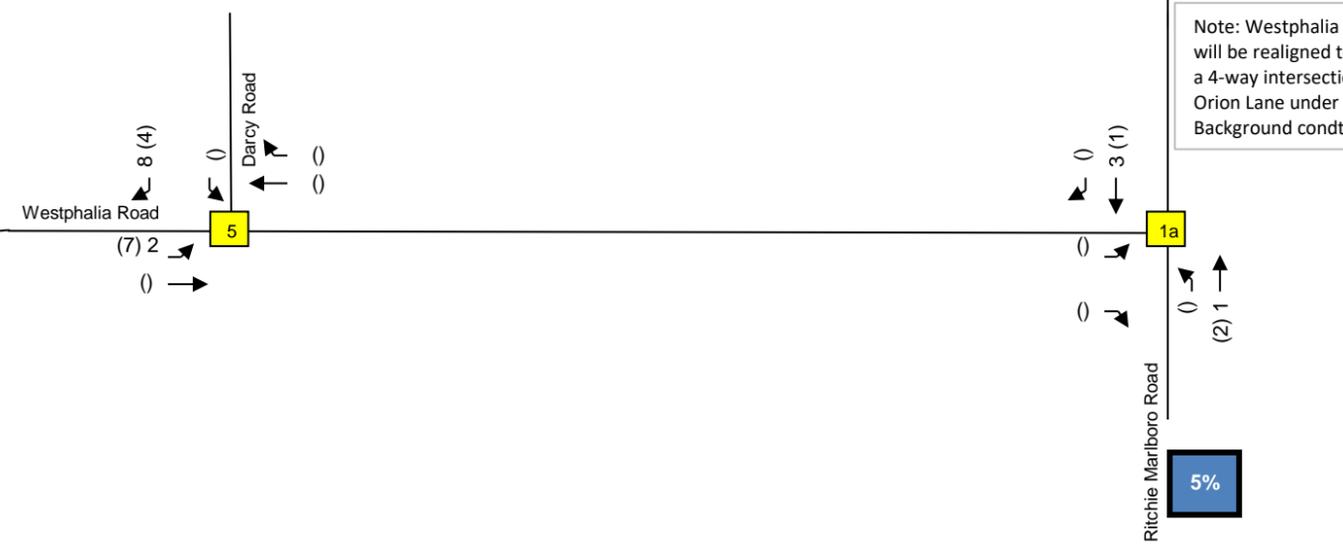
Dev.
19

55%

25%



Note: Westphalia Road will be realigned to form a 4-way intersection with Orion Lane under Background conditions.



10%

5%

5%

Traffic Impact Analysis

Background Development # 19 Trip Assignment

**Exhibit
C-14**

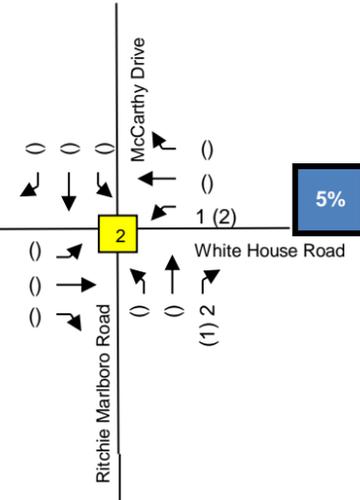
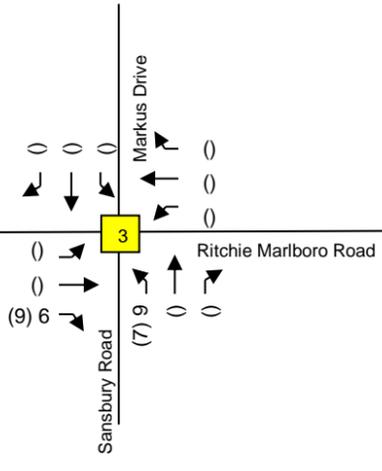
LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

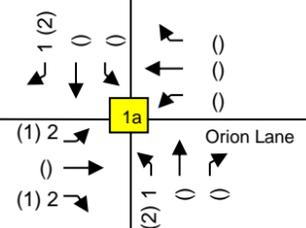
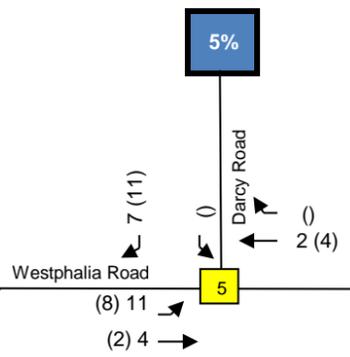
25%

5%

Note: The 25% of vehicles heading to/from the west of Intersection 3 will utilize Darcy Road which connects to Sansbury Road as detailed on this sheet.



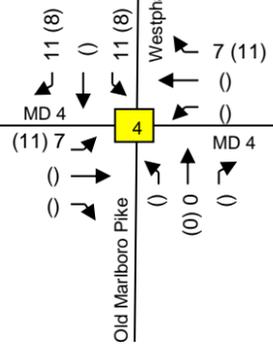
5%



Dev. 20 Dev. 21

30%

30%



Traffic Impact Analysis

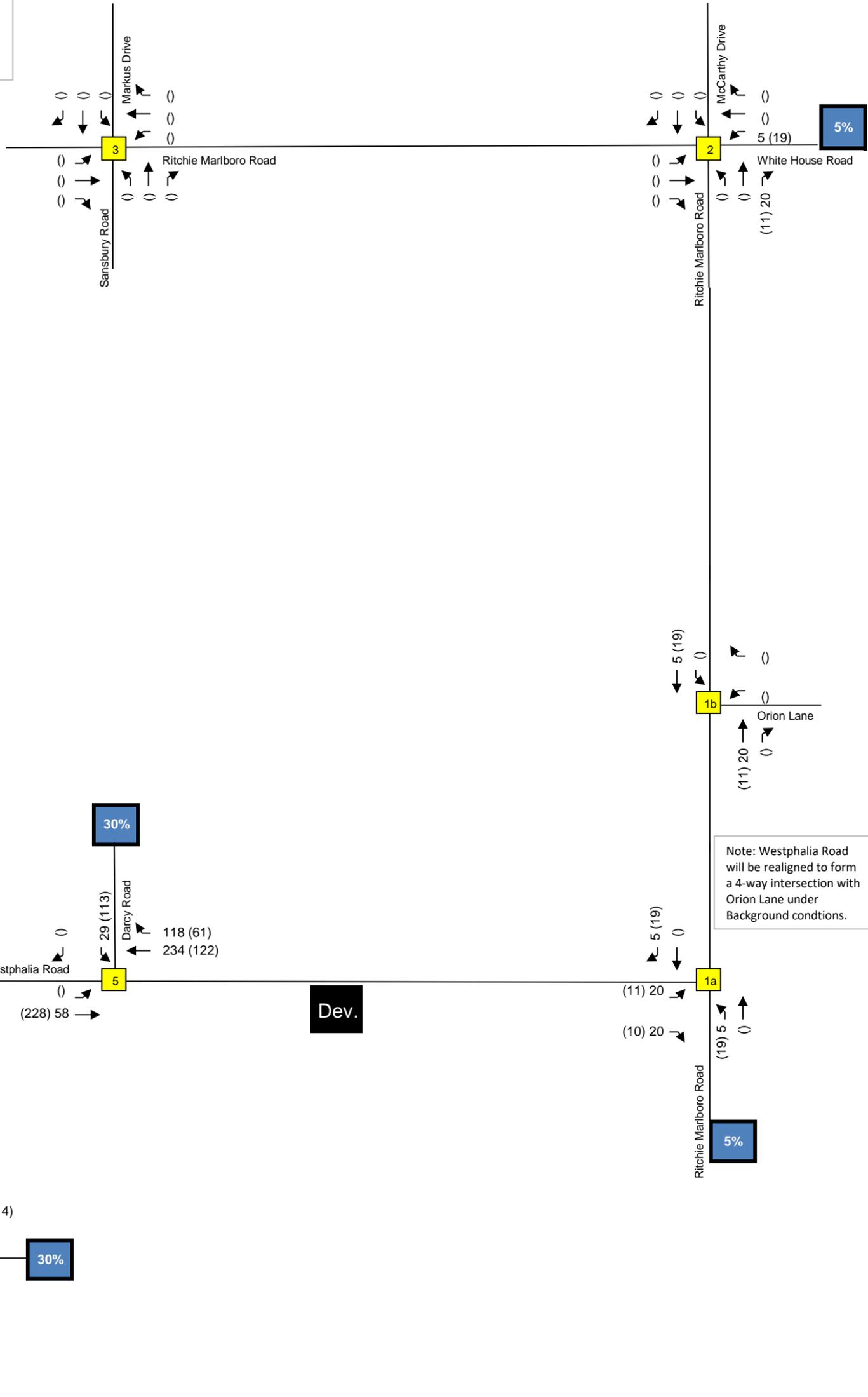
Background Development #20 & 21 Trip Assignment

Exhibit C-15

LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Note: Based on the location of the sites all of the traffic from the developments will pass through the study intersections.



Note: Westphalia Road will be realigned to form a 4-way intersection with Orion Lane under Background conditions.

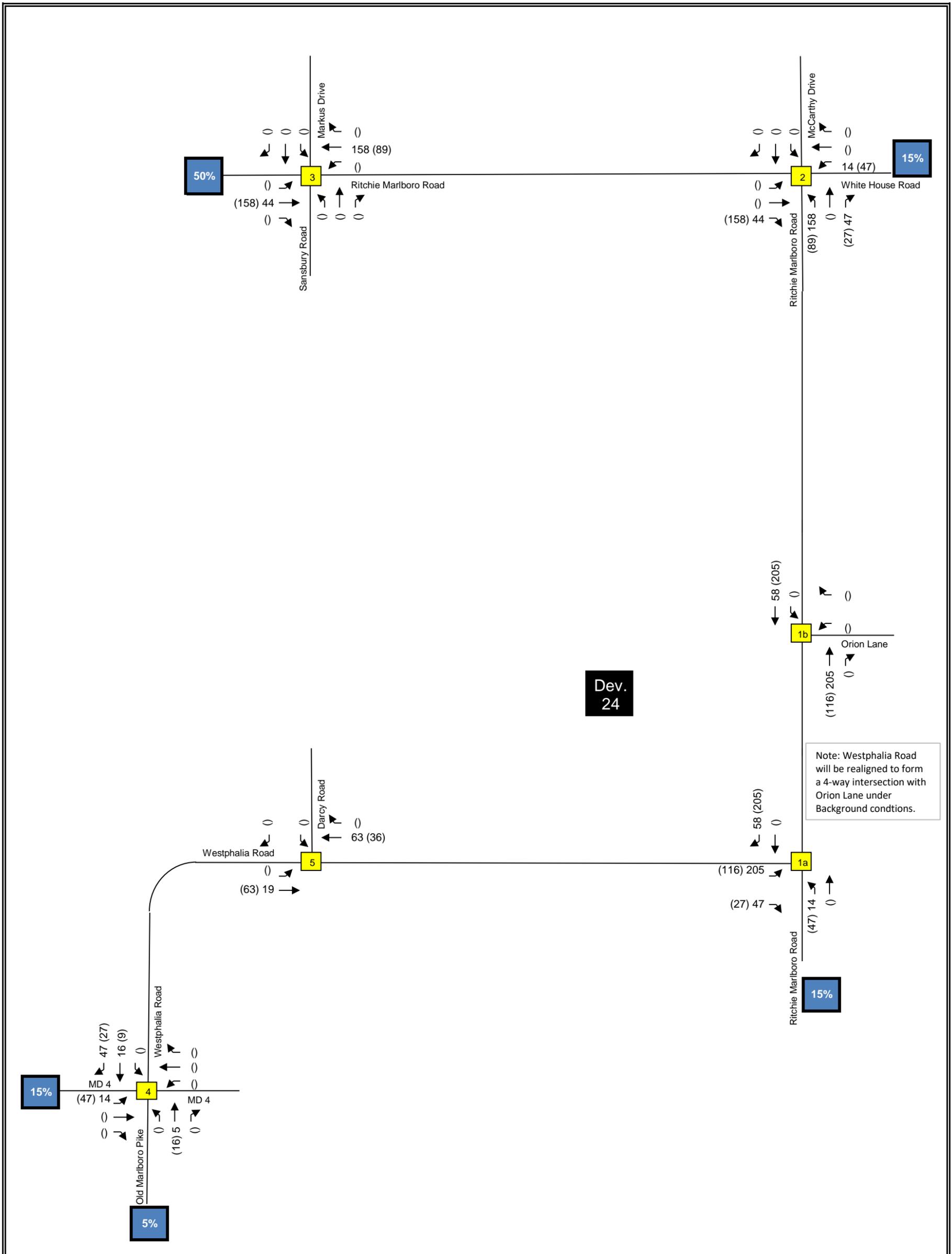
Traffic Impact Analysis

LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

Background Development #22 Trip Assignment

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

**Exhibit
 C-16**



Traffic Impact Analysis

LENHART TRAFFIC CONSULTING, INC.
 645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
 SEVERNA PARK, MD 21146
 www.lenharttraffic.com

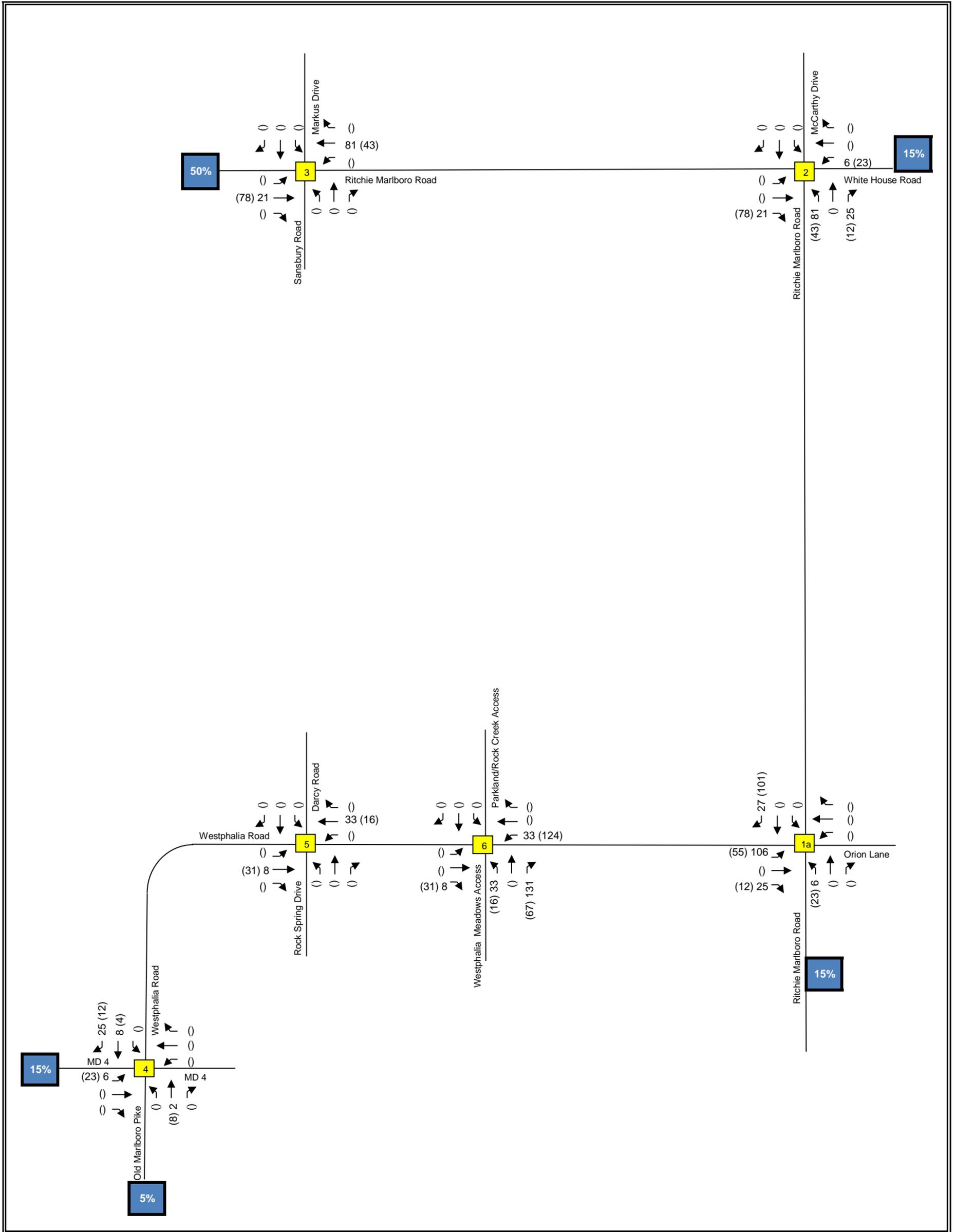
Background Development # 24

Trip Assignment

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's

Exhibit

C-17



Traffic Impact Analysis

Background Development #25 Trip Assignment

**Exhibit
C-18**



LENHART TRAFFIC CONSULTING, INC.
645 BALTIMORE ANNAPOLIS BLVD, SUITE 214
SEVERNA PARK, MD 21146
www.lenharttraffic.com

Key: xx = AM Peak Vol's (xx) = PM Peak Vol's



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

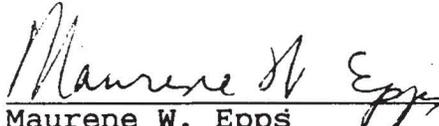
RE: A-9802/A-9803 (White House Road Limited Partnership)

**NOTICE OF DECISION
OF THE DISTRICT COUNCIL**

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland, requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in your case on September 30, 1991.

CERTIFICATE OF SERVICE

This is to certify that on October 4, 1991, this notice and attached Council Order were mailed, postage prepaid, to all persons of record.


Maureen W. Epps
Acting Clerk of the Council

(3/91)

Case No.: A-9802

Applicant: White House Limited
Partnership

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

ORDER OF REMAND

IT IS HEREBY ORDERED that the application for Zoning Map Amendment No. A-9802 for property described as approximately 47.3 acres of land, located on the south side of White House Road, approximately 1,300 feet east of Ritchie-Marlboro Road, Upper Marlboro, Maryland, to rezone the property from the R-E Zone to the R-M Zone, be and the same hereby is,

REMANDED, for a de novo proceeding, to the Planning Board, in accordance with Section 27-133 of the Zoning Ordinance.

ORDERED, this 30th day of September, 1991.

In Favor: Council Members Castaldi, Bell, Casula, Del Giudice,
MacKinnon, Mills, Pemberton and Wineland

Opposed:

Abstained: Council Member Fletcher

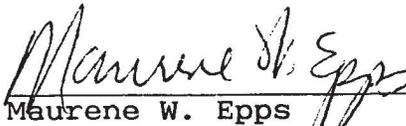
Absent:

Vote: 8-0-1

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: 
Richard J. Castaldi, Chairman

ATTEST:


Maurene W. Epps
Acting Clerk of the Council

Case No.: A-9803

Applicant: White House Limited
Partnership

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

ORDER OF REMAND

IT IS HEREBY ORDERED that the application for Zoning Map Amendment No. A-9803 for property described as approximately 15.7 acres of land, located on the south side of White House Road, approximately 1,300 feet east of Ritchie-Marlboro Road, Upper Marlboro, Maryland, to rezone the property from the R-E Zone to the L-A-C Zone, be and the same hereby is,

REMANDED, for a de novo proceeding, to the Planning Board, in accordance with Section 27-133 of the Zoning Ordinance.

ORDERED, this 30th day of September, 1991.

In Favor: Council Members Castaldi, Bell, Casula, Del Giudice,
MacKinnon, Mills, Pemberton and Wineland

Opposed:

Abstained: Council Member Fletcher

Absent:

Vote: 8-0-1

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: 
Richard J. Castaldi, Chairman

ATTEST:


Maurene W. Epps
Acting Clerk of the Council

INTER-OFFICE MEMORANDUM

PRINCE GEORGE'S COUNTY, MARYLAND

Date August 7, 1989

To: Alan Hirsch, Subdivision PA.

From: Allen Payne, Zoning

Re: A-9802/A-9803 - Kenwood Village

Attached is a copy of the amended Basic Plan and text of the above COZ applications.

The projected release date of the technical staff report is September 26. I'd appreciate your reply by Sept. 5.

P.G. 836 8/74

SUBDIVISION SECTION COMMENTS:

The subject property is recorded as parcel # 73 on Tax Map 83-Grid A-1. This fact should be incorporated in the Basic Plan which should also state bearings and distances for the boundaries of the subject property.

MD. NAT'L. CAP. PK. & PL. COMM.
PR. GEO. REGIONAL OFFICE

RECEIVED
AUG 8 1989
DEVELOPMENT REVIEW DIV.
SUBDIVISION SECTION

MD. NAT'L. CAP. PK. & PL. COMM.
PR. GEO. REGIONAL OFFICE

RECEIVED
SEP 11 1989
ZONING DIVISION

OFFICE OF ZONING HEARING EXAMINER
FOR PRINCE GEORGE'S COUNTY, MARYLAND

A-9802/03 (White House Road, Ltd. Pshp.)
Case Number

NOTICE OF DECISION

On the 8th day of September, 1992, the attached Decision of the Zoning Hearing Examiner in Case No. A-9802/03 was filed with the District Council. This is not the final decision, only the recommendation of the Hearing Examiner to the District Council.

Within 30 calendar days after the above date, any person of record may file exceptions with the Clerk of the Council to any portion of this Decision, and may request oral argument thereon before the District Council.* If oral argument is requested, all persons of record will be notified of the date scheduled for oral argument before the District Council. In the event no exception or request for oral argument is filed with the Clerk of the Council within 30 calendar days from the above date, the District Council may act upon the application and must decide within 120 days or the case will be considered denied. Persons of record will be notified in writing of the action of the District Council.

Zoning Hearing Examiner
County Administration Building
Upper Marlboro, MD 20772

* Instructions regarding exceptions and oral argument are found on the reverse side of this notice.

cc: Gerard T. McDonough, Esq., 8100 Professional Place, Suite 113, Landover, MD 20785
Martin J. Kirsch et al., White House Road L.P.. 8100 Professional Pl. #207. Landover. MD 20785
Mildred Darcey, 2506 Ritchie Marlboro Rd., Upper Marlboro, MD 20772
William Dean Frazier, 10509 Water Point Way, Mitchellville. MD 20721
7 Persons of Record (List in Case File).
Joel Rozner, Esq., Peoples' Zoning Counsel, 2nd Fl., CAB, Upper Marlboro, MD 20772

INSTRUCTIONS FOR FILING

I. Exception(s) Taken to the Examiner's Decision Shall Be:

- a) In writing;
- b) Numbered in sequence;
- c) Specific as to the error(s) which are claimed to have been committed by the Examiner;

(The page and paragraph numbers of the Examiner's Decision should be indentified.)

- d) Specific as to those portions of the record, including the Hearing Examiner's Decision, relied upon to support your allegation of error(s) committed by the Examiner.

(The exhibit number, transcript page number, and/or the page and paragraph numbers of the Examiner's Decision should be identified.)

II. Requests for Oral Argument:

If you desire oral argument before the District Council, request must be made, in writing, at the time of filing your exception(s).

III. Notification to All Persons of Record:

Your request for oral argument and/or exception(s) must contain a certificate of service to the effect that a copy thereof was sent by you to all persons of record by regular mail.

(A list of these persons and their addresses is included in this notice of Examiner's Decision sent to you herewith or is available from the Clerk of the Council.)

IV. When to File:

Your request for oral argument and/or exceptions must be filed within 30 calendar days after the Examiner's Decision has been filed with the District Council.

V. Where to File:

Clerk of the County Council
County Administration Building
Upper Marlboro, Maryland 20772
Phone: 952-3600

INSTRUCTIONS FOR REPLY TO EXCEPTIONS FILED
AND ORAL ARGUMENT REQUESTED

If you are notified that another person of record has requested oral argument, you may:

- 1) Participate in the hearing if there is oral argument, and/or
- 2) Reply, in writing, to the exceptions taken by the other person. Such reply must be served on the Clerk and all other persons of record no later than five (5) business days before the date of oral argument.

DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF THE ZONING HEARING EXAMINER

ZONING MAP AMENDMENT
A-9802 & A-9803

DECISION
(ON REMAND)

Application: R-E to R-S Zone
Applicant: White House Road, Ltd. Pshp.
Opposition: Mildred Darcey, et al.
Hearing Date: May 20, 1992
Before: Examiner Barry S. Cramp
Recommendation: Approval

NATURE OF PROCEEDINGS

The owner of 63 acres of R-E zoned land sought by this zoning to increase the permitted density of residential development to 2.3 du's per acre and to change the type of housing from solely single-family detached to a substantial amount of attached single-family dwelling units. The application is opposed, recommended for approval with reduced density by the Staff and Planning Board. Originally, the applications requested L-A-C zoning for 15.7 acres and R-M zoning for 47.3 acres. The applications were amended on remand de novo to the Planning Board and both requests are now for R-S (1.6 to 2.6 du's per acre).

ISSUES

(1) An applicant for R-S zoning must produce probative evidence under Section 27-195(b)(1) of the Zoning Ordinance. The pertinent provisions of this section are as follows:

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

(i) *The specific recommendation of a General Plan map, Area Master Plan map; or urban renewal plan map; or the principles and guidelines of the plan text which address the design and physical development of the property, the public facilities necessary to serve the proposed development, and the impact which the development may have on the environment and surrounding properties; or*

(ii) *The principles and guidelines described in the Plan (including the text) with respect to land use, the number of dwelling units, including moderately priced dwelling units, intensity of nonresidential buildings, and the location of land uses.*

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

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

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

The Basic Plan, Exhibit J-113, complies with all subparagraphs applicable to this application.

FINDINGS

The request for R-S zoning for the total acreage of both parcels is shown on the Basic Plan Map, Exhibit J-113.¹ This proposes five envelopes of development as follows:

<u>Envelope</u>	<u>Residential What Type</u>	<u>Area Acres</u>	<u>Number Units</u>
A&B	Detached	10.6	55
C	Detached	6.9	36
D	Detached	3.7	23
E	Detached	1.3	12
		22.5	126

The number of units proposed, if developed to the maximum, would result in 2.18 dwelling units per net acre. Staff suggests a maximum of 106 units of which no more than 20% be attached units. (Exh. J-106) This would result in a maximum of 2.0 dwelling units

 1. The Basic Plan text is Exhibit J-55 which does not contain the changes brought about by amendments to the Basic Plan Map. The Map does not contain an explanation for the letter symbols on the Map. The text at page 10 explains the earlier types of housing proposed.

per net acre. The Planning Board supports a maximum of 126 single family units. (Exh. J-123)

The property is on the south side of White House Road 1,300 feet east of Ritchie-Marlboro Road and about the same distance west of Brown Station Road. Application A-9802 is on the east side of proposed extension of Harry S Truman Drive consisting of 47.3 acres. The 15.7 acres of A-9803 are on the west side of this proposed right-of-way. Both properties are proposed for R-S under one Basic Plan. The parcels appear to be undeveloped.

Just to the south is a farm with access to Marlboro-Ritchie Road in the R-A Zone. An abandoned railroad right-of-way is at the extreme southwestern end of the property. Undeveloped (except for a barn) R-E zoned land adjoins to the east and a dwelling is on the lot just to the west. Across White House Road is an undeveloped R-80 Zone which has been approved for cluster development.² (Boswell Tract) This development includes only detached housing and all but one lot nearest the subject is over 10,000 square feet. A continuous buffer of undeveloped land will separate those lots from White House Road.

The 1973 Master Plan locates the property in a suburban living area where 1.6 to 2.6 dwellings per acre are proposed.³ This area is the Westphalia Community which is characterized as rural. (Exh. J-51, p. 13) The SMA in 1981 zoned the property R-E. It had been zoned R-30, C-O, R-10, R-H and R-T just prior to this action of the District Council.⁴ The Staff explains...."the Council recommended a policy change for the 5,131+ acre Westphalia Community in downzoning the major land area to the R-A and R-E Zones (3,441+ and 895+) acres, respectively. These decisions were

 2. Boswell Cluster, N^O 4-89180. Valid until 10/31/92, as per extension granted. Townhouses are permitted in the R-80 Zone when Moderate Priced Dwelling Units are required but only up to 20% of all dwellings in a subdivision. MPDU's are not permitted in the R-E Zone. Opportunity Housing which includes townhouses is permitted in the R-80 Zone but not the R-E Zone.

3. The property, at least a portion thereof, is also under the symbol of a Village Activity Center. It is also in a Second Priority Developing District. These are to develop after First Priority Districts are at least 50% developed. The one closest is not developed this much. (Exh. J-51, p.14)

4. The subject property was zoned in 1970 to these various use categories under application A-8247. This zoning was the progenitor of Largo Civic Association v. Prince George's County, Maryland, 21 Md. App. 76, 318 A.2d 834 (1974), a decision which sustained a neighborhood definition which permitted the inclusion within a neighborhood property located directly across a roadway (White House Road).

based on inadequate sewer services and other public facilities and in recognition of the large-lot development concept for the MD 202 corridor and existing agricultural uses. This was not done for staging reasons, but as the word permanent indicates, was intended to modify the ultimate land use recommendations of the Subregion VI Plan."⁵ (Exh. J-51, p. 15) The Staff states further that the SMA intended for the property permanent low density of 1.0 dwelling per acre. (Exh. J-51, p. 15)

The property is addressed in the 1982 General Plan in the MD 4/MD Route 202 Trafficshed-Watershed portion. (Text p. 176) This area (Westphalia) is treated differently than the 1973 Master Plan and is more restrictive as to future residential development. The text of the General Plan suggests that the R-E zoning granted in 1981 might indeed be permanent.⁶ The properties just east and south of the property of A-9802 are active farms. Testimony of the two property owners next to the subject suggest that there are cash crops being raised in the fields next adjoining. (T. 74, 75 & 82) The General Plan did not amend the Local Master Plan as the recommended land use for the property is still residential, with a density of 1.6 to 2.6 dwelling units per gross acre. (Exh. J-51, p. 8)

The staff is concerned with the differences in character represented by the proposed Basic Plan and that represented by the existing adjoining uses of land. It seeks to impose 14 conditions to assure that incompatibility is not apparent. (Exh. J-51 p. 25-27) These conditions deal with visibility of the property, noise, water run off, trees, access, both by pedestrians and automobile, size of lots and types of structures. This conditions were

 5. The reference to "permanent" is to the adopting resolution for Subregion VI SMA, CR-100-1981, p. 3(f) which states: "The area along both sides of MD 202 between White House Road and the centerline of the formerly proposed outer beltway should be established as a permanent estate area by the application of the Residential Estate (R-E) Zone (one-acre residential). The western extension of R-E zoning should include the area north of Brooke Lane between Brown Station and Ritchie Marlboro Roads to the property lines that coincide with Turkey Branch."

6. "There is an inconsistency between the General Plan and Area Plan for this Trafficshed-Watershed. The Subregion VI Plan foresaw a possible extension of rapid rail transit to a small New Town Center on the north side of Upper Marlboro. The General Plan no longer recommends this extension and downgrades the New Town Center to a Community Activity Center. The area along this line is shown as a Category III Policy Area, and much of it has been downzoned in recent Sectional Map Amendments. It may be desirable to permanently reduce these densities in subsequent amendments to the Subregion VI Plan since it continues to be intensively farmed."

discussed and further amended by the Planning Board. Basically, compatibility according to the planners rests upon the planned types of dwellings, size, and number of lots and amount and location of undeveloped areas, in short, the density of the parcel is compared to surrounding parcels. The Staff is trying to accommodate R-80 type and agricultural uses. The R-80 Zone is north of the property across White House Road and the agricultural is to the south and east. The hierarchy of density begins with the O-S Zone on up as follows: O-S, R-A, R-E, R-R, R-S and R-80 (Zoning Ordinance Sec. 27-109 (b)) with size of lots with single family development as follows:

<u>Zone</u>	<u>Minimum size of lot</u>
O-S	217,800 sf
R-A	87,120 sf
<u>R-E</u>	40,000 sf
R-R	20,000 sf
<u>R-S</u>	N/
R-80	9,500 sf

It is clear then, that there is a vast difference in character of development (density) between the R-E and R-S Zones, more than double. The R-S Zone introduces a potential for townhouses and apartments and tight clusters of houses, not necessarily benign uses. This is not possible in the R-A and R-E Zones. The R-80 Zone subdivision approved across White House Road does not allow for townhouses nor lots smaller than 10,000 square feet in the areas closest to the subject property. In contrast, Envelopes A, B, C and D on the subject property would have lots as small as 6,000 square feet, and Envelope E, closest to the R-E Zones, with no such limitation. (Exh. 123)

The District Council in adopting the zoning maps followed a pattern of zoning where land north of White House Road was to be in suburban densities and lands south were to be in rural residential or less. Thus, the R-A, R-E and R-R Zones extant on the south side.

The applicant's traffic study is Exhibit J-105, dated August 1991. The number of dwelling units requested at that time was 49 detached and 153 townhouses. By the time the staff reviewed the

 7. There is no stated minimum size lot in the R-S Zone. The Staff recommends the minimum size for lots adjoining agricultural lands (Envelope E) be at least 10,000 square feet, the Planning Board no such limit.

8. The land across White House Road was zoned R-80 in the Largo-Lottsford SMA (1990) in accordance with the Master Plan for that area which recommends "suburban" residential land use. The land south of this road was zoned in the 1981 SMA for Melwood.

application in April 1992, the units were reduced to 92 to 150 units, 77 townhouses and 73 detached units. (Exh J-51) After the hearing, they were reduced to 126 units with restrictions as to no townhouse units at all. (This is equivalent to 2.18 dwellings per gross acre.) The traffic generated from these units is 95 AM and 113 PM peak hour trips. (Exh. J-124) The impact on intersections studied in the applicant's analysis is thus reduced and results in a lessening of the need for applicant to participate in the costs of bringing intersections up to acceptable levels. The proposed and agreed upon participation is contained in the Board's conditions in its Resolution which amends Staff's condition #4, excluding from this deletion subparagraphs e and f. If these conditions as so modified are adopted, the levels of service at the intersections studied will be by 1996, the year of anticipated construction, at acceptable levels.

Public facilities other than transportation were evaluated subsequent to the amendment to the Basic Plan but before the density was reduced to 126 single family units. Nonetheless, the impacts upon the fire, police, library, schools and medical agencies serving the property are within the agencies' capabilities to accommodate, even the larger population. No unusual capital expenditures will be required by any of the agencies by the time the proposed development is completed. Two public schools will be over capacity by 1% and 20% by September 1996. The Staff of The Department of Parks and Recreation reviewed the needs for open space and recreation and submitted Exhibit J-88. This study and recommendations have been reviewed by Staff and conditions 5 & 6 are recommended so as to assure that all land on the west side of future Harry S Truman Drive is undeveloped. This appears to be approximately 15.7 acres, 7.2 of which is for recreation or active open space. The balance is to be deeded to the Commission. The Staff is also interested in using the railroad bed of the Chesapeake Beach Railroad for its trails system but is not sure if the subject property in deed contains a portion thereof. Thus, the precatory conditions of Exhibit J-76 and conditions 7 thru 11 of Exhibit J-51 (Staff's report) and conditions 6 thru 9 of Exhibit J-123. The conditions require protection of the old railroad right-of-way and its conveyance to the Commission.

There are areas of the property which cannot be developed due to poor soils, steep slopes, streams, floodplains and woods. Other areas adjoin less dense developed farmland to the south and east. These latter areas will be separated from adjoining lands by 50 foot buffered areas and fencing. Also, although the lot sizes are less than 6,000 square feet in areas close to the

 9. It is possible that the reduction to 126 units froms 202 units assumed by the referral reply of the Prince George's Public Schools would put the middle school under capacity. Over capacity does not necessarily mean there are no accommodations.

boundaries at these locations, these same boundaries are recommended for berms and screen plantings. (Exh. J-123)

CONCLUSIONS

The reason for R-S Zones is to assure compatibility of uses within an area.¹⁰ A basic plan is to be compared with the surrounding land uses, both existing and potential of development.¹¹ There is a difference between the R-A and R-E Zones of density and lot size which affects compatibility of uses. This variance from the Basic Plan is seen clearly in the comparison under our findings, supra, page 5. The Basic Plan calls for a density of 2.18 dwelling units per acre on land next to the R-A's 0.5 and the R-E's 1.0 dwelling units per acre. Although townhouses will not be allowed, some smaller than 6,000 square feet lots are proposed adjoining the R-A Zone. Even in the R-80 Zone across the street townhouses are prohibited and none are in existence or potential of fruition in the Westphalia Community. The character of the neighborhood is set by the adjoining agricultural activity and rural type uses. Even the R-S Zone approved by A-9723, relied upon in characterizations by applicant's planner, does not permit townhouses on the parcel along Brown Road, which road is just south of the farm lying south of the subject properties. (T.61-62; Exh. J-115, Aerial Photo)

The Staff recommended that townhouses be limited to 20% of the total number of units which is now 126 units. The Planning Board is not recommending any townhouses. Its Resolution states that only single-family detached dwellings are included in the land use types. We assume the applicant is acquiescing in the exclusion of townhouses which greatly enhances the merits of this application.¹² The Staff made their recommendations based on compatibility¹² and added conditions to assure there would be compatibility. (Exh. J-51, p.26) It also recommended as an alternative the R-L Zone with a maximum of 1.5 dwellings per acre limitation. This density will provide greater compatibility with

 10. "Assure the compatibility of proposed land uses with existing and proposed surrounding land uses, and existing and proposed public facilities and services, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District." Sec. 27-511(a)(3), Zoning Ordinance.

11. "Environmental relationships reflect compatibility between the proposed general land use types, or if identified, the specific land use types and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District." Sec. 27-195(b)(1)(E), Zoning Ordinance

12. "The major issue in this application is one of compatible land use." (Exh. J-51, p.27)

the surrounding area. (Exh. J-51, p.28)

It goes without saying that one's property may not be exacted by government without just compensation. This pertains to all times of the ownership, so just because one obtains a new zoning does not remove the protection against governmental taking. However, the zoning authority has the right and duty to deny zoning which will impair the public safety and welfare. Thus, where roads would be unreasonably impacted by increased traffic because a zoning were approved, the zoning can be denied. This is not a taking. The authority may exact from the owner a reasonable (prorated) amount of the cost of ameliorating the impact thus justifying approval of the application for rezoning. This should be no greater than the amount which could be exacted if there were no zoning application before the approving authority. In the instant case, the District Council is called upon by the Planning Board to exact the costs of road improvements which are not specific as to applicant's fair share of the total costs required for various improvements. Accordingly, some of the "conditions" recommended by the Staff and Board are eliminated and left for Stage II, Comprehensive Design Plan stage. Applicant cannot be expected to agree to costs he knows not how extensive nor if the share required is fairly proportionate to his traffic's contribution to the poor traffic situation.

RECOMMENDATION

Approval of applications A-9802 and A-9803, Subject, However, to the following conditions and considerations: Basic Plan Exhibit J-113.

Land Use Quantities:

Gross Area (A-9802 47.2+ acres; A-9803 15.7+ acres)	62.9+ acres
Floodplain (1/2 of total floodplain)	-10.2+ acres
Net Area	57.9+ acres
Density Range (1.6 to 2.18 du/ac)	92 to 126 dwelling units

Land Use Types:

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

Conditions:

1. No direct access to any residential lots shall be permitted from White House Road or Harry S Truman Drive.
2. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 120 foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S Truman Drive)

3. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 60 foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer, his heirs, successors and/or assigns, shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S Truman Drive extended (A-38).
4. The location and width of the internal trails proposed shall be evaluated and determined by the Trails Coordinator prior to Phase II approval.
5. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
6. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Planning Board.
7. The minimum lot size shall be 6,000 square feet in Development Envelopes A through D and 10,000 square feet in Development Envelope E.
8. The 50 foot buffers along the east and south boundaries are labeled as non-disturbance buffers and shall include a six foot high black vinyl clad chain link fence, extending to the east side of Harry S Truman Drive.
9. A Type I Tree Conservation Plan (TCP) in accordance with the County Woodland Conservation and Tree Conservation Program is required for review by the Natural Resources Division to be approved by the Planning Board prior to CDP approval. Woodland conservation of 25 percent of the net tract is recommended.
10. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.
11. Approval of existing conditions 10 year floodplain and stormwater management concept plan by the County Department of Environmental Resources (DER), prior to the approval of a preliminary plan of subdivision, unless determined by DER prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50 foot buffers between the floodplain and lot lines; stormwater management ponds shall provide 2-10-100 year attenuation; water quality shall be achieved by infiltration or ponds; water quality

ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

12. The applicant shall submit a 100 year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision. The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S Truman Drive.
13. The minimum 50 foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100 year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
14. The applicant shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Soil Conservation District and the Natural Resources Division, prior to Specific Design Plan approval.

Considerations:

1. The character and visual image of White House Road shall be protected and maintained through preservation of the undisturbed buffer along both sides of the adjacent stream. The buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.
2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.
3. The depths of all lots adjacent to Harry S Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all Development Envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. Landscape Manual buffering requirements shall apply to any dwellings whose rears face Harry S Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented as required by the Landscape Manual.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

May 19, 1992

MEMORANDUM

TO: The Prince George's County Planning Board
FROM: The Technical Staff
SUBJECT: Zoning Map Amendment Application Numbers A-9802 and A-9803 -
Planning Board Agenda of May 28, 1992

The following is intended to clarify recommended condition of approval No. 14 due to: the quality of vegetation adjacent to the building envelopes along Harry S. Truman Drive is not significant; and wooded portions along the north portion of this roadway are addressed by Condition No. 19. The modifications also address concerns of the Department of Parks and Recreation. Staff recommends the following modification:

- 14. The Basic Plan shall include a note stating that the 50-foot buffer along the east and south boundaries [and the 100-foot buffers on both sides of Harry S Truman Drive are all] are labeled as non-disturbance buffers. The buffer south of Development Envelope A shall not be disturbed except by the Parks Department. The 100-foot buffers on both sides of Harry S Truman Drive shall be planted as required for arterial roadways, in accordance with the Landscape Manual. The 100-foot buffer on the west side of Harry S Truman Drive south of Development Envelope A may be modified by the Parks Department, but shall not be less than 30 feet and shall be planted as required by the Landscape Manual for arterial roadways.

In order to clarify recommended land use quantities and to correct a typographical error, staff recommends the following modifications:

Single-family attached dwellings*	<u>18-23</u>
Single-family detached dwellings	<u>74-93</u>
Parkland dedication	9.6± acres[*]

*Attached units shall not exceed 20 percent of the total number of units

NOTE: Brackets [] indicate language deleted from existing condition.
Underlining indicates recommended revision.

Case No.: A-9802-C-01
(Amendment of Conditions)
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate Applicant(s) acceptance of conditional rezoning to amend conditions, previously approved in Zoning Ordinance 50-1992, which conditionally rezoned 47.3 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, the District Council in enacting Zoning Ordinance 1 -2023, approved the Applicant(s) request to amend certain conditions of Zoning Ordinance 50-1992; and

WHEREAS, the District Council, pursuant to its decision in Zoning Ordinance 1 -2023, deems it appropriate to accept Applicant(s) consent to the conditions as amended, and new or additional conditions, in Zoning Ordinance 1 -2023; and approve final conditional zoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Zoning Ordinance 1 -2023 is hereby granted. Applicant(s) written acceptance of the conditions, as amended, and new or additional

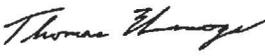
A-9802-C-01
(Amendment of Conditions)

conditions in Zoning Ordinance 1 -2023, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

SECTION 2. Use of the subject property, as conditionally reclassified, shall be subject to all requirements in the applicable zones and to the requirements in the conditions referenced above. 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 approved herein; 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.

SECTION 3. This Ordinance is effective March 10, 2023, the date of receipt of the Applicant(s) acceptance of the revised conditions, as amended, and new or additional conditions in Zoning Ordinance 1 -2023.

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: 

Thomas E. Dernoga, Chair

ATTEST:



Donna J. Brown
Clerk of the Council



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

DISTRICT COUNCIL PRELIMINARY NOTICE OF CONDITIONAL ZONING APPROVAL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland, requiring notice of decision of the District Council, a copy of Zoning Ordinance No. 1 - 2023 granting preliminary conditional zoning approval of A-9802-C-01 (Amendment of Conditions) Kenwood Village, is attached.

In compliance with the provisions of Section 27-157(b) of the Zoning Ordinance, the applicant must file a written acceptance or rejection of the land use classification as conditionally approved within ninety (90) days from the date of approval by the District Council. Upon receipt by the Clerk's Office of a written acceptance by the applicant, a final Order will be issued with an effective date for conditional approval shown as the date written acceptance was received by the Clerk's Office.

The failure to accept the conditions in writing within ninety (90) days from the date of approval shall be deemed a rejection. Rejection shall void the Map Amendment and revert the property to its prior zoning classification.

Written approval or rejection of conditions must be received by the Clerk's Office no later than the close of business (5:00 p.m.) on May 30, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023, this notice and attached Order were mailed, postage prepaid, to the attorney/correspondent and applicant(s). Notice of final approval will be sent to all persons of record.

Donna J. Brown
Clerk of the Council

**Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774**



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

**RE: A-9802-C-01 (Amendment of Conditions) Kenwood Village
Mid-Atlantic Builders, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed a copy of Zoning Ordinance No. 1 - 2023 setting forth the action taken by the District Council in this case on February 27, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

A handwritten signature in black ink that reads "Donna J. Brown".

Donna J. Brown
Clerk of the Council

**Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774**

Case No.: A-9802-C-01
Amendment of Conditions
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

ZONING ORDINANCE NO. 1 -2023

AN ORDINANCE to amend certain conditions in Zoning Ordinance 50-1992,¹ which rezoned 47.3 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, on November 9, 1992, the District Council granted two application requests or A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) to rezone the entire 63.10 acres of the subject property and imposed fourteen (14) conditions and four (4) considerations, which were subsequently accepted on January 27, 1993, as follows:

¹ A companion Zoning Ordinance is enacted simultaneously to amend certain conditions in Zoning Ordinance 51-1992 or A-9803-C, which rezoned the remaining 15.7 acres of the subject property and imposed the same conditions and considerations. Enactment of this companion Zoning Ordinance is necessary because when the original applications were filed, A-9802 (or the instant application) requested to rezone 47.3 acres of the subject property from R-E (Residential Estates) to R-M (Residential Medium Development), and A-9803 (the companion application) requested to rezone the remaining 15.7 acres to the L-A-C (Local Activity Center) Zone. After the District Council remanded both applications to the Board for reconsideration, both applications were amended to request rezoning of the entire property from R-E to the R-S (Residential Suburban Development). Subsequently, the District Council granted both applications, subject to the same conditions and considerations. Staff Report, Statement of Justification.

Conditions:

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 120-foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer, his heirs, successors and/or assigns, shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).
4. The location and width of the internal trails proposed shall be evaluated and determined by the Trails Coordinator prior to Phase II approval.
5. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
6. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Planning Board.
7. The minimum lot size shall be 6,000 square feet in Development Envelopes A through D and 10,000 square feet in Development Envelope E.
8. The 50-foot buffers along the east and south boundaries are labeled as non-disturbance buffers and shall include a six-foot high black vinyl clad chain link fence, extending to the east side of Harry S. Truman Drive.
9. A Type I Tree Conservation Plan (TCP) in accordance with the County Woodland Conservation and Tree Conservation Program is required for review by the Natural Resources Division to be approved by the Planning Board prior to CDP approval. Woodland conservation of 25 percent of the net tract is recommended.
10. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.

11. Approval of existing conditions 100-year floodplain and stormwater management concept plan by the County Department of Environmental Resources (DER), prior to the approval of a preliminary plan of subdivision, unless determined by DER prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; stormwater management ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.
12. The applicant shall submit a 100-year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision. The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
13. The minimum 50-foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
14. The applicant shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Soil Conservation District and the Natural Resources Division, prior to Specific Design Plan approval.

Considerations:

1. The character and visual image of White House Road shall be protected and maintained through preservation of the undisturbed buffer along both sides of the adjacent stream. The buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.
2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.

3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all Development Envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. Landscape Manual buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented as required by the Landscape Manual.

WHEREAS, since the subject property was rezoned in accordance with the conditions and considerations set forth above, a Comprehensive Design Plan (CDP-0303), a Preliminary Plan of Subdivision (PPS 4-06159), and a Specific Design Plan (SDP-0805) were approved but the subject property was not developed in accordance with said approvals; and

WHEREAS, the proposed Basic Plan Amendment is being requested to allow for the re-subdivision of the subject property into as many as 124 smaller lots in order to accommodate a new narrow-frontage detached single-family dwelling type, which will provide a more affordable housing type than currently available detached dwellings, but a larger and more commodious dwelling type than attached townhouses, which is described in detail on Pages 7-9 of the amended Statement of Justification filed on August 8, 2022; and

WHEREAS, while the original Basic Plan approved allowed for the density which will be proposed by the new development, certain Conditions in A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) will prevent the creation of the lots required to accommodate this new dwelling type; and

WHEREAS, to accommodate this new dwelling type, the application proposes to delete Condition 4, amend Conditions 7, 8, and 13, and minor changes to the Basic Plan layout; and

WHEREAS, on November 2, 2022, the Zoning Hearing Examiner held an evidentiary hearing to consider the application request; and

WHEREAS, on January 25, 2023, the Zoning Hearing Examiner, based on a finding of good cause, recommended approval of the instant application request as follows:

Condition 4 is deleted.

Condition 7 is amended, renumbered Condition 6, and reads: The minimum lot size shall be 4,200 square feet in all development envelopes.

Condition 8 is amended, renumbered Condition 7, and reads: A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located with 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.

Condition 13 is amended, renumbered Condition 12, and reads: A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.

WHEREAS, the Zoning Hearing Examiner having found good cause to recommend approval of the instant application, also recommended the imposition of three (3) new or additional Conditions as follows:

14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.

15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

WHEREAS, as a basis for its final decision, the District Council adopts the findings and conclusions of the Zoning Hearing Examiner on good cause to approve/grant the instant application request to delete Condition 4, amend Conditions 7, 8, and 13, which are renumbered Conditions 6, 7, and 12, and to impose new or additional Conditions 14, 15, and 16.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland–Washington Regional District in Prince George’s County, Maryland, remains amended, in accordance with Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992, and is further amended in accordance with approval of the instant application request.

SECTION 2. The application as approved/granted is subject to timely acceptance of the following conditions and considerations:

Conditions

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 120-foot right-of-way for Ritchie Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall construct or bond

to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).

4. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
5. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.
6. The minimum lot size shall be 4,200 square feet in all development envelopes.
7. A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S. Truman Drive.
8. A Type I Tree Conservation Plan, in accordance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board prior to Comprehensive Design Plan approval. Woodland Conservation of 25 percent of the net tract is recommended.
9. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.
10. Approval of existing Conditions, 100-year Floodplain, and Stormwater Management (SWM) Concept Plan by the Prince George's County Department of the Environment (DOE), prior to the approval of a Preliminary Plan of Subdivision, unless determined by DOE prior to submittal of the Preliminary Plan that this study will not be required until time of specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; SWM ponds

shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

11. The Applicant(s) shall submit a 100-year Floodplain Study and a Stormwater Management (SWM) Concept Plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the Preliminary Plan of Subdivision. The SWM Concept Plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
12. A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
13. The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.
14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.
15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

Considerations

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

2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.
3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all development envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. The *2010 Prince George's County Landscape Manual* (Landscape Manual) buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented, as required by the Landscape Manual.

SECTION 3. Use of the subject property shall be subject to all requirements in the applicable zones and conditions referenced above. Failure to comply with any stated condition herein shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the rezoning approved in Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992; 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.

SECTION 4. This Ordinance shall become effective on the date of its enactment.

ENACTED on February 27, 2023, by the following vote:

In Favor: Council Members Burroughs, Blegay, Dernoga, Fisher, Harrison, Hawkins, Ivey, Olson, Oriadha, Watson.

Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

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: Thomas E. Dernoga
Thomas E. Dernoga, Chair

ATTEST:

Donna J. Brown

Donna J. Brown
Clerk of the Council

Case No.: A-9803-C-01
(Amendment of Conditions)
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

FINAL CONDITIONAL ZONING APPROVAL

AN ORDINANCE to incorporate Applicant(s) acceptance of conditional rezoning to amend conditions, previously approved in Zoning Ordinance 51-1992, which rezoned 15.7 acres of the total 63.10 acreage of the subject property, from R-E (Residential Estates) located on the south side of White House Road, approximately 1,300 feet east of Ritchie Marlboro Road, identified as Tax Map 75, Grids A-4 and B-4, Tax Map 83, Grids A-1 and B-1, and recorded among the Land Records of Prince George's County in Plat Book SJH 242, Plats No. 50-56, in Upper Marlboro, Maryland, to the R-S (Residential Suburban Development) Zone.

WHEREAS, the District Council in enacting Zoning Ordinance 2 -2023, approved the Applicant(s) request to amend certain conditions of Zoning Ordinance 51-1992; and

WHEREAS, the District Council, pursuant to its decision in Zoning Ordinance 2 -2023, deems it appropriate to accept Applicant(s) consent to the conditions as amended, and new or additional conditions, in Zoning Ordinance 2 -2023; and approve final conditional zoning.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. Final conditional zoning approval of Zoning Ordinance 2 -2023, is hereby granted. Applicant(s) written acceptance of the conditions, as amended, and new or additional

A-9803-C-01
(Amendment of Conditions)

conditions in Zoning Ordinance 2 -2023, is hereby incorporated into this amendment of the Zoning Map for the Maryland-Washington Regional District in Prince George's County, Maryland.

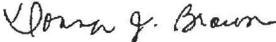
SECTION 2. Use of the subject property, as conditionally reclassified, shall be subject to all requirements in the applicable zones and to the requirements in the conditions referenced above. Failure to comply with any stated condition shall constitute a zoning violation, and shall constitute sufficient grounds for the District Council to annul the rezoning approved herein; 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.

SECTION 3. This Ordinance is effective March 10, 2023, the date of receipt of the Applicant(s) acceptance of the revised conditions, as amended, and new or additional conditions in Zoning Ordinance 2 -2023.

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: 

Thomas E. Dernoga, Chair

ATTEST:


Donna J. Brown
Clerk of the Council



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

DISTRICT COUNCIL PRELIMINARY NOTICE OF CONDITIONAL ZONING APPROVAL

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In compliance with the provisions of Section 27-157(b) of the Zoning Ordinance, the applicant must file a written acceptance or rejection of the land use classification as conditionally approved within ninety (90) days from the date of approval by the District Council. Upon receipt by the Clerk's Office of a written acceptance by the applicant, a final Order will be issued with an effective date for conditional approval shown as the date written acceptance was received by the Clerk's Office.

The failure to accept the conditions in writing within ninety (90) days from the date of approval shall be deemed a rejection. Rejection shall void the Map Amendment and revert the property to its prior zoning classification.

Written approval or rejection of conditions must be received by the Clerk's Office no later than the close of business (5:00 p.m.) on May 30, 2023.

CERTIFICATE OF SERVICE

This is to certify that on March 2, 2023, this notice and attached Order were mailed, postage prepaid, to the attorney/correspondent and applicant(s). Notice of final approval will be sent to all persons of record.

Donna J. Brown
Clerk of the Council

**Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774**



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
301-952-3600

March 2, 2023

**RE: A-9803-C-01 (Amendment of Conditions) Kenwood Village
Mid-Atlantic Builders, Applicant**

NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

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This is to certify that on March 2, 2023 this notice and attached Council order were mailed, postage prepaid, to all persons of record.

Donna J. Brown
Clerk of the Council

**Wayne K. Curry Administration Building
1301 McCormick Drive Largo, MD 20774**

Case No.: A-9803-C-01
Amendment of Conditions
Kenwood Village

Applicants: BHC, Inc.
Mid-Atlantic Builders
Walton Maryland, LLC
Roger M. Lebbin

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

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WHEREAS, on November 9, 1992, the District Council granted two application requests or A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) to rezone the entire 63.10 acres of the subject property and imposed fourteen (14) conditions and four (4) considerations, which were subsequently accepted on January 27, 1993, as follows:

¹ A companion Zoning Ordinance is enacted simultaneously to amend certain conditions in Zoning Ordinance 50-1992 or A-9802-C, which rezoned the remaining 47.3 acres of the subject property and imposed the same conditions and considerations. Enactment of this companion Zoning Ordinance is necessary because when the original applications were filed, A-9803 (or the instant application) requested to rezone 15.7 acres of the subject property to the L-A-C (Local Activity Center) Zone, and A-9802 (the companion application) requested to rezone the remaining 47.3 acres of the subject property from R-E (Residential Estates) to R-M (Residential Medium Development) Zone. After the District Council remanded both applications to the Board for reconsideration, both applications were amended to request rezoning of the entire property from R-E to the R-S (Residential Suburban Development). Subsequently, the District Council granted both applications, subject to the same conditions and considerations. Staff Report, Statement of Justification.

Conditions:

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 120-foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The applicant/developer, his heirs, successors and/or assigns, shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The applicant/developer, his heirs, successors and/or assigns, shall construct or bond to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).
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5. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
6. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Planning Board.
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8. The 50-foot buffers along the east and south boundaries are labeled as non-disturbance buffers and shall include a six-foot high black vinyl clad chain link fence, extending to the east side of Harry S. Truman Drive.
9. A Type I Tree Conservation Plan (TCP) in accordance with the County Woodland Conservation and Tree Conservation Program is required for review by the Natural Resources Division to be approved by the Planning Board prior to CDP approval. Woodland conservation of 25 percent of the net tract is recommended.
10. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.

11. Approval of existing conditions 100-year floodplain and stormwater management concept plan by the County Department of Environmental Resources (DER), prior to the approval of a preliminary plan of subdivision, unless determined by DER prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; stormwater management ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.
12. The applicant shall submit a 100-year floodplain study and a stormwater management concept plan to DER for approval prior to approval of the preliminary plat of subdivision. The stormwater management concept plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
13. The minimum 50-foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
14. The applicant shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Soil Conservation District and the Natural Resources Division, prior to Specific Design Plan approval.

Considerations:

1. The character and visual image of White House Road shall be protected and maintained through preservation of the undisturbed buffer along both sides of the adjacent stream. The buffer design shall be approved by the Urban Design Section prior to Specific Design Plan approval.
2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.

3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all Development Envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. Landscape Manual buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented as required by the Landscape Manual.

WHEREAS, since the subject property was rezoned in accordance with the conditions and considerations set forth above, a Comprehensive Design Plan (CDP-0303), a Preliminary Plan of Subdivision (PPS 4-06159), and a Specific Design Plan (SDP-0805) were approved but the subject property was not developed in accordance with said approvals; and

WHEREAS, the proposed Basic Plan Amendment is being requested to allow for the re-subdivision of the subject property into as many as 124 smaller lots in order to accommodate a new narrow-frontage detached single-family dwelling type, which will provide a more affordable housing type than currently available detached dwellings, but a larger and more commodious dwelling type than attached townhouses, which is described in detail on Pages 7-9 of the amended Statement of Justification filed on August 8, 2022; and

WHEREAS, while the original Basic Plan approved allowed for the density which will be proposed by the new development, certain Conditions in A-9802-C (Zoning Ordinance No. 50-1992) and A-9803-C (Zoning Ordinance No. 51-1992) will prevent the creation of the lots required to accommodate this new dwelling type; and

WHEREAS, to accommodate this new dwelling type, the application proposes to delete Condition 4, amend Conditions 7, 8, and 13, and minor changes to the Basic Plan layout; and

WHEREAS, on November 2, 2022, the Zoning Hearing Examiner held an evidentiary hearing to consider the application request; and

WHEREAS, on January 25, 2023, the Zoning Hearing Examiner, based on a finding of good cause, recommended approval of the instant application request as follows:

Condition 4 is deleted.

Condition 7 is amended, renumbered Condition 6, and reads: The minimum lot size shall be 4,200 square feet in all development envelopes.

Condition 8 is amended, renumbered Condition 7, and reads: A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located with 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S Truman Drive.

Condition 13 is amended, renumbered Condition 12, and reads: A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.

WHEREAS, the Zoning Hearing Examiner having found good cause to recommend approval of the instant application, also recommended the imposition of three (3) new or additional Conditions as follows:

14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.

15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

WHEREAS, as a basis for its final decision, the District Council adopts the findings and conclusions of the Zoning Hearing Examiner on good cause to approve/grant the instant application request to delete Condition 4, amend Conditions 7, 8, and 13, which are renumbered Conditions 6, 7, and 12, and to impose new or additional Conditions 14, 15, and 16.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED:

SECTION 1. The Zoning Map for the Maryland–Washington Regional District in Prince George’s County, Maryland, remains amended, in accordance with Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992, and is further amended in accordance with approval of the instant application request.

SECTION 2. The application as approved/granted is subject to timely acceptance of the following conditions and considerations:

Conditions

1. No direct access to any residential lots shall be permitted from White House Road or Harry S. Truman Drive.
2. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 120-foot right-of-way for Ritchie Marlboro Road relocated (A-39) (Harry S. Truman Drive).
3. The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall dedicate a 60-foot right-of-way from the proposed centerline for White House Road (A-36). The Applicant(s)/developer(s) and the Applicant(s) heirs, successors, and/or assignees shall construct or bond

to construct a half section of White House Road for the entire segment of this roadway through the subject parcel per DPW&T requirements prior to the issuance of building permits. This construction shall accommodate a left turn lane along eastbound White House Road at Harry S. Truman Drive extended (A-38).

4. At no time prior to Phase II approval or construction of the proposed development shall the Chesapeake Beach trail corridor be damaged, filled with debris or become a storage area for supplies or equipment.
5. There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.
6. The minimum lot size shall be 4,200 square feet in all development envelopes.
7. A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550-feet from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the *2010 Prince George's County Landscape Manual*, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S. Truman Drive.
8. A Type I Tree Conservation Plan, in accordance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board prior to Comprehensive Design Plan approval. Woodland Conservation of 25 percent of the net tract is recommended.
9. Phase II shall show consistency with the Patuxent River Policy Plan in buffering of streams.
10. Approval of existing Conditions, 100-year Floodplain, and Stormwater Management (SWM) Concept Plan by the Prince George's County Department of the Environment (DOE), prior to the approval of a Preliminary Plan of Subdivision, unless determined by DOE prior to submittal of the Preliminary Plan that this study will not be required until time of specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; SWM ponds

shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.

11. The Applicant(s) shall submit a 100-year Floodplain Study and a Stormwater Management (SWM) Concept Plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the Preliminary Plan of Subdivision. The SWM Concept Plan shall also address road improvements to White House Road and construction of Harry S. Truman Drive.
12. A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of .35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.
13. The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.
14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.
15. The Basic Plan shall be modified to conceptually show a second entrance onto Harry S. Truman Drive extended. At the time of future development applications, the second entrance shall not be required if the Applicant(s) demonstrate the feasibility of reducing the number of access connections to the site through an operational and queuing analysis.
16. The Applicant(s) shall provide an interconnected network of pedestrian and bikeway facilities, internal to the site. The exact location and design of said facilities shall be evaluated with future applications.

Considerations

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

2. The site shall be developed to maintain compatibility with the surrounding neighborhood with emphasis on the boundaries of the subject site. This shall be accomplished through design techniques such as berms, additional screen plantings and through compatible lot sizes prior to Specific Design Plan approval.
3. The depths of all lots adjacent to Harry S. Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval.
4. The dwellings in all development envelopes shall front on the primary street to the greatest extent possible, with the rears of dwellings oriented toward the interior of the envelopes. The *2010 Prince George's County Landscape Manual* (Landscape Manual) buffering requirements shall apply to any dwellings whose rears face Harry S. Truman Drive. Preservation of existing trees shall be the preferred buffering technique to be supplemented, as required by the Landscape Manual.

SECTION 3. Use of the subject property shall be subject to all requirements in the applicable zones and conditions referenced above. Failure to comply with any stated condition herein shall constitute a zoning violation and shall constitute sufficient grounds for the District Council to annul the rezoning approved in Zoning Ordinance 50-1992 and Zoning Ordinance 51-1992; 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.

SECTION 4. This Ordinance shall become effective on the date of its enactment.

ENACTED on February 27, 2023, by the following vote:

In Favor: Council Members Burroughs, Blegay, Dernoga, Fisher, Harrison, Hawkins, Ivey, Olson, Oriadha, Watson.

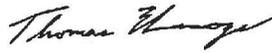
Opposed:

Abstained:

Absent: Council Member Franklin.

Vote: 10-0.

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: 

Thomas E. Dernoga, Chair

ATTEST:



Donna J. Brown
Clerk of the Council

Case No.: CDP-0303

Applicant: White House Road
Limited Partnership

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

ORDER AFFIRMING PLANNING BOARD DECISION

IT IS HEREBY ORDERED, after review of the administrative record, that the Planning Board's decision, in Resolution PGCPB No. 05-65, to approve with conditions a Comprehensive Design Plan, CDP-0303 (Kenwood Village), for a single-family residential subdivision, on R-S Zone property described as 63.10 acres of land on the south side of White House Road, approximately 1,410 feet east of its intersection with Ritchie Marlboro Road, Upper Marlboro, is hereby:

AFFIRMED, for the reasons stated in the Planning Board's resolution, whose decision is 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. Before approval of a specific design plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T, for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of DPW&T. If a signal is deemed warranted by DPW&T, then the applicant shall bond the signal before release of building permits for the subject property, and shall install it when directed by DPW&T.

2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.
3. If any portion of the 50-foot buffer required by condition 13 in the approvals of A-9802 or A-9803 will be used for woodland conservation, then larger caliper trees and permanent protection shall be provided, for the reforestation. The buffer area shall be placed in a permanent conservation easement.
4. The preliminary plan of subdivision application shall include a detailed soils study demonstrating that the site is geologically suitable for the proposed development.
5. Before comprehensive design plan certification, the existing tree lines on TCP-I/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.
6. A revised Type I Tree Conservation Plan, TCP-I/17/04, shall be submitted as part of the preliminary plan of subdivision application. The revised TCP-I shall add the following information:
 - a. A refined limit of disturbance and conceptual grading proposed for the site.
 - b. All anticipated PMA impacts.
 - c. All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to the property.
 - d. A table of proposed off-site infrastructure improvements associated with this application.
 - e. Labelling of each woodland conservation area with a distinct identifier, showing the acreage and type of woodland conservation.
7. The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.
8. All subsequent plan submittals for this property, including the preliminary plan of subdivision and the specific design plans,

shall further minimize the extent and number of anticipated PMA impacts as each phase of the development process involves more detailed information. Impacts solely associated with the creation of lots, are not allowed.

9. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall be approved by the Environmental Planning Section and shall contain the delineated Patuxent River Primary Management Area, except areas of approved impacts. 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 the prior written consent of the Planning Director. The removal of hazardous trees, limbs, branches, or trunks is allowed."
10. Before issuance of permits which impact wetlands, wetland buffers, streams, or Waters of the United States, the applicant shall submit to the Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
11. A copy of the approved stormwater management concept plan and approval letter shall be submitted with the preliminary plan of subdivision application.
12. The preliminary plan of subdivision application shall include a Phase I noise study addressing potential adverse noise impacts from existing and widened White House Road (A-36) along the northern property boundary.
13. The applicant shall convey to the M-NCPPC 14.1 acres of open space, as designated on Exhibit A. The land to be conveyed shall be subject to the conditions in Exhibit C.
14. The applicant shall dedicate 5,003 square feet off-site, as shown on Exhibit B. Before final plat, the applicant shall file for review and approval by Parks and Recreation a deed and metes and bounds description of the dedicated land. The land to be conveyed shall be subject to the conditions in Exhibit C.

15. The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A, to and around the stormwater management pond to be built on dedicated parkland.
16. The applicant shall grade the portion of the parkland for the open play field, as shown on DPR Exhibit A.
17. The applicant shall construct a stormwater management pond on dedicated parkland, in accordance with applicable standards in the Parks and Recreation Facilities Guidelines. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall have seating areas, and the area around the pond shall have attractive landscaping.
18. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.
19. Before submission of a specific design plan (SDP), the applicant shall submit for review and approval by DPR a conceptual site plan for the improvements to be constructed on dedicated parkland.
20. Construction drawings for the park improvements shall be approved by DPR staff and not be unreasonably withheld, prior to signature approval of the SDP.
21. Before issuance of building permits for 50 percent of the lots, the applicant shall complete all improvements on dedicated parkland.
22. Before submission of a final plat of subdivision, the applicant shall enter into a Recreational Facilities Agreement (RFA), for construction of the trail and pond improvements and grading for open play fields on park property. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.

23. The applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the park improvements in an amount to be determined by DPR, at least two weeks before applying for a grading permit.
24. Before conveyance of 14.1 acres to M-NCPPC, including a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreements among the applicant, the County Department of Environmental Resources, and the Department of Parks and Recreation, for construction, operation, and maintenance of the stormwater management facility.
25. Before submitting a preliminary plan of subdivision application, the applicant shall identify archeological resources in the project area by conducting Phase I archeological investigations.

A qualified archeologist shall conduct all investigations and follow the Standards and Guidelines for Archeological Investigations in Maryland (Shaffer and Cole, 1994). These investigations shall be presented in a draft report following the same guidelines. The report shall follow the American Antiquity or Society for Historical Archeology style guide, and cite whether a submittal is a draft report or final report on the cover and inside cover page of the document, along with the relevant development case numbers.

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

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

26. If it is determined that potentially significant archeological resources exist in the project area, then before Planning Board

approval of a preliminary plan of subdivision, the applicant shall provide a plan for:

- a. Evaluating the resource at the Phase II level, or
- b. Avoiding and preserving the resource in place.

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

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

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

34. Before approval of a specific design plan, the applicant shall add a note to the plans that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed (and approved) crossing.
35. The public vehicular access to the future master-planned neighborhood park shall be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village shall be limited to pedestrian access only.
36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.
37. The potential dedication of land for Harry S Truman Drive through the subject property shall be reviewed at the time of Preliminary Plan approval and shall take into account the recommendations of the Westphalia Comprehensive Conceptual Planning Study (2005); the impacts on the proposed development; the status of other road improvements in the vicinity; the engineering constraints; the environmental impacts; and the general feasibility of the road extension.

Considerations

1. At the time of specific design plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the request of property owners to the south for additional berming and screening.
2. At the time of specific design plan review, recreation facilities for subdivision shall be reevaluated and redesigned, so that recreation facilities are located near all lots. The facilities must include more than one centralized recreational facility. Existing or planned neighborhood park facilities adjacent to the subject site, and the trail head connection in its vicinity, shall not relieve the applicant of the responsibility to provide adequate recreation facilities proximate to all lots in the proposed subdivision.

Ordered this 17th day of October, 2005, by the following vote:

In Favor: Council Members Dean, Bland, Campos, Dernoga, Exum,
Hendershot, Knotts and Peters

Opposed:

Abstained:

Absent: Council Member Harrington

Vote: 8-0

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: _____
Samuel H. Dean, Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

CDP

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with the approval of Comprehensive Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on March 3, 2005, regarding Comprehensive Design Plan CDP-0303 for Kenwood Village the Planning Board finds:

1. **Request:** The CDP proposes 84 single-family detached units on approximately 63.10 acres in the R-S Zone. Of the 63.10 acres, 13.5 acres are within the 100-year flood plain. Approximately 14.1 acres of land are to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC) to provide part of the land area for a master planned 25-acre Neighborhood Park.
2. **Location:** The subject property is in the R-S Zone and is located on the south side of White House Road, approximately 1,410 feet east of its intersection with Ritchie Marlboro Road.
3. **Surroundings:** The site abuts an undeveloped parcel zoned R-E to the east, a parcel zoned R-E developed with single-family residences to the west, and agricultural land zoned R-A to the south. Largo Woods and Presidential Heights residential subdivisions are located to the north across White House Road. The site contains a variety of environmental features including streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils and severe slopes, making the property a challenge to develop.
4. **Design Features:** The CDP proposes 84 single-family detached units. The CDP indicates open space to be dedicated to M-NCPPC on the far westerly end and extending along a widened White House Road. Several areas of single-family detached homes are indicated on the majority of the remainder of the site. The majority of the lots are indicated to have a minimum lot size of 6,000 square feet; however, a small residential pod in the center of the southerly side of the site indicates a minimum lot size as 10,000 square feet. A single main road services the site accessing White House Road on the easterly side of the site and terminating in a circle or cul-de-sac in the extreme southwesterly corner of the site. An entry feature is provided on the main access road, approximately 200 feet interior to the site off White House Road. A buffer with a fence runs along the southerly boundary of the site adjacent to the larger lot single-family detached area, then in an easterly direction, and then north along the subject property's easterly boundary. A short connection to the Chesapeake Beach Rail trail is provided from the traffic circle/cul-de-sac in the southwesterly corner of the subdivision. Views into the open space are provided at two points on the proposed plan: one at the entrance to the subdivision along White House Road and another along the main road in the proposed subdivision on the other side of the proposed main road from the area containing the larger lot single-family dwellings. An existing stream is indicated on the plan, along with its required primary management area boundary.

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

Land Use Quantities:

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

Land Use Types:

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

6. **Development Data—Kenwood Village**
- | | |
|-------------------------------------|-----------------------|
| Zone | R-S |
| Gross Tract Area | 63.1 acres |
| Area within the 100-year floodplain | 13.5 |
| Net tract area | 56.35 |
| Density Range (1.6 to 2.18 du/ac) | 90-122 dwelling units |

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

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

- Recreational Development.

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

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

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

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

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

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

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

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

also intended to provide another means for traffic within the Presidential Corporate Center and other areas to the north and northwest to access the Capital Beltway.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Comment: Since Harry S Truman Drive is no longer going to extend into the site as previously planned, depth of lots adjacent to Harry S Truman Drive need not be considered. However, the depth of lots adjacent to White House Road must be evaluated as part of the Specific Design Plan approval process to ensure that they will be adequately insulated so as to provide visual and sound screening. A condition below ensures that staff will address these issues at the time of specific design plan approval, although the unit closest to White House Road sits a full 250 feet back from the road and staff would not expect noise or views of White House Road to negatively affect future residents of the subdivision.

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

Comment: The units front on the primary streets, with the rears of dwellings oriented toward the interior of the envelopes to the greatest extent possible. Since Harry S

Truman Drive is not being extended into the site, *Landscape Manual* buffering requirements need not be considered with respect to dwellings whose rears face Harry S Truman Drive. The Environmental Planning Section has ensured that preservation of existing trees was the preferred buffering technique. In their memorandum, they state that recommended conditions ensure that preservation of existing trees be the preferred buffering technique to be supplemented as required by the *Landscape Manual*.

Recommended Conditions

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

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

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

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

Comment: Approval of the Comprehensive Design Plan is warranted by design that is sensitive to the existing environmental features on the site that include streams, wetlands, 100-year floodplain (20.4 acres), areas of steep slopes with highly erodible soils and severe slopes. In addition, the CDP proposes to dedicate approximately 14.1 acres of land to The Maryland-National Capital Park and Planning Commission (M-NCPPC) to provide part of the land area for a master planned 25-acre Neighborhood Park. The

Comprehensive Design Plan indicates additional dedication along White House Road. Development of the remaining portion of the site will be with single-family detached homes (primarily 6,000 square foot lots with a small residential pod of 10,000 square foot lots). Circulation is provided by a single main road that services the site accessing White House Road on the easterly side of the site and terminating in a circle or cul-de-sac in the extreme southwesterly corner of the site. An entry feature and views into the preserved open space are provided on the main access road. A short connection to the Chesapeake Beach Rail trail is provided from the traffic circle/cul-de-sac in the southwesterly corner of the subdivision. Trails connect the two cul-de-sacs to a centrally located recreational area adjacent to one of the four stormwater management ponds, all of which are to be designed so as to become a visual and/or recreational amenity to the area.

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

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

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

a. Amounts of building coverage and open space

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

b. Building setbacks from streets and abutting land uses

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

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

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

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

Comment: Proposed phasing for the project includes:

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

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

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

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

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

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

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

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

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

Growth Policy—Service Level Standards

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

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

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

Staff Analysis of Traffic Impacts

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

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

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
	White House Road/Brown Station Road	744	913	A
White House Road/Ritchie Marlboro Road	965	534	A	A
White House Road/Harry S Truman Drive	35.0*	60.6*	--	--
White House Road/site access	future			

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

inadequacy.

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

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

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

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

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume		Level of Service	
	(AM & PM)		(AM & PM)	
White House Road/Brown Station Road	827	995	A	A
White House Road/Ritchie Marlboro Road	1,280	1,013	C	B
White House Road/Harry S Truman Drive	144.5*	947.9*	--	--
White House Road/site access	14.7*	14.1*	--	--

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

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

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

Plan Comments

The circulation plan shows potential right-of-way widths along the internal streets. In general, it is recommended that a wider right-of-way (i.e., 60 feet versus 50 feet) be used at a point where average daily traffic volumes exceed 500 vehicles. For the subject plan, the point of transition should be determined with the approval of the final lotting pattern at the time of subdivision.

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

1. **White House Road at Harry S Truman Drive:** Prior to the approval of the specific design plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the

signal prior to the release of any building permits within the subject property, and install it at a time when directed by DPW&T.

2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.
- e. **Trails**—The senior trails planner of the Transportation Planning Section, in a memorandum dated May 18, 2004, stated that the adopted and approved Melwood-Westphalia Master Plan recommends a multiuse trail along the entire length of the former Chesapeake Beach Railroad right-of-way, immediately adjacent and to the south of the subject site. The applicant is proposing such a connection on land dedicated to M-NCPPC to this planned trail. The senior trails planner of the Transportation Planning Section also noted that the adopted and approved Largo-Lottsford Master Plan only recommends a master plan trail along the north side of White House Road, not along the subject property's frontage on the southerly side of White House Road. Additionally, noting that sidewalks and trails exist in many of the communities developed just to the north of the subject site, they recommended a sidewalk along at least one side of all internal roads, per the concurrence of the Department of Public Works and Transportation. Specific conditions recommended by the senior trails planner have been incorporated in the recommended conditions below.
- f. **Parks**—In a memorandum dated February 14, 2005, the Park Planning and Development Division of the Department of Parks and Recreation stated that the master plan and sectional map amendment for Melwood-Westphalia, Planning Areas 77 and 78, designates a 25-acre neighborhood park at southeast of the intersection of Ritchie Marlboro Road and White House Road. In addition to its role as a neighborhood park, the master plan recommends trailhead facilities at this location for the Chesapeake Beach Railroad Trail. The Chesapeake Beach Railroad Trail will be a major hiker/biker link to the public park system in the area when it is completed. Further, Zoning Ordinances 50-1992 and 51-1992 Exhibit J-113, show that the western portion of the site (14.1 acres) to be dedicated to M-NCPPC to provide part of a master-planned, 25-acre neighborhood park. The subject comprehensive design plan shows the 14.1 acres of parkland dedication on the western portion of the site. In addition to the 14.1 acres forming part of a neighborhood park, the applicable master plan would have trailhead facilities located there for the Chesapeake Beach Railroad Trail, providing a major hiker/biker link to the public park system. Additionally, they stated that *Park and Recreation Facilities Guidelines* require that at least one 60-foot-wide vehicular access be provided to the recreational area, whereas the plan shows only a 50-foot access. To compensate for this deficiency, the applicant proposes and the Department of Parks and Recreation finds acceptable an off-site dedication of 5,003 square feet along the former Chesapeake Beach Railroad right-of-way to extend the existing parkland on the east to Ritchie-Marlboro

Road and will provide land for the master planned trail construction and vehicular access to the planned neighborhood park and trailhead.

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

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

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

In summary, staff believes that the dedication of 14.1 acres on site and 0.1 acre off site of parkland with provisions for parkland improvements plus private recreational facilities on the homeowner's association land as discussed above will satisfy the requirements of

the Zoning Ordinance 50-1992 and 51-1992, the requirements and recommendations of the approved master plan and sectional map amendment for Melwood-Westphalia, Planning Area 77 and 78, the requirements of the R-S Zone, and the Subdivision Ordinance as they pertain to public parks and recreation facilities. Conditions 13–24 have been included in the recommendation section of this report to address the Department of Parks and Recreation concerns.

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

 - 1. A detailed forest stand delineation (FSD) date-stamped as received by the Environmental Planning Section on May 26, 2004, was found to address the requirements for a detailed FSD. The entire net tract area of this property has existing forest cover and 77 percent of the floodplain has existing forest cover. The woodlands on this property, although categorized into ten forest stands by the FSD, can be further grouped into three distinct forest types, including upland mature forest, early succession upland forest, and immature bottomland forest. The upland mature forest and immature bottomland forest stands have the highest retention priority, while the early succession upland forest have the lowest retention priority.

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

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

Recommended Conditions:

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

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
3. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
4. The proposed impacts to the Patuxent River Primary Management Area have not been fully evaluated in conjunction with this application. The impacts as shown appear to have been minimized based on the generalized information provided with this application. The proposed impacts are associated with the proposed infrastructure on this site including road construction for access and stormwater management outfalls. It must be noted that during the review of the Preliminary Plan of Subdivision impacts for infrastructure necessary to support the proposed

development are generally supported while impacts associated with the creation of building lots are generally not supported.

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

Recommended Condition: All subsequent plan submittals for this property, including the Preliminary Plan of Subdivision and the Specific Design Plan shall further minimize the extent and number of PMA impacts proposed as each phase of the development process utilizes increasingly detailed information. Impacts solely associated with the creation of lots will not be allowed.

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

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

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

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

required to address A-39.

- i. **The Department of Public Works and Transportation**—In a memorandum dated August 16, 2004, the Department of Public Works and Transportation stated that a full-width two-inch overlay for all county roadway frontages, conformance with the Department of Public Works and Transportation's street tree and street lighting standards, and sidewalks along all roadways within the property limits in accordance with Sections 23-105 and 23-136 of the county Road Ordinance would be required. Further, they stated that all storm drainage systems and facilities are to be designed in accordance with the Department of Public Works and Transportation's and the Department of Environmental Resources' requirements. Noting that the property bisects the future right-of-way for Master Planned A-39 (arterial roadway) and that concurrence from the Maryland-National Capital Park and Planning Commission and the Department of Public Works and Transportation following a formal request from the applicant would be necessary, they stated that a soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation for public streets, would be required. The Department of Public Works and Transportation's requirements will be met separately through their own permitting process.
9. **The Prince George's Woodland Conservation Ordinance**—This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. This 63.1-acre site has a net tract area of 49.6 acres and a woodland conservation threshold (WCT) of 25 percent or 12.4 acres. There is also a replacement requirement of 8.4 acres, which includes the ¼:1 replacement requirement for clearing 33.3 acres of woodlands above the WCT and 0.1 acre for clearing woodlands in the 100-year floodplain. The 20.8-acre requirement is proposed to be satisfied by 15.0 acres of on-site preservation in priority retention areas within and adjacent to the Patuxent River Primary Management Area (PMA) and 5.8 acres of off-site mitigation. The WCT for the site is being met through the on-site preservation. The Type I Tree Conservation Plan, TCPI/17/04, is recommended for approval subject to the several conditions.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type I Tree Conservation Plan (TCPI/17/04), and further APPROVED the Comprehensive Design Plan CDP-0303, Kenwood Village for the above described land, subject to the following conditions:

1. Prior to the approval of the Specific Design Plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject

- property, and install it at a time when directed by DPW&T.
2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.
 3. If any portion of the 50-foot buffer required by Condition 13 of the A-9802 or A-9803 approvals is to be used for woodland conservation, all reforestation shall be done with larger caliper trees and permanent protection shall be provided. In addition, this area shall be placed in a permanent conservation easement.
 4. The Preliminary Plan of Subdivision submittal shall include a detailed soils study that demonstrates that this site is geologically suitable for the proposed development.
 5. Prior to certificate of approval for the Comprehensive Design Plan, the existing tree lines on TCPI/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.
 6. A revised Type I Tree Conservation Plan, TCPI/17/04, shall be submitted as part of the Preliminary Plan of Subdivision application. The revised TCPI shall include the following information in addition to the information typically found on a Type I Tree Conservation Plan:
 - a. A refined limit of disturbance and conceptual grading proposed for the site.
 - b. All proposed PMA impacts.
 - c. All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to this property.
 - d. A table of proposed off-site infrastructure improvements associated with this application.
 - e. Label each Woodland Conservation Area with a distinct identifier, the type of woodland conservation being provided, and the acreage.
 7. The Preliminary Plan of Subdivision application shall include a wetland study that addresses the presence of the streams and wetlands on this site.
 8. All subsequent plan submittals for this property, including the Preliminary Plan of Subdivision and the Specific Design Plan, shall further minimize the extent and number of PMA impacts proposed as each phase of the development process utilizes increasingly detailed information. Impacts solely associated with the creation of lots will not be allowed.
 9. At time of final plat, a conservation easement shall be described by bearings and distances. The

conservation easement shall contain the delineated Patuxent River Primary Management Area except areas of approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

10. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit to the M-NCPPC Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
11. A copy of the approved Stormwater Management Concept Plan and approval letter shall be submitted with the Preliminary Plan of Subdivision application.
12. The Preliminary Plan of Subdivision submittal package shall include a Phase I noise study addressing potential adverse noise impacts associated with existing and widened White House Road (A-36) along the northern property boundary.
13. The applicant shall convey to the M-NCPPC, 14.1 acres of open space as designated on attached Exhibit A. The land to be conveyed shall be subject to the conditions of the attached Exhibit C.
14. The applicant shall dedicate 5,003 square feet off-site as shown on attached Exhibit B. The applicant shall provide a deed and metes and bounds description of the dedicated land prior to Final Plat of Subdivision to DPR for review and approval. The land to be conveyed shall be subject to the conditions of the attached Exhibit C.
15. The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A to and around the storm water management pond to be built on dedicated parkland.
16. The applicant shall grade the portion of the parkland for the open play field as shown on DPR Exhibit A.
17. The applicant shall construct a storm water management pond on dedicated parkland in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall be provided with seating areas. Attractive landscaping shall be provided around the pond.
18. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.

19. Prior to submission of the specific design plan (SDP), the applicant shall submit to DPR for its review and approval a conceptual site plan for the improvements to be constructed on dedicated parkland by the applicant.
20. Construction drawings for the park improvements shall be approved by DPR staff and not be unreasonably withheld prior to signature approval of the SDP.
21. Prior to issuance of the building permits for 50 percent of the lots, the applicant shall complete the improvements on dedicated parkland.
22. Prior to a submission of a final plat of subdivision, the applicant shall enter into a public Recreational Facilities Agreement (RFA) for the construction of the trail and pond improvements and grading for open play field on park property. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.
23. The applicant shall submit a performance bond, letter of credit or other suitable financial guarantee, for the construction of the park improvements, in an amount to be determined by the DPR, within at least two weeks prior to applying for grading permit.
24. Prior to conveyance of 14.1 acres to M-NCPPC, which includes a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreement between the applicant, the County Department of Environmental Resources, and M-NCPPC, Department of Parks and Recreation for the construction, operation and maintenance of the stormwater management facility on parkland.
25. Prior to submitting a Preliminary Plan of Subdivision, the applicant shall identify archaeological resources in the project area by conducting Phase I archaeological investigations.

A qualified archeologist shall conduct all investigations and follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Shaffer and Cole, 1994). These investigations shall be presented in a draft report following the same guidelines. The report shall follow the *American Antiquity* or *Society for Historical Archeology* style guide, and cite whether a submittal is a draft report or final report on the cover and inside cover page of the document, along with the relevant development case numbers.

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

The design of a Phase I archeological methodology shall be appropriate to identify prehistoric and historic sites, including slave dwellings and burials. Documentary research shall include an

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

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

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

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

34. Prior to approval of the specific design plan, applicant shall add a note to the plans that screening in the buffer running on both sides of the stream that parallels White House Road shall be provided by leaving the wetlands in a natural state, except for the crossing anticipated as part of the proposed project design.

Considerations

1. At the time of Specific Design Plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with due consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the desire of property owners to the south for additional berming and screening.
2. At the time of Specific Design Plan review, recreational facilities for subdivision shall be re-evaluated and redesigned so that there are recreational facilities located proximate to all lots. One centralized recreational facility shall not be considered sufficient for this purpose. The fact that a neighborhood park adjacent to the subject site and a trail head connection in the vicinity of the site are planned shall not relieve the developer of Kenwood Village of the responsibility of providing adequate recreational facilities proximate to all lots in the proposed subdivision.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Harley, with Commissioners Eley, Harley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 3, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of April 2005

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk

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A M E N D E D R E S O L U T I O N

WHEREAS, White House Road, LTD. is the owner of a 62.71-acre parcel of land known as Parcels 65 and 73, Tax Map 83 in Grid A-1, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned R-S; and

WHEREAS, on April 2, 2007, White House Road, LTD. Partnership filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 72 lots and 3 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-06159 for Kenwood Village 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 September 13, 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 September 13, 2007, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

*WHEREAS, by letter dated May 2, 2013, Michele LaRocca of Myers, Rodbell & Rosenbaum, P.A., on behalf of the applicant requested a reconsideration of Conditions 4, 11, 12, 20, 27, and 28, and related findings; and

*WHEREAS, on May 30, 2013, the Planning Board granted the reconsideration request in accordance with Section 10 of the Planning Boards Rules of Procedure, in furtherance of substantial public interest and good cause; and

*WHEREAS, on July 11, 2013, the Planning Board heard testimony and received evidence submitted for the record in the request for reconsideration, and approved the preliminary plan of subdivision and TCPI-17-04-02, as amended herein.

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/17/04-04-02), and further APPROVED Preliminary Plan of Subdivision 4-06159, Kenwood Village for Lots 1-72 and Parcels A-C with the following conditions:

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

1. Prior to Planning Board approval of any specific design plan, the applicant shall submit a Phase II work plan for site 18PR871 to the Historic Preservation and Public Facilities Planning Section for review and approval. This work plan shall allow for additional archival research to determine the occupants of sites 18PR870 and 18PR871, and provide for public interpretation of the sites identified on the property, including the Chesapeake Beach Railroad bed, 18PR605. If site 18PR871 is found to be eligible for inclusion in the National Register of Historic Places, the site shall be preserved in place or, if this is not feasible, Phase III mitigation should be performed on the site. The applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.
2. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association Parcels A-B. Land to be conveyed shall be subject to the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of the 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. Storm drain 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.

3. In consideration with the specific design plan, a Type II tree conservation plan shall be approved.

~~*[4. The applicant shall comply with the following concerning their parkland dedication:~~

~~a. The applicant shall construct a combination of on-site and parkland recreational facilities to be determined at the time of SDP.~~

~~b. The recreational facilities shall be constructed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*.~~

~~c. Detailed construction drawings for recreational facilities on park property including grading plans, sections, equipment, and landscaping schedules shall be submitted to DPR for review and approval prior to submission of any application for building permits in Kenwood Village.~~

~~d. Detailed construction drawings shall be prepared by a designer specializing in playgrounds in cooperation with a design team from DPR. DPR staff shall review the credentials and approve the design consultant prior to development of the plans.~~

~~e. Prior to application of the building permit for the construction of the recreational facilities in the park, DPR staff shall review credentials and approve the contractor proposed for the park construction work based on qualifications and experience.~~

~~f. Submission of three original executed Recreational Facilities Agreements (RFA) to DPR for approval three weeks prior to a submission of a final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.~~

~~g. At least two weeks prior to applying for building permits, the applicant shall submit to DPR a performance bond, letter of credit, or other suitable financial guarantee to secure construction of the recreational facilities on park property, in an amount to be determined by DPR.]~~

*[5] 4. Prior to signature approval of the preliminary plan, all plans shall be revised to label the 50-foot buffers along the east and south boundaries as nondisturbance buffers.

*[6] 5. At the time of specific design plan, a detail of the black-vinyl-clad, chain-link fence shall be included on all plans, including the TCPII.

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

- *[7] 6. Prior to signature approval of the preliminary plan, the TCPI shall be revised to meet the woodland conservation threshold of 25 percent on-site (including the parcel to be conveyed to the Department of Parks and Recreation).
- *[8] 7. Prior to signature approval of the preliminary plan, a revised and approved stormwater management concept plan shall be submitted and correctly reflected on the revised preliminary plan and TCPI. The concept shall be revised as follows:
- Show the same layout as the preliminary plan and TCPI.
- a. All ponds and associated grading shall be located outside the PMA with no impacts.
 - b. All runoff from impervious areas shall be directed to a water quality facility in accordance with condition #11 of the basic plan (A-9802 and A-9803).
 - c. All associated inlets, outfalls and connections shall be clearly identified.
 - d. Show all stormdrain easements.
- *[9] 8. Prior to signature approval of the preliminary plan, the TCPI shall be revised to:
- a. Show the existing and conceptual grading proposed for the site.
 - b. Identify the existing and proposed water and sewer lines, and the existing and proposed limits of White House Road.
 - c. Show a table of proposed off-site infrastructure improvements for the subject site.
 - d. Show each woodland treatment area with a distinct identifier, the type of woodland conservation being provided, and the acreage. Show the associated symbols in the legend and give a detail of each treatment area in a chart. This shall include off-site clearing, floodplain clearing, woodland preservation, and woodland preservation but not counted.
- *[10] 9. Prior to signature approval of the preliminary plan, the TCPI shall be revised to clearly show the centerline for Harry S Truman Drive and White House Road.

*Denotes Amendment

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- *[11] 10. Prior to acceptance of the specific design plan application, it shall be inspected to ensure that it includes a Phase II noise study that states the proposed noise mitigation measures and to ensure

that these measures are shown on the SDP. The Phase II noise study shall address all traffic-related noise and the location of the mitigation 65 dBA Ldn ground level and upper level contours. ~~*[If a noise wall is proposed, it must be placed on an HOA parcel and show a minimum of 10 feet of unencumbered area on each side of the wall for future access and maintenance].~~ All rear outdoor activity areas shall be mitigated to 65 dBA Ldn or less and all interior residential areas shall be mitigated to 45 dBA Ldn or less.

- *[12] 11. Prior to the approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures have been designed to reduce interior noise levels to 45 dBA or less.
- *[13] 12. Prior to signature approval of the preliminary plan, the NRI and the TCPI shall show the same acreages for all calculations.
- *[14] 13. Prior to signature approval of the preliminary plan, the Type I tree conservation plan shall be revised to:
- a. Show the limits of the dedicated parkland in accordance with the mandatory dedication requirement.
 - b. Revise the TCPI to show one continuous limit of disturbance for the proposed development and include the off-site areas to be impacted.
 - c. Show the location of specimen tree #7.
 - d. Eliminate the symbol for “woodland cleared” from the plan.
 - e. Provide a map showing all off-site connection to utilities that will require clearing of woodlands and adjust the worksheet accordingly.
 - f. Correctly show conceptual footprints within the building restriction lines on the proposed lots.
 - g. Revise the worksheet as necessary.
 - h. Have the revised plan signed and dated by the qualified professional who prepared the plan.

*Denotes Amendment

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- *[15] 14. Approval of impacts 1 through 9 to the PMA with the following requirements:

- a. Impacts 6-8 shall be revised to reduce the impacts to the fullest extent possible by minimizing the excessive grading shown on the exhibits.
- b. At the time of Specific Design Plan Impact 9 shall be further evaluated to reduce or eliminate the excessive clearing and grading impacts for the access road and the side grading impacts for the road crossing of "Street A."
- c. Lots 30-32, 60 and 61 shall be revised to exclude the PMA. No residential lots shall contain any portion of the PMA.

*[46] 15. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:

- a. Eliminate the impacts associated with grading and access for stormwater management ponds #1, #3, and the pond located on the west side of Harry S Truman Drive extension.
- b. Show the limits of disturbance for necessary outfalls for the proposed stormwater management ponds. The associated impacts shall be minimized to the fullest extent possible.
- c. Eliminate all impacts not essential to the development of the subject site.

*[47] 16. At the time of final plat approval, the applicant shall dedicate a minimum of 120 feet for the future alignment of Harry S Truman Drive extended (A-39) as shown applicant's site plan.

*[48] 17. Prior to the issuance of any building permit, the following improvement 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 and/or assignees.

Ritchie Marlboro Road and Sansbury Road

- Modify the westbound approach to provide three through lanes

*[49] 18. Prior to the issuance of any building permit, the applicant shall conduct a signal warrant study at the intersection of White House Road and Harry S Truman Drive and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by DPW&T.

*Denotes Amendment

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[Brackets] and ~~strikethrough~~ indicate deleted language

- *[20] 19. *Unless modified by DPW&T, [F]the applicant shall provide the following improvements along White House Road pursuant to DPW&T specifications:
- Provision of a deceleration and an acceleration lane along White House Road at the site entrance.
 - Provision of a left-turn bay on westbound White House Road at its intersection with the site access road.
- *[24] 20. In accordance with the adopted and approved Subregion Melwood-Westphalia master plan and the adopted and approved Westphalia sector plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:
- a. Provide a standard or wide sidewalk along the subject site's entire frontage of White House Road, unless modified by DPW&T. The width and location of the trail/sidewalk will be determined at the time of SDP.
 - b. Standard sidewalks shall be indicated on both sides of all internal roads, unless modified by the Department of Public Works and Transportation.
 - c. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.
- *[22] 21. At the time of SDP, the historic farm roads should be evaluated for use as possible natural surface trail corridors.
- *[23] 22. The dedication of 19.1± acres to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit "A."
- *[24] 23. The applicant shall dedicate 5,003 square feet of off-site land to M-NCPPC as shown on attached Exhibit "B." Before final plat, the applicant shall submit a deed, metes and bounds description, and certificate of title for the dedicated parkland.
- *[25] 24. Land to be conveyed to M-NCPPC shall be subject to the following:
- a. 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.

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- b. 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 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, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
- e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
- 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. 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 DPR.
- h. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.
- i. The land to be conveyed shall not be encumbered by prescriptive or descriptive easements that are to the benefit of other properties without the expressed written permission of DPR. If encumbered, DPR shall review the location, the rights and privileges associated with those easements and their anticipated impact on the future development of the parkland. If appropriate, DPR may require the applicant to relocate said easements.
- j. No stormwater management facilities, or tree conservation or utility easements other than typical PUEs associated with the edge of public rights-of-way shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.

- *[26] 25. The subdivider, his successors and/or assignees shall submit a letter to the Subdivision Section indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance. The letter shall be submitted with the final plat of subdivision.
- *[27. — The applicant shall construct 10-foot wide gravel maintenance access road from Ritchie Marlboro Road to the dedicated parkland as shown on attached Exhibit “B”. This area shall be graded at the time of mass grading of the project area and reviewed and approved by DPR staff prior to issuance of the first building permit. Prior to the issuance of the 37th building permit, the gravel maintenance road and park gates shall be constructed
28. — The applicant shall grade the southern portion of the dedicated parkland and stabilize the area according to local codes and ordinances. DPR staff shall establish the exact boundaries and elevation of park grading at the time of SDP. Park grading shall be completed and inspected by DPR staff prior to issuance of the first building permit.]
- *[29] 26. The applicant shall be responsible for any revisions to CDP-O303 necessitated by adoption of conditions of this application, which revisions shall be made administratively.
- *[30] 27. Tree conservation shall be allowed on dedicated parkland, the exact acreage and location shall be determined at the time SDP.
- *[31] 28. At the time of final plat approval, the applicant shall dedicate the necessary land area for the ultimate 120-foot wide right-of-way for White House Road as shown on the preliminary plan.
- *[32] 29. The applicant shall make required frontage improvements along White House Road as determined by DPW&T during the permitting process.
- *[33] 30. At the time of Specific Design Plan review, the relationship of the lots adjacent to the proposed Harry S Truman ROW dedication shall be evaluated to address orientation of the lots and houses to be constructed on the lots, design of cul-de-sacs and internal road design. This review may result in the alteration of the lot pattern, stormwater management ponds, open space parcels and/or internal road design as shown on the approved Preliminary Plan.

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- *31. Prior to issuance of the 34th building permit, the applicant, their heirs, successors and/or assigns shall make a payment to the M-NCPPC Department of Parks and Recreation in the amount of \$70,000 in 2013 dollars in lieu of the grading of the southern portion of the dedicated parkland,

construction of a 10-foot-wide gravel maintenance access road from Ritchie Marlboro Road and preparation of the detailed construction drawings for the improvements on dedicated parkland. At the time of payment, this amount shall be adjusted for inflation using the Consumer Price Index (CPI). The monetary contribution shall be placed into a park account designated for this park.

*32. Prior to approval of the final plat, the following note shall be removed from TCPI-17-04-01: “Area of Parkland to be graded by applicant per “Exhibit ‘A’, CDP-0303, D.P.R. 2.16.05 H.asan” – 3.9 +/- Acres.” The plan shall be certified as the -02 revision.

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 subject property is located on the south side of south side of White House Road opposite the southern terminus of Harry S Truman Drive. The site abuts an undeveloped parcel zoned R-E to the east, a parcel zoned R-E developed with single-family residences to the west, and agricultural land zoned R-A to the south. Largo Woods and Presidential Heights residential subdivisions are located to the north across White House Road. The site contains a variety of environmental features including streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils and severe slopes, making the property a challenge to develop.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-S	R-S
Use(s)	Single-Family Residences	Single-Family Residences
Acreage	62.71	62.71
Lots	0	72
Parcels	2	3
Dwelling Units:		
Detached	0	72
Public Safety Mitigation Fee		No

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4. **History**—The property was previously zoned Residential Estate (R-E) based on the guidance of the 1973 Subregion VI master plan. In November of 1992, the County Council for Prince George’s County, Maryland, sitting as the District Council, approved Zoning Ordinance Amendment No. 50-1992 (Basic Plan A-9802-C) and Zoning Ordinance Amendment No.

51-1992 (Basic Plan A-9803-C), which rezoned the subject property from the Residential-Estate (R-E) Zone to Residential Suburban (R-S) Zone subject to conditions with the following land types and quantities:

Land Use Quantities:

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

Land Use Types:

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

On October 17, 2005, the District Council approved a comprehensive design plan for the site (CDP-0303). The design guidelines approved as part of the CDP ensures compatibility has been maintained by placing the larger lots (minimum size 10,000 square feet) on the southerly side of the subdivision where the subject site abuts land zoned R-A and utilized for agriculture. The smaller single-family detached lots (minimum lot size—6,000 square feet) are located near the easterly boundary of the site where the zoning is R-E and would allow for denser residential development and a 50-foot buffer separates the site from the adjacent parcel. A condition of the approval ensures that design techniques such as berms and additional screen plantings will be utilized prior to specific design plan approval to maintain compatibility with the surrounding neighborhood with an emphasis on the boundaries of the subject site. The proposed preliminary plan is in conformance with these guidelines and the conditions of approval, except as noted in the sections of this report that follow.

- Urban Design Considerations**—The Urban Design Section is reviewed Preliminary Plan of Subdivision 4-06159 for Kenwood Village. The lots front on either Street A, providing access to the subdivision from White House Road, Street B, a cul-de-sac emanating from Street A, or an unnamed street that proceeds north from Street A on the western portion of the site, taking a right-angle turn at a bulbed elbow in the street and then proceeding west until its terminus in a cul-de-sac. Open space for the development is provided along the environmentally sensitive White House Road frontage and in the central portion of the property where the environmental features extend into the developable area of the site. Street A terminates in a cul-de-sac at the extreme southwestern portion of the property. The cul-de-sac terminating both Street A and the unnamed street butt up against the future road extension of Harry S Truman Drive, identified as a 120-foot-wide right-of-way. Beyond Harry S Truman Drive is land to be dedicated to M-NCPPC that is slated to be developed into an M-NCPPC park facility at a later date. A 50-foot forested buffer is indicated along the project’s eastern property line and partially across the southern property line.

Urban Design Comments

- A. The project consists of heavily double-loaded streets. More deviation from this design pattern would open up the subdivision further and provide more aesthetic views into the environmentally sensitive portions of the site.
- B. An entrance feature should be utilized at the White House Road access point with accent landscaping at its base.
- C. Urban Design questions the wisdom of butting two culs-de-sac up against the shared property line for Harry S Truman Drive. Is the intent here that a connection to Harry S Truman Drive will be made? If so, would both culs-de-sac become connections? If so, are they located sufficiently apart from each other and from White House Road so as to create safe traffic movements?

Comment: Neither cul-de-sac is proposed to connect with Harry S Truman extended.

- D. Urban Design would suggest that the number of lots, especially on the western half of the site, be reduced so that usable rear yards are guaranteed for all yards and so that some green space/views into the environmentally sensitive areas of the subject site are retained.

Comment: The applicant is revising the layout to take these concerns into account.

- E. It appears that the proposed design of the open space in the environmentally sensitive central portion of the site for the provision of recreational facilities. It does not, however, provide a break between the lots on the bulbs of the culs-de-sac as shown on the comprehensive design plan that would accommodate connecting trails and provide access to the interior space.

Comment: The trails coordinator has concluded that the trail connections are not feasible. See the trails section of this report.

~~*[F. — A condition of approval of the preliminary plan of subdivision [should ensure access to the area of the site to be dedicated to M NCPPC and the adjacent trail, including the creation of a trailhead, complete with vehicular parking, a passive recreational area, including seating areas, an instructional panel regarding the trail, the environmental sensitivity of the site, and or any relevant historical information.]~~

~~**Comment:** These considerations are addressed by the Department of Parks and Recreation staff in their referral contained later in this report.~~

- G. — Section 4.6 of the *Landscape Manual* requires the buffering of the rears of houses from adjacent roadways and such buffering would have to be included along Harry S Truman Drive. Subdivision staff has indicated that lot depth for those lots will be required to be

~~increased. That increase will make it easier to accommodate the required 4.6 buffering for the site.]~~

Conditions of the Comprehensive Design Plan

Each condition related to site design is listed in bold face type below, followed by Urban Design staff comment:

2. **During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.**

Comment: The Transportation Planning Section concurs with the location of the transition, which takes place prior to the internal stream crossing, thus minimizing the environmental impact.

30. **Prior to the approval of the Preliminary Plan of Subdivision and any specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.**

Comment: Subdivision staff should ensure that they get the appropriate input from the trails coordinator prior to the approval of the preliminary plan of subdivision.

31. **At the time of Preliminary Plan of Subdivision, adequate lot depth with respect to possible noise or visual impacts from the adjacent White House Road shall be reviewed.**

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Comment: No part of any lot is shown within the 65 dBA noise contour. A 150- to 250-foot-wide swath of open space separates the lots from the proposed right-of-way. The plan shows the required 150-foot lot depth for lots along Harry S Truman Drive extended.

6. **Environmental**—A review of the available information indicates that streams, wetlands, 100-year floodplain, areas of steep slopes with highly erodible soils and severe slopes are found to occur within the limits of this application. White House Road and Master Plan Road A-39 are designated arterial roads and are transportation-related noise generators that will affect the layout this application. The soils found to occur according to the Prince George's County Soil Survey include Adelphia silt loam, Collington fine sandy loam; and mixed alluvial land. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened or endangered species found to occur on this property or

adjacent properties. There are no designated scenic and historic roads located adjacent to this property. This property is located in the Southwest Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.

Conformance with Previous Environmental Planning Approvals

The approval of the basic plan and comprehensive design plan included numerous conditions, many of which dealt with environmental issues that were to be addressed during subsequent reviews.

Basic Plan, A-9802 and A-9803 (Environmental Conditions)

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

No grading or cutting of trees has occurred on this site based on a review of the most recent aerial photography available.

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

This condition has not been fully addressed. The buffer is correctly labeled on the coversheet of the TCPI but not on the detailed sheets (Sheets 2 and 3). The preliminary plan must also be labeled in accordance with the above condition.

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

The TCPI shows woodland preservation of 22.69 acres, which is approximately 40 percent of the net tract; however, part of this acreage includes woodland preservation on parkland to be dedicated to the Department of Parks and Recreation. As discussed in the Department of Parks and Recreation section, DPR has agreed to allow this encumbrance on the 19.1 acres to be dedicated.

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

Implementation of the Patuxent River Policy Plan in buffering streams and impacts to sensitive environmental features are discussed in the Environmental Review section below.

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

A 100-year floodplain study and a stormwater management approval letter and plan were received on August 14, 2007. The limits of the 100-year floodplain have been correctly reflected on the plan and all proposed lots are shown to be a minimum of 50 feet from the limits of the 100-year floodplain.

The stormwater management concept plan cannot be reviewed with the current application because it shows a different layout than that shown on the TCPI and preliminary plan. The stormwater management shown on the TCPI is very confusing and is not in accordance with the above condition.

The plan proposes three water quality ponds and although the ponds are located outside of the wetland areas, there are several related impacts to the PMA for grading and access to the ponds. These impacts are discussed in detail in the Environmental Review section of this memo.

The storm drain system as shown on the TCPI is very confusing. The above condition states that all "...impervious areas shall drain directly to a water quality facility." The plan shows discharge of runoff from impervious areas to locations other than the water quality facility. These areas include the outfall located north of specimen tree #68, the pipe and outfall that crosses the southern end of the Harry S Truman extension, the outfall east of specimen tree #27, the pipe located north of specimen tree #21, the pipe located between specimen trees #46 and #47, and the outfall located north of Lot 27. It appears as though all of these storm drains are discharging runoff from the proposed road directly to the stream, which is not in accordance with the above conditions. The stormwater management concept plan, when revised, must provide for discharge of all impervious surface runoff to be directed to a water quality facility.

The TCPI also shows an outfall connected to a riser structure which appears to discharge stormwater to dedicated parkland. This stormwater should be discharged to the adjacent stream.

The outfalls for ponds #1 and #3, the inlets and connections for the storm drain pipes, and the associated storm drain easements are not shown on the plan. The existing topography and proposed grading on the plan is unreadable.

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

A 100-year floodplain study approved by the Department of Environmental Resources was submitted. See condition #11 above.

- 13. The minimum 50-foot non-disturbance buffers along the east and south boundaries shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes and soils with erodibility factors of 0.35 and greater. Such buffers shall be approved by the Natural Resources Division prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.**

This condition has been addressed. Based on the information submitted with this phase of the development the required buffers noted by this condition are being provided for the streams with the exception of the two stream crossings proposed to provide access to this property. Because a stream is located along the entire northern property boundary and two other streams bisect the property into thirds, some stream impacts are necessary for any development to occur.

A 50-foot nondisturbance buffer has been shown along the east boundary and the developable portion of the southern boundary. The remainder of the southern boundary located on the west side of the Harry S Truman extension is land to be dedicated to the Department of Parks and Recreation. A buffer on the dedicated parkland is not required.

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

A geotechnical report was submitted August 14, 2007, and addresses the above condition. The study details the results of 16 soils borings tested on the site. Each boring was drilled to a 25-foot depth. Groundwater was encountered between 20 and 25 feet below the surface for only 3 samples.

At the time of permitting, the appropriate agencies, including but not limited to the Washington Suburban Sanitary Commission, the Prince Georges County Department of Public Works, and the Department of Environmental Resources, may require information in addition to the submitted report to ensure the site is adequate for the installation of necessary infrastructure prior to development of the site.

CDP-0303

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

The current plans show woodland preservation in the required 50-foot nondisturbance buffers. No reforestation is proposed for this site on the current plan.

5. **Prior to certificate of approval for the Comprehensive Design Plan, the existing tree lines on TCPI/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.**

This condition has not been addressed. The plan shows double tree lines which result in confusion as to where the proposed woodland exists. The plans need to be revised in accordance with the above condition.

6. **A revised Type I Tree Conservation Plan, TCPI/17/04, shall be submitted as part of the Preliminary Plan of Subdivision application. The revised TCPI shall include the following information in addition to the information typically found on a Type I Tree Conservation Plan:**

- a. **Conceptual grading proposed for the site.**

The existing and conceptual grading shown on the plan is not legible. Conceptual grading is required on all tree conservation plans to identify areas that are proposed for disturbance, the resulting topography of the site, and how stormwater runoff will be affected.

- b. **All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to this property.**

This condition has not been fully addressed. Issues regarding stormwater management are discussed above in condition #11 of the basic plan with applicable recommended conditions. The water and sewer lines shown on the plan should be identified as existing or proposed and the existing and proposed limits of White House Road need to be clearly delineated on the plan. Impacts associated with water, sewer and road construction are discussed in detail in the Environmental Review Section of this memo.

- c. **A table of proposed off-site infrastructure improvements associated with this application.**

This condition has not been addressed. The referenced table is not shown on the TCPI.

- d. **Label each Woodland Conservation Area with a distinct identifier, the type of woodland conservation being provided, and the acreage.**

This condition has been addressed; however, the symbol for woodland clearing is not consistent with the symbol shown on Sheet 3. Sheet 2 does not show a symbol for woodland clearing at all.

7. **The Preliminary Plan of Subdivision application shall include a wetland study that addresses the presence of the streams and wetlands on this site.**

This condition has been addressed. A wetland study was included with the application during review of the natural resources inventory. The delineation is correctly reflected on the plan.

8. **All subsequent plan submittals for this property, including the Preliminary Plan of Subdivision and the Specific Design Plan, shall further minimize the extent and number of PMA impacts proposed as each phase of the development process utilizes increasingly detailed information. Impacts solely associated with the creation of lots will not be allowed.**

Impacts to the PMA are reviewed in detail in the Environmental Impacts section below.

9. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area except areas of approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”

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

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

This condition will be addressed at the time of permit review.

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

The approved stormwater concept plan has been submitted. See condition #11 of the basic plan.

12. The Preliminary Plan of Subdivision submittal package shall include a Phase I noise study addressing potential adverse noise impacts associated with existing and widened White House Road (A-36) along the northern property boundary.

A Phase I noise study was not submitted; however, the plan shows the location of the unmitigated 65 dBA Ldn noise contour associated with White House Road (144 feet from the centerline) and Harry S Truman Drive (228 feet from the centerline) based on the Environmental Planning Section noise model, which uses the projected average daily traffic for each right-of-way. This information can be used in lieu of the study; however, the TCPI must be revised to clearly show the centerline of Harry S Truman and White House Road.

Based on the location of the unmitigated 65 dBA Ldn noise contour as shown, no residential lots will be impacted by noise associated with White House Road; however, approximately five lots will be impacted by noise associated with Harry S Truman Drive. The TCPI shows that the interior shells and rear outdoor activity areas of proposed Lots 1, 72, 63 and 64 will be impacted by noise. The rear outdoor activity area of proposed Lot 2 will be impacted by noise as well. Mitigation for these lots must be provided. If a noise wall is proposed, it must be placed on an HOA parcel and show a minimum of ten feet of unencumbered area on each side of the wall for future access and maintenance.

*On July 11, 2013 the Planning Board heard a reconsideration request by the applicant in part regarding the impacts of noise from Harry S Truman Drive as discussed further in the Reconsideration Hearing finding.

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Natural Resources Inventory

A signed Natural Resources Inventory, NRI/009/07, was submitted with the application. A detailed forest stand delineation (FSD) was submitted with the NRI. The entire net tract area of this property has existing forest cover and 77 percent of the floodplain has existing forest cover. The woodlands on this property, although categorized into ten forest stands by the FSD, can be further grouped into three distinct forest types, including upland mature forest, early succession upland forest, and immature bottomland forest. The upland mature forest and immature bottomland forest stands have the highest retention priority.

There are discrepancies between the acreages shown on the NRI and the acreages shown on the TCPI. The NRI shows the gross tract area as 63.02 acres while the TCPI shows it as 62.71 acres. The NRI shows the total floodplain area as 12.06 acres, while the TCPI shows the total floodplain area as 12.11 acres. And the total woodland listed on the NRI is 50.47 acres, while the TCPI shows the total woodland as 50.60 acres.

Woodland Conservation

This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because it has a previously approved tree conservation plan. TCPI/17/04 was approved with the CDP. The current plan is a major revision to the approved TCP because it includes the master plan alignment of Harry S Truman Drive extended and a different lot layout.

The Type I Tree Conservation Plan, TCPI/017/04-01, has been reviewed and was found to require revisions. The woodland conservation threshold has been correctly calculated at 12.09 acres, which is 25 percent of the net tract. The total requirement based on the proposed clearing is 23.90. The plan proposes to meet the requirement by providing 22.69 acres of on-site preservation and 1.21 acres of off-site mitigation. A significant portion of the proposed preservation appears to be on land that will be dedicated to the Department of Parks and Recreation. As discussed previously, woodland conservation on dedicated parkland cannot be counted toward meeting the requirement unless written authorization is provided because this it is a mandatory requirement. A condition regarding this issue has been recommended.

The proposed delineation of land to be dedicated to the Department of Parks and Recreation is not shown on the TCP. The TCPI proposes to clear 0.39 acre of off-site woodland. It is not clear where these off-site impacts will occur. The TCPI must be revised such that the limits of disturbance reflect the off-site clearing areas.

Specimen tree #7 is not shown on the plan. The symbol for “woodland clearing area” is not consistent with the legend and should be removed from the plan altogether so that it is more legible. The proposed limits of disturbance will clearly identify the proposed clearing areas on the net tract after the existing tree line is corrected. The conceptual house footprints on some lots are shown outside of the building restriction line.

Environmental Impacts and Impacts to the Patuxent River Primary Management Area

The site contains significant environmental features constituting the Patuxent River Primary Management Area (PMA) that are required to be protected under Section 24-130 of the Subdivision Regulations. The Subdivision Ordinance mandates that the PMA be preserved to the fullest extent possible. Staff generally recommends approval of PMA impacts for unavoidable impacts such as the installation of public road crossings and public utilities, if they are designed to preserve the PMA to the fullest extent possible. Staff generally does not recommend approval of PMA impacts for lots, structures or septic field clearing and grading when alternative designs would reduce or eliminate the impacts.

A letter of justification and associated exhibits were submitted for nine proposed impacts. The following is a summary of the proposed PMA impacts.

Impact Number	Comments	Quantity of Impact	Staff Recommendation
1, 2, 4 and 5	These impacts are associated with county required roadway	0.85 acre	Supported

	improvements to White House Road. The impacts are located along the north boundary of the subject site and adjacent to White House Road.		
3	This impact is necessary for road improvements to White House Road and a crossing associated with a master plan arterial (A-39).	0.92 acre	Supported
6-8	These impacts are for improvements to White House Road and a road crossing for “Street A” that will provide access to the subject site. It also includes excessive disturbance to the wetland, wetland buffer, and 100-year floodplain to allow passage of water beneath the proposed road crossing. The proposed disturbance should be reduced to the fullest extent possible.	2.2 acres	Supported with a condition for redesign to reduce impacts
9	This impact is for a road crossing necessary to provide access to a developable portion of the site. This impact should be reduced to eliminate unnecessary grading not associated with the crossing.	0.59 acres	Supported with a condition to reduce impacts

The TCPI shows several other impacts that are not essential for the development of the site and must be eliminated. One of these impacts is shown on Exhibit #8, but is not associated with the road frontage improvements along White House Road or the crossing for “Street A.” This impact is located just north of an access road shown on exhibit #8.

Lots 31, 32, 60, 61 and 62 contain portions of the PMA. Because the lots are very small, the PMA should not be shown on the proposed lots.

The submitted justification did not request impacts for necessary outfalls for the proposed water quality ponds. Outfalls are required to safely convey treated stormwater from the pond to the adjacent stream valley. The plan shows an impact to the PMA for what appears to be an outfall from the pond on the west side of the Harry S Truman Drive extension to the dedicated parkland. Outfalls for ponds #1 and #3 are not shown on the plan. The limits of disturbance must be revised to reflect the necessary impact areas for the associated outfalls for the proposed ponds.

The proposed extension of Harry S Truman on the plan is a mandatory dedication and construction of the road may not be implemented when the site is developed. Therefore, clearing for the road should not occur until the road is scheduled to be constructed.

Water and Sewer Categories

The water and sewer service categories are W-4 and S-4 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and the property will, therefore, be served by public systems.

- 7. **Community Planning**—The property is located in Planning Area 78 of the 1994 Melwood-Westphalia master plan within the Westphalia community. The master plan recommends a low-suburban residential development with a density yield of 1.6–2.6 dwelling units per acre for the property. This application proposes a low-suburban residential land use, and is therefore consistent with the recommendations within the 1994 master plan.

The 2002 General Plan locates the subject property within 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. This application proposes a low-suburban density residential community, and is therefore consistent with 2002 General Plan Development Pattern policies for the Developed Tier.

8. **Parks and Recreation**—Staff of the Department of Parks and Recreation (DPR) has reviewed the above-referenced preliminary plan application for conformance with the conditions of the previous approvals for the site, the Approved Bowie-Collington-Mitchellville Master Plan for Planning Area 75A, the Land Preservation and Recreation Program for Prince George’s County, and current zoning and subdivision regulations as they pertain to public parks and recreation.

Findings

Basic Plan (A-9802 & A-9803)

The approved basic plan shows the western portion of the site (14.1 acres) to be dedicated to MNCPPC.

Comment: The approved Westphalia Sector Plan and Sectional Map Amendment designated the area between White House Road, the new Harry S Truman Drive southern extension, and Ritchie Marlboro Road as a park/high school site. The applicant has agreed to dedicate 19.1 acres of land west of the Harry S Truman Drive right-of-way to M-NCPPC for use as public parkland.

Comprehensive Design Plan (CDP-0303)

Condition 13—The applicant shall convey to the M-NCPPC, 14.1 acres of open space as designated on attached Exhibit “A.” The land to be conveyed shall be subject to the conditions of attached Exhibit ‘C.’

Comment: The applicant agreed to expand dedication of parkland to 19.1 acres as shown on DPR Exhibit “A.”

Condition 14—The applicant shall dedicate 5,003 square feet off-site as shown on attached Exhibit “B. Before final plat, the applicant shall file for review and approval by Parks and Recreation a deed and metes and bounds description of the dedicated land. The land to be conveyed shall be subject to the conditions of the attached Exhibit ‘C.’

Comment: The applicant complies with this condition.

Condition 15—The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A to and around the storm water management pond to be built on dedicated parkland.

Comment: DPR staff reviewed the preliminary plan of subdivision and finds that construction of a trail connector from the subject subdivision to the dedicated parkland is no longer feasible because a major master planned road (120-foot-wide Harry Truman Drive right-of-way) now separates the subdivision from the park. DPR staff believes that pedestrian access to the park from subject property will be accommodated in the future via the master planned Chesapeake Beach Railroad trail. At the time of design and construction the Harry Truman Drive extension, a safe at-grade or under-road trail crossing should be provided for the master planned Chesapeake Beach Railroad trail. The applicant shall demonstrate on the plans that HOA open space is available in the southern portion of the subdivision for the future trail connection to the master planned trail.

Condition 16—The applicant shall grade the portion of the parkland for the open play field as shown on DPR Exhibit A.

Comment: DPR staff met with applicant and determined that it would **not* be appropriate to grade the southern portion of the dedicated parkland for the future recreational facilities and access to the park from Harry Truman Drive **at this time*. However, this area will not be available to the public as an open play field because it will not have access to a public road until Harry Truman Drive extension is constructed.

*On July 11, 2013 the Planning Board heard a reconsideration request by the applicant in part regarding the deletion of conditions of approval which required improvements to the dedicated parkland, as discussed further in the Reconsideration Hearing finding.

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

Condition 17— The applicant shall construct a stormwater management pond on dedicated parkland in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall be shall be provided with seating areas and the area around the pond shall have attractive landscaping.

Comment: The pond shown on the TCP-1 plan is a concept plan to demonstrate the conceptual location of the SWM facility needed for the future road (A-39) construction. This pond will be built in the future at the time of road construction. At that time, DPR will grant an easement to DPW&T for the construction and maintenance of the SWM pond on parkland and ensure that the stormwater management facility is built in accordance with the *Parks and Recreation Facilities Guidelines*.

Condition 18.—All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.

Comment: ~~*[The applicant agreed to provide a ten-foot-wide gravel trail/maintenance access road from Ritchie Marlboro Road.]~~ At the time of SDP, DPR staff will review the plans to assure dry passage.

Condition 19—Before submission of a specific design plan (SDP), the applicant shall submit to DPR for review and approval a conceptual site plan for the improvements to be constructed on dedicated parkland by the applicant.

Comment: ~~*[Prior to submission of an SDP, the applicant agreed to submit a concept plan for the improvements to be constructed on dedicated parkland.]~~ On July 11, 2013 the Planning Board heard a reconsideration request by the applicant in part regarding the deletion of conditions of approval which required improvements to the dedicated parkland, as discussed further in the Reconsideration Hearing finding. The conditions regarding improvements to the parkland were deleted and the applicant will pay a fee in lieu of the improvements.

Condition 24—Before conveyance of 14.1 acres to the M-NCPPC, including a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreement between the applicant, the County Department of Environmental Resources and the Department of Parks and Recreation for the construction, operation and maintenance of the stormwater management facility.

*Denotes Amendment

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Comment: At the time of master plan road design and construction, DPR and DPW&T shall enter into joint multiuse stormwater management system maintenance agreement for the construction, operation, and maintenance of the SWM facility on parkland. DPR staff believes that DPW&T should be responsible for functional maintenance of the pond because this SWM facility will serve the county road and DPR should be responsible for esthetic maintenance of the pond.

Condition 35—The public vehicular access to the future master planned neighborhood park will be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village will be limited to pedestrian access only.

Comment: ~~*[The vehicular access to the park will be provided from Ritchie Marlboro Road or Harry S Truman Drive extension. The pedestrian access to the park from subject subdivision will be provided via Chesapeake Beach Railroad Trail system. The applicant shall demonstrate on the plan that HOA open space is available in the southern portion of subdivision for the future trail connection to the master planned Chesapeake Beach Railroad trail.]~~

The approved Westphalia Sector Plan and Sectional Map Amendment designates an area between White House Road, the Harry S Truman Drive extension, and Ritchie Marlboro Road as a park/high school site. In addition to its role as a park/school site, this area will accommodate a

portion of the master planned Chesapeake Beach Railroad trail. When it is completed, the Chesapeake Beach Railroad trail will be major hiker/biker trail link to the public park system in the area. The dedicated parkland will also provide a site for trailhead parking.

The Park and Recreation Facilities Guidelines require that at least one suitable vehicular access to the land being dedicated be provided from a major residential street. DPR staff reviewed the preliminary plan and found that public vehicular access to the parkland will be available only from the new extension of Harry S Truman Drive. DPR staff has no information regarding timing of master planned road construction. To address maintenance access to the park, DPR staff requested and applicant agreed to build a temporary gravel maintenance road from Ritchie Marlboro Road to dedicated parkland within the former Chesapeake Beach Railroad right of way. In the future, when other vehicular access to the park will be available, this maintenance road will be converted into a master planned trail.

DPR shall provide an easement to DPW&T for the construction and maintenance of a stormwater management pond on parkland for the master plan road provided that DPW&T agrees to enter into an agreement with DPR for functional maintenance of the pond. DPR shall be responsible for esthetic maintenance of the pond.]

*Denotes Amendment

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*On July 11, 2013 the Planning Board heard a reconsideration request by the applicant in part regarding the deletion of conditions of approval which required improvements to the dedicated parkland, as discussed further in the Reconsideration Hearing finding. The conditions of the original approval which required certain improvement be constructed by the applicant on the dedicated parkland were deleted. In lieu of those improvements, the applicant will pay \$70,000 in 2013 dollars into an account established for this park for future improvements as discussed further.

Conclusion

In summary, the applicant proposes the dedication of 19.1 acres of parkland on site and 5,003 square feet off-site, as shown on DPR Exhibit "A." The applicant also proffered the *payment of a fee in lieu of the original conditions of approval which required the construction of a 10-foot-wide gravel park maintenance road from Ritchie Marlboro Road to the dedicated parkland and grading of the parkland for the future development and installation of the park gates at the entrance from Ritchie Marlboro Road, *as approved by the Planning Board in the reconsideration. In addition to public parkland dedication ~~*[and park improvements]~~, the applicant will provide on-site private recreational facilities. At the at the time of approval of the comprehensive design plan for the site, CDP-0303, DPR staff agreed to allow tree conservation on dedicated parkland. In return, the applicant agreed to additional parkland dedication. ~~*[and the~~

~~provision of parkland improvements DPR staff believes that t]~~ This application is in general conformance with the conditions of the previous approvals, the approved Westphalia Sector Plan and Sectional Map Amendment, and Section 24-134 of the Subdivision Regulations as they pertain to parks and recreation.

9. **Trails**—CDP-0303 includes several conditions of approval pertaining to trail and pedestrian facilities:
15. **The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A to and around the storm water management pond to be built on dedicated parkland.**
 18. **All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.**
 27. **Prior to specific design plan approval, the applicant shall include on the plans an eight-foot wide, asphalt trail connection from the subject site to the property line for eventual connection to the planned master plan trail along the Chesapeake Beach Railroad right-of-way, per the concurrence of the Department of Parks and Recreation.**

*Denotes Amendment

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28. **Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.**
30. **Prior to the approval of the Preliminary Plan of Subdivision and any specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.**

Some substantial revisions have been made to the preliminary plan from what was approved on the CDP. The biggest change is the addition of A-39 (Harry S Truman Drive extended) to the preliminary plan. This master plan road was not included in the approved CDP, and the addition of this road makes the trail around the stormwater management pond and the connection to the Chesapeake Beach Railroad Trail not feasible. These issues are discussed in more detail below.

Two master plan trails impact the subject site. The adopted and approved Melwood-Westphalia master plan recommends a multiuse trail along the entire length of the former Chesapeake Beach Railroad right-of-way. This right-of-way is immediately adjacent and to the south of the subject site. The approved CDP includes a trail connection to the future rail-trail from the end of Street A. However, the CDP did not include provision for the future A-39 planned in the sector plan as now shown on the submitted preliminary plan. A-39 will separate the development from the

dedicated parkland and may make a pedestrian connection to the future rail-trail impractical at this location. With the provision of a trail along A-39, a separate trail connecting to the rail-trail will not be necessary. Similarly, the stormwater management pond referenced in Condition 15 is no longer shown on the plan. It was previously shown in the area now reserved for A-39.

The adopted and approved Largo-Lottsford master plan and the more recently approved Westphalia sector plan recommend a master plan trail along White House Road. Several segments of this facility have been completed in the vicinity of the subject site through recent development proposals and road improvement projects. The Largo Woods subdivision includes a segment of this trail along the north side of White House Road. It should also be noted that a long segment of the master plan trail along Ritchie-Marlboro Road was implemented as an eight-foot-wide sidewalk through the road improvement project for the Ritchie Marlboro interchange at the Beltway. This wide sidewalk extends approximately 4,800 linear feet along Ritchie Marlboro Road from Walker Mill Road (inside the Beltway) to just south of the White House Road intersection. This wide sidewalk ends just to the west of the subject property. Staff recommends the continuation of a standard or wide sidewalk along the subject site's frontage of White House Road. The width and location of the sidewalk can be determined at the time of SDP. The feasibility of this connection in relation to the adjacent wetlands can also be evaluated at this time.

The adopted and approved Westphalia sector plan also recommends a master plan trail along Harry S Truman extended. The Westphalia transportation network approved by CR-2-2007 shows the extension of Harry S. Truman Drive being implemented as A-39, or a realigned Ritchie-Marlboro Road. A-39 is a master plan trail/bikeway corridor, and the realigned road will connect Ritchie-Marlboro Road with White House Road (see attached Map 7). The master plan trail has been completed along a portion of Ritchie-Marlboro road at the Beltway, and another segment has been approved for construction through the Marlboro Ridge development. Staff recommends that an eight-foot-wide master plan trail be provided along the subject site's entire portion of the A-39. This trail should be provided concurrently with road construction. The trail should be separated from the curb by a grass planting strip. The location of this trail along either the east or west side of A-39 should be determined by DPW&T. This master plan trail will probably be provided by DPW&T at the time of road construction. The trail was approved along the west side of Ritchie-Marlboro Road in the Marlboro Ridge development.

The Historic Preservation and Public Facilities Planning Section has identified two historic farm roads on the site. One is parallel to the west side of A-39 and the other is located on the eastern edge of the site within the designated buffer area. These historic roads should be identified on the preliminary plan. To the extent practical, these historic roads should be preserved within the proposed open space, and the feasibility of natural surface trails along these former roads should be evaluated at the time of SDP. These trails could potentially be part of a historic interpretation of the resources on the site. However, existing wetlands may prevent the use of the farm roads in this manner.

Sidewalk Connectivity

Sidewalks and trails exist in many of the communities developed just to the north of the subject site. However, the road cross section used varies from community to community, and sidewalks are fragmented or missing in some areas. Recently completed Harry S. Truman Drive includes a master plan trail (implemented as an eight-foot-wide sidewalk) along its entire eastern side, ending at the road's terminus at Ritchie-Marlboro Road. Subdivisions immediately north of the subject site and Ritchie-Marlboro Road have open section roads with no sidewalks. The community along Pookey Way includes a sidewalk on one side of the residential roads. In light of the existing situation in surrounding communities and the density of the proposed development, staff recommends sidewalks along both sides of all internal roads, unless modified by DPW&T.

Much of the north side of White House Road includes either a standard sidewalk or, in the recently completed subdivisions, an eight-foot-wide master plan trail. This trail has been constructed or is planned along the north side of White House Road immediately opposite the subject site. The south side of the road is mostly open section with a gravel shoulder east of the subject site. In a few locations the road has been widened slightly and the shoulder has been paved.

The recently completed road project for the Ritchie-Marlboro Road interchange with the Capital Beltway and includes an eight-foot-wide sidewalk along the south side of Ritchie-Marlboro Road for the entire length of the project. This sidewalk ends just south of where Ritchie-Marlboro Road intersects with White House Road. The provision of a standard or wide sidewalk should be considered along the subject site's frontage of the south side of White House Road at the time of SDP. This sidewalk would ultimately link to the existing sidewalk recently constructed by DPW&T. However, the ultimate determination regarding the feasibility this sidewalk may be contingent on the ultimate road cross section required by DPW&T and environmental constraints due to the wetlands just south of the road. The sidewalk may have to be narrower depending upon the amount of area available due to the location of the wetlands.

10. **Transportation**—The applicant submitted a traffic study dated April 6, 2007. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the Guidelines for the Analysis of the Traffic Impact of Development Proposals. The study identified the following intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Ritchie Marlboro Road and Sansbury Road	A/931	A/946
Ritchie Marlboro Road and White House Road	A/958	A/677
White House Road @ Woodlawn Blvd-Brown Station Rd.	A/876	B/1063
White House Road @ Harry S Truman Drive. *	F/233.6	F/164.5
I-95 @ Ritchie Marlboro Road SB Ramps-Roundabout	A/6.6	A/8.8
I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout	A/8.2	A/7.5
*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 1,450 or less is deemed acceptable as per the guidelines.		

The traffic study identified 19 background developments that could have an impact on some or all of the intersections being analyzed. The traffic study applied a two percent per year growth factor to the traffic along Ritchie-Marlboro Road based on historical traffic data provided by the Maryland State Highway Administration (SHA). A second analysis was done to evaluate the impact of the background developments on existing infrastructure. The analysis revealed the following results:

BACKGROUND CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Ritchie Marlboro Road and Sansbury Road	E/1,452	D/1,419
Ritchie Marlboro Road and White House Road	D/1,344	A/991
White House Road @ Woodlawn Blvd-Brown Station Rd.	A/964	C/1219
White House Road @ Harry S Truman Drive. *	F/833.8 seconds	F/515.8 seconds
I-95 @ Ritchie Marlboro Road SB Ramps-Roundabout	A/6.5 seconds	A/8.5 seconds
I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout	A/10.5 seconds	F/82.9 seconds
*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 1,450 or less is deemed acceptable as per the guidelines.		

Using the Guidelines for the Analysis of the Traffic Impact of Development Proposals, the study has indicated that the proposed development of 76 residential apartments will be adding 57 (11 in, 46 out) AM peak-hour trips and 69 (45 in, 24 out) PM peak-hour trips at the time of full build-out. A third analysis was done, whereby the impact of the proposed development was evaluated. The results of that analysis are as follows:

TOTAL CONDITIONS		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Ritchie Marlboro Road and Sansbury Road	E/1469	D/1436
Ritchie Marlboro Road and White House Road	D/1362	B/1013
White House Road @ Woodlawn Blvd-Brown Station Rd.	A/965	C/1220
White House Road @ Harry S Truman Drive. *	F/679.7 seconds	F/657.0 seconds
I-95 @ Ritchie Marlboro Road SB Ramps-Roundabout	A/6.8 seconds	A/11.6 seconds
I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout	A/10.6 seconds	F/85.6 seconds
*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 1,450 or less is deemed acceptable as per the guidelines.		

In light of the results which indicated failing levels of service at two of the above intersections (in **bold face**), the traffic study has proposed the following improvements:

Ritchie Marlboro Road & Sansbury Road

- Modify the westbound approach to provide three through lanes

White House Road & Harry S Truman Drive

- Conduct a traffic signal warrant study

Because of the proposed improvements to the Ritchie Marlboro Road and Sansbury Road intersection, the traffic study concluded that the intersection would operate with a LOS/CLV of B/1,083 during the AM peak hour and D/1,436 during the PM peak hour. Regarding the NB Ramps at the I-95 @ Ritchie Marlboro Road roundabout, the traffic study showed a failing delay of 85.6 seconds. It acknowledged, however, that the proposed development would add less than three seconds to the overall operation. It further intimated that much of the increase in delay at said facility is attributed to many background developments, whose build-out timeline exceeds that of the subject application.

Staff Review and Comments:

Upon review of the applicant's traffic study, staff concurs with its findings regarding the adequacy of the intersections within the study area. However, it is worth mentioning that while the traffic study acknowledged that the proposed delay of 85.6 seconds at the NB Ramps at the I-95 @ Ritchie Marlboro Road roundabout has been determined to be failing, the Planning Department's guidelines has never established an official adequacy threshold specifically for roundabouts. Consequently, staff can neither concur nor disagree with the study's finding that the future delay of 85.6 seconds is deemed to be failing. In the past, where the analyses of roundabouts are part of a study area, staff has relied on input from either the Department of Public Works and Transportation (DPW&T) and/or SHA in determining what is acceptable or not for roundabouts.

In addition to transportation staff, the county's DPW&T, as well as SHA, also reviewed the traffic study. In a June 1, 2007, letter to staff (Issayans to Burton) from DPW&T, in addition to its concurrence with the study conclusions, the following are recommended *unless modified by DPW&T:

- Provision of traffic signal warrant study at the intersection of White House Road @ Harry S Truman Drive. If the signal is deemed to be warranted, the cost of the design and installation shall be borne by the applicant.
- Provision of a deceleration and an acceleration lane along White House Road and the site entrance.

Provision of a left-turn bay on westbound White House Road at its intersection with the site access road.

SHA, in a June 5, 2007, letter (Foster to Foster) to staff, also expressed its concurrence with the traffic study conclusions. Additionally, it acknowledged the fact that the NB Ramps at the I-95 @ Ritchie Marlboro Road roundabout would fail due primarily to approved background developments. It further confirmed that the proposed development would add approximately two seconds of delay. SHA did not require any mitigation from the applicant based on the marginal impact of the proposed development on this facility.

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strike through~~ indicate deleted language

Master Plan Comments

The approved Westphalia sector plan (2007) recommends Harry S Truman Drive to be extended (A-39) as an arterial roadway within a 120-foot right-of-way. The subject property abuts White House Road in the vicinity of Harry S Truman Drive and would be impacted by the planned extension of Harry S Truman Drive through the subject property. Staff is therefore recommending a dedication of 120 feet of right-of-way, as identified by staff, to facilitate the future construction of A-39.

Transportation Staff Findings

The application is a preliminary plan of subdivision for a residential development that was analyzed for 76 single-family residential dwelling units. The proposed development will be adding 57 (11 in, 46 out) AM peak-hour trips and 69 (45 in, 24 out) PM peak-hour trips at the time of full build-out. The traffic generated by the proposed preliminary plan would impact the following intersections:

- Ritchie Marlboro Road and Sansbury Road
- Ritchie Marlboro Road and White House Road
- White House Road @ Woodlawn Boulevard-Brown Station Road
- White House Road @ Harry S Truman (unsignalized)
- I-95 @ Ritchie Marlboro Road SB Ramps-Roundabout
- I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout

Growth Policy—Service Level Standards

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

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

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.

All of the intersections with the exception of White House Road *[@] at Harry S Truman (unsignalized) are currently operating adequately; however, the following are projected to operate inadequately under background and total conditions.

- Ritchie Marlboro Road and Sansbury Road
- White House Road @ Harry S Truman (unsignalized)
- I-95 @ Ritchie Marlboro Road NB Ramps-Roundabout

In light of these projected inadequacies, the following improvements have been proffered by the applicant:

Ritchie Marlboro Road and Sansbury Road

- Modify the westbound approach to provide three through lanes

White House Road and Harry S Truman Drive

- Conduct a traffic signal warrant study

No improvements were offered for the additional delay at the I-95 *[@] at Ritchie Marlboro Road NB Ramps-Roundabout; however, SHA—the agency that has jurisdiction over the operation of said facility—did not require any improvements from the applicant for the modest increase in the delay.

Conclusion

Based on the preceding findings, the Planning Board concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with the conditions consistent with those findings.

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

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Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 2	High School Cluster 2
Dwelling Units	73	73	73
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	17.52	4.38	8.76
Actual Enrollment	3,933	67.82	10,542
Completion Enrollment	165	117	234
Cumulative Enrollment	0	0.72	1.44
Total Enrollment	4,115.52	6,904.1	10,786.2
State Rated Capacity	4,140	6,356	10,254
Percent Capacity	99.40	108.62	105.19

Source: Prince George's County Planning Department, M-NCPPC, January 2007

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 finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

12. **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 within the required seven-minute response time for the first due fire station Ritchie, Company 37, using the 7 Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire/EMS 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.

13. **Police Facilities**—The subject property 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 April 2, 2007.

Reporting Cycle	Date	Emergency Calls	Non-emergency
Acceptance Date 04/02/2007	3/06 – 3/07	11 minutes	20 minutes
Cycle 1	4/06-4/07	11 minutes	19 minutes
Cycle 2	5/06-5/07	10 minutes	18 minutes
Cycle 3	6/06-6/07		

The response time standards of 10 minutes for emergency calls and 25 minutes for non-emergency calls were met on June 12, 1007.

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.

14. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision and had no comments to offer.
15. **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 (CSD # 43083-2005-00) has been approved to ensure that development of this site does not result in on-site or downstream flooding. However, this plan is currently being revised to take into account comments from the Environmental Planning Section. Prior to signature approval of this application, the revised stormwater management concept plan must be approved and the approval date noted on the preliminary plan.
16. **Historic**— A Phase I archeological survey was completed on the Kenwood Village Property in February 2007. A draft report, *Phase I Archeological Investigation of the Kenwood Village Property in Prince George’s County, Maryland, Preliminary Plan #4-06159*, was received by the Planning Department and was reviewed by Historic Preservation staff. Three archeological sites were identified, 18R870, 18PR871, and 18PR872. Site 18PR870 is an early- to late-20th-century domestic site. Site 18PR871 is a mid-18th to late-20th-century domestic site, which contained two houses. Site 18PR872 is a small prehistoric site of unknown date at the head of a spring. Two historic access roads lead to sites 18PR870 and 18PR871 off of White House Road. These access roads could possibly be used as recreational trails for the development. A portion of the Chesapeake Beach Railroad bed is also located in the southwestern corner of the property. Staff

concurs with the report's recommendations that no further archeological work is necessary on sites 18PR870 and 18PR872 due to significant disturbance or lack of research potential. Staff believes that since further construction may not be able to avoid site 18PR871, Phase II investigations should be performed to determine the site's extent and the presence of intact features and middens.

*17. **Reconsideration Hearing**—This preliminary plan of subdivision was originally approved by the Planning Board on September 13, 2007 (PGCPB Resolution No. 07-169) and was mailed on October 22, 2007. Michele LaRocca of Myers, Rodbell & Rosenbaum, P.A., on behalf of the applicant, by letter dated May 2, 2013, requested a waiver and reconsideration of Conditions 4, 11, 12, 20, 27, and 28, and the related Findings. On May 30, 2013, the Planning Board granted that request. The hearing on the merits of that request was held on July 11, 2013 where the Planning Board approved a modification of the conditions of approval including associated findings as indicated herein.

*The applicant requested the deletion of Condition 4, 27 and 28 of the original resolution of approval which relate to improvements on the dedicated parkland. At the hearing on July 11, 2013 the Planning Board considered the following:

*According to these conditions, the applicant is required to construct a ten-foot-wide gravel maintenance access road from Ritchie Marlboro Road and grade the southern portion of the parkland in the time frame established by Conditions 27 and 28. In addition, the applicant is required to provide construction drawings, the public recreational facilities agreement, and a performance bond to the Department of Parks and Recreation (DPR). The applicant proposes a payment of a fee-in-lieu of construction of the gravel maintenance access road and grading of the southern portion of the parkland. The applicant and members of the surrounding community were concerned about possible illegal vehicular access to the undeveloped portion of the parkland being located in close proximity to the residential properties and to adjacent farmland. It is anticipated that the improvements in the park, including trailhead facilities, will be constructed at the time of the construction of the master-planned trail on the adjacent park property. The future development of the parkland is anticipated when additional development occurs in the surrounding area, beyond the subject property. After consideration of these concerns, the Planning Board accepts the applicant's proposal of a fee-in-lieu in the amount of \$70,000 in 2013 dollars, with an additional condition for the payment. With the deletion of the conditions regarding specific improvements, the bonding, construction drawings and recreational facilities agreement are no longer necessary. The monetary contribution will be placed in a park development account and used at a later date for the development of the park.

*The Planning Board approves the deletion of Condition 4, 27 and 28 subject to an additional condition which requires the payment of the fee-in-lieu of improvements as requested by the applicant (Condition 32).

*Denotes Amendment

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

*The applicant requested the deletion of Condition 11 of the original resolution of approval which relate to noise mitigation along Harry S Truman Drive. In response to the applicant's request the Planning Board considered the following and did not grant the applicant's request:

*At the time of the original preliminary plan review, the noise impact area was determined to be 144 feet from the centerline of White House Road and 228 feet from the centerline of Harry S Truman Drive based on the Environmental Planning Section noise model, which uses the projected average daily traffic for each right-of-way. This information was found to be acceptable in lieu of a study. Because no lots were to be impacted by noise from White House Road, mitigation was not required. The model did indicate that several lots would be impacted by noise associated with the extension of Harry S Truman Drive. The approved TCPI shows the unmitigated 65 dBA Ldn noise contour generated by the model. Lots 1, 2, 62 thru 65, 71, and 72 were estimated to be impacted as part of the preliminary plan approval.

*The preliminary plan review further established the need to address traffic-related noise with respect to the approved lotting pattern and established the specific design plan (SDP) as the timing mechanism to ensure that any mitigation measures that may be needed would be addressed at that time. The approval was left somewhat open as to how the mitigation would be accomplished. Condition 11 was also written to address the likelihood of a wall being needed to mitigate noise, not the fence that we now know based on the noise study should be adequate to mitigate the adverse noise impacts.

*As part of the SDP application, a noise study was submitted for Harry S Truman Drive, by the applicant. While the title of this study indicates that it is a Phase I noise study, it included a mitigation evaluation as required in what is typically referred to as a Phase II noise study and was accepted with the SDP as meeting Condition 11. The analysis of this reconsideration request brings forward the noise report submitted with the SDP entitled Kenwood Village Phase I Noise Analysis, prepared by Phoenix Noise & Vibration, LLC, and dated January 31, 2013.

*The noise study prepared by the applicants expert not only determined the location of the unmitigated 65 dBA Ldn upper and ground level noise contours based on modeling, it also included a Phase II assessment that provided recommendations for mitigation to reduce noise to an acceptable level. Because the road has not yet been built, the study was based on future modeling that included existing conditions and future site development, and assumptions regarding the road design. Noise modeling is an accepted practice in the field of acoustical analysis, and often used by the Planning Board in projecting impacts of future development.

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*The applicant's noise study showed that the unmitigated 65 dBA Ldn noise contours for Harry S Truman Drive are estimated at approximately 150 feet (ground level) and 190 feet (upper level)

from its centerline, which results in noise impacts to proposed Lots 1, 71, 72, 63, 64, and 65 as shown on the SDP. It should be noted that with the refinement in the location of the unmitigated 65 dBA Ldn provided in the applicant's noise study, the lots estimated to be affected by unmitigated noise were reduced as reflected on the TCPII associated with the SDP.

*Section 24-121(a)(4) of the Subdivision Regulations states: "Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate." Based on the applicant's noise study, adequate protection in the form of a fence would be appropriate. In addition to the requirements of the Subdivision Regulations, the Zoning Map Amendment (A-9803) approved by the County Council contained the following consideration: "The depths of all lots adjacent to Harry S Truman Drive and White House Road shall be adequate to provide visual and sound screening as part of Specific Design Plan approval." While this consideration is specific to lot depth, it demonstrates that mitigation of noise associated with Harry S Truman Drive was considered from the very beginning of this case.

*To mitigate for the rear yards of these lots, the applicant's noise study recommended a nine-foot-tall fence along the rear yard of four lots, or approximately 615 linear feet, of the 940 linear feet of frontage this site has along the east side of Harry S Truman Drive which will be deducted at time of final plat. The report estimated that the proposed fence would mitigate noise in the rear yards to below 60 dBA Ldn. In accordance with the above condition, the fence was shown on the SDP on an HOA parcel. The final building material and fence details should be addressed as part of the SDP in accordance with the materials outlined in the study. The final location and dimensions of the noise fence should also be determined as part of the SDP.

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*As a result of the rezoning of the property (A-9803), a 120-foot right-of-way for the extension of Harry S Truman Drive (Master Plan Road A-39) was required to be dedicated. While the applicant

is not required to build the road, and funding is not readily available for the Department of Public Works and Transportation (DPW&T) to construct the road, there is a reasonable expectation that the road will eventually be built. The future needs of the homeowners should be addressed based on the required dedication. The applicant's request to eliminate the above condition would shift the burden of providing noise mitigation onto the government (DPW&T) to fulfill when the road is built. Providing a fence for noise mitigation purposes, as outlined in the applicant's noise study, would not be an unreasonable economic burden for the applicant and would protect the homeowners. The installation of a fence would serve many purposes in addition to providing noise mitigation.

*The fence, as outlined in the applicant's noise study, would be a design consistent with residential uses and serve the following purposes: provide privacy while still allowing a view of the HOA parcel and the wooded right-of-way; provide the delineation of a rear yard so that homeowners would not have to build a fence themselves; provide a visual buffer when the road is installed; and provide a measure of safety from the road when it is installed.

*While the HOA parcel was originally envisioned to provide common space away from the lots for the installation and maintenance of a wall and is not necessarily needed for the installation and maintenance of a residential type fence, it is recommended that the HOA parcel shown on the SDP remain to allow the greatest flexibility in fence location and to provide space to fulfill the screening requirements of the 2010 *Prince George's County Landscape Manual*.

*In regards to their request, the applicant is specifying that noise mitigation measures should only be required for roads that are in existence or fully funded for construction at the time of SDP approval. Again, Section 24-121(a)(4) of the Subdivision Regulations, states the following:

***(4) Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.**

*Section 24-121(a)(3) of the Subdivision Regulations also states that:

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***(3) As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan.**

*Therefore, the applicant's argument is contradicted by the code requirement which specifically defines lot depths and noise issues should apply to "existing and planned" arterial roadways, regardless of the roads funding status. The roadway in question is the master planned Harry S Truman Drive, which is listed as an arterial roadway in the 2009 Countywide Master Plan of Transportation (MPOT). Dedication of right-of-way for this road through the subject property was required by the District Council at time of the approval of A-9802/9803 (Condition 2) in 1992. The issue of noise impacts from Harry S Truman Drive was also brought up with A-9802/9803, as memorialized in Consideration 3 of that approval as follows:

***Consideration 3**

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

*The Planning Board, through Condition 11 (renumbered as Condition 10) attached to the approval of Preliminary Plan of Subdivision 4-06159, furthered this consideration, by requiring a Phase II Noise Study be submitted with the SDP and proposed noise mitigation measures be shown on the SDP to address all traffic-related noise. Furthermore, at the time of SDP review, the applicant did submit a noise study indicating that the noise impacts could be mitigated with a nine-foot-high fence, along the rear of four lots which has a less onerous economic impact, compared to other possible mitigation measures, and could serve as a benefit to potential homeowners to have their rear yards already partially fenced. Therefore, it is not justified to modify the PPS condition as the applicant requests. However, due to the results of the Phase II Noise Study, it is appropriate to delete the following sentence from Condition 11 (renumbered as Condition 10) in order to leave the utmost flexibility in the design of the noise mitigation measures at the time of SDP review:

*"If a noise wall is proposed, it must be placed on an HOA parcel and show a minimum of 10 feet of unencumbered area on each side of the wall for future access and maintenance."

*While a large, permanent noise wall would be most appropriately placed on a separate HOA parcel in order to provide sufficient access space for maintenance, it is not necessary for a fence, which usually does not require large equipment to maintain or repair.

*The Planning Board retained Condition 11 (renumbered as Condition 10) with modifications to allow greater flexibility at the time of SDP, and retained Condition 12 (renumbered as Condition 11) which related to interior noise mitigation.

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*The applicant's noise study showed that even with the installation of the recommended fence, the upper levels of the future homes on several proposed lots would be impacted by interior noise levels above the 45 dBA Ldn standard. The noise study further stated that a building shell analysis of the proposed building materials would be needed in order to accurately determine if the structures themselves would mitigate interior noise. At the time of the study, that information

was not available to the noise consultant. Prior to the issuance of the building permits, a noise certification should be provided with the architectural plans to ensure that the materials are sufficient to mitigate interior noise levels to below 45 dBA Ldn.

*The Planning Board retained Condition 12 (renumbered as Condition 11).

*The applicant requested the modification of Condition 20 of the original resolution of approval which relate to road improvements which are under the jurisdiction of the Department of Public Works and Transportation. At the hearing on July 11, 2013 the Planning Board considered the following:

*The Transportation Planning Section reviewed the applicants request and found that none of the improvements listed in Condition 20 are needed to provide extra capacity, but rather, are needed for safety reasons and are under the jurisdiction of the Department of Public Works and Transportation (DPW&T). Consequently, DPW&T can require the applicant provide or not provide frontage improvements under Subtitle 23, Road Code.

*The Planning Board approved a modification of Condition 19, as requested by the applicant.

***TCPI Revision**

*The Environmental Planning Section reviewed the applicant's request to delete conditions related to improvements to the dedicated parkland which does impact the TCP. The Type I Tree Conservation Plan TCPI-017-04-01 currently shows the following note on Parcel B that is to be dedicated to the Department of Parks and Recreation (DPR). The note reads: "Area of Parkland to be graded by applicant per "Exhibit 'A', CDP-0303, D.P.R. 2.16.05 H.asan" – 3.9 +/- Acres." Because the applicant's request was granted to delete Condition 28, the note on the TCPI will be deleted and the TCPI will need to be certified as the '-02' revision (TCPI-017-04-02).

*The Planning Board approved an additional condition (Condition 32) to require the necessary modification to the TCPI, and approved an 02 revision to the TCP to reflect the conditioned revision.

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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 date of notice of 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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, September 13, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of October 2007.

*This is to certify that the foregoing, indicated in underline and deletion, is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission relating in part to parks, transportation and noise on the motion of Commissioner Washington, seconded by Commissioner Shoaff, with Commissioners Washington, Shoaff, Geraldo, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, July 11, 2013, in Upper Marlboro, Maryland.

*Adopted by the Prince George's County Planning Board this 25th day of July 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:WC:arj

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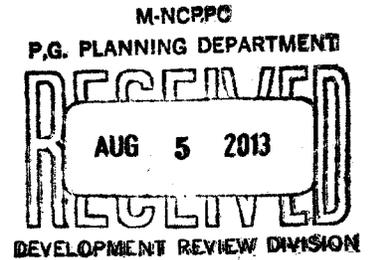
Jill Kosall

THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of the Clerk of the Council
(301) 952-3600

August 5, 2013

RE: SDP-0805 Kenwood Village
The White House Road Limited Partnership, Applicant



NOTICE OF FINAL DECISION OF THE DISTRICT COUNCIL

Pursuant to the provisions of Section 27-134 of the Zoning Ordinance of Prince George's County, Maryland requiring notice of decision of the District Council, you will find enclosed herewith a copy of the Council Order setting forth the action taken by the District Council in this case on July 24, 2013.

CERTIFICATE OF SERVICE

This is to certify that on August 5, 2013, this notice and attached Council Order was mailed, postage prepaid, to all persons of record.

Redis C. Floyd
Clerk of the Council

Case No.: SDP-0805 Kenwood Village

Applicant: The White House Road
Limited Partnership

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. 13-31, approving with conditions a specific design plan to develop 72 single-family detached residential lots on a vacant, wooded parcel of land, located on the south side of White House Road, directly south of its intersection with Harry S. Truman Drive, approximately 1,410 feet east of its intersection with Ritchie Marlboro Road, in Planning Area 78, Council District 6 in the Developing Tier is:

AFFIRMED, as the basis for this action, the District Council adopts the findings and conclusions stated by the Planning Board in its Resolution, PGCPB No. 13-31, as its findings and conclusions in this case.

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

1. Prior to certification of the specific design plan (SDP), the applicant shall:
 - a. Revise the SDP as follows:
 - (1) Add a note that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed crossing.
 - (2) Clearly show the centerlines for Harry S. Truman Drive and White House Road.
 - (3) Show the proposed outfalls for Ponds 1 and 2.

- b. Revise the architecture to show a minimum of two standard architectural features, such as windows, doors, or fireplace chimneys, arranged in a reasonably balanced design on all side elevations and a minimum of four such features on all highly-visible side elevations, which shall include Lots 9, 10, 26, 27, 39, 51, 52, 54, 67, and 68. This should be noted on the SDP and architecture.
- c. Revise the plans to indicate that brick or other masonry (depending on the primary finish material of the front façade) will be wrapped onto the sides of all front façade projections that are finished with brick or masonry.
- d. Revise the plans to indicate that all chimneys will be clad with brick, stone or stucco.
- e. Revise the Type II tree conservation plan as follows:
 - (1) Show new tree conservation boundaries as shown on DPR Exhibit A.
 - (2) Add a detail of the proposed black, vinyl-clad, chain-link fence.
 - (3) Show the proposed outfalls for Ponds 1 and 2.
 - (4) Revise all acreages in the worksheet to be consistent with the acreages on the approved natural resources inventory and Type I tree conservation plan, or provide a detailed explanation for the change in acreages for gross tract, existing woodland, and woodland within the floodplain. Revise the summary charts as necessary.
 - (5) Show Specimen Trees 48 and 49 as to be removed.
 - (6) Provide a sheet number for the match line on Sheet 3 where the limit of disturbance continues off-site.
 - (7) Revise the worksheet to remove the 2.91 acres of fee-in-lieu and show it to be met with off-site woodland conservation.
 - (8) Remove the proposed tree line from the plan and legend and only show the existing tree line.

- (9) Have the revised plan signed and dated by the qualified professional who prepared the plan.
 - f. Submit a summary of the acreages of the proposed primary management area impacts as shown on the Type II tree conservation plan and SDP.
2. A minimum of 70 percent of the approved dwelling units shall have full brick or stone front facades. A tracking chart shall be provided on the coversheet of the specific design plan to account for the masonry facades at the time of building permit.
 3. No two identical facades may be located next to or across from one another.
 4. At the time of building permit submittal, the permit plans shall label all building setbacks (front, side, and rear yards) on each lot, label garages as single or double-car garages, and list the actual percentage of lot coverage on each lot.
 5. Prior to issuance of building permits, the applicant/developer, his heirs, successors, and/ or assignees shall construct or bond to construct a half section of White House Road, including a standard sidewalk, for the entire segment of this roadway through the subject parcel, unless modified by the Department of Public Works and Transportation (DPW&T).
 6. Prior to any ground disturbance or approval of any grading permits, the applicant shall:
 - a. Provide a plan, subject to review and approval by the M-NCPPC staff archeologist, for interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations).
 - b. If Site 18PR871 is found to be eligible for inclusion in the National Register of Historic Places, the site shall be preserved in place or, if this is not feasible, Phase III mitigation should be performed on site. The applicant shall provide a final report detailing the Phase II and/or Phase III investigations to the M-NCPPC staff archeologist.
 7. Prior to the issuance of the 47th building permit, the applicant shall install the required interpretive measures for Site 18PR871 and will ensure that all archeological artifacts 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 Historic Preservation staff.

8. Provide standard sidewalks along both sides of all internal roads, unless modified by the Department of Public Works and Transportation (DPW&T).
9. Regarding the private on-site recreational facilities:
 - a. Prior to approval of final plats, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed Recreational Facilities Agreements (RFA) to The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department, Development Review Division (DRD), for construction of the private recreational facilities on-site. Upon approval by the DRD Division, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
 - b. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee in an amount to be determined by the DRD Division, for construction of the private on-site recreational facilities.
 - c. The private on-site recreational facilities shall be constructed prior to issuance of the 43rd building permit.
10. Prior to issuance of the 34th building permit, the applicant, their heirs, successors and/or assigns shall make a payment to the M-NCPPC Department of Parks and Recreation in the amount of \$70,000 in 2013 dollars in lieu of the grading of the southern portion of the dedicated parkland, construction of a 10-foot-wide gravel maintenance access road from Ritchie Marlboro Road and preparation of the detailed construction drawings for the improvements on dedicated parkland. At the time of payment, this amount shall be adjusted for inflation using the Consumer Price Index (CPI). The monetary contribution shall be placed into a park account designated for this park.
11. No noise wall shall be required along Harry S. Truman extended. All references to a noise wall shall be eliminated from the SDP plans.

Ordered this 24th day of July, 2013, by the following vote:

In Favor: Council Members Campos, Davis, Franklin, Harrison, Lehman, Olson, Patterson, and Turner.

Opposed:

Abstained:

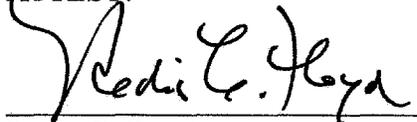
Absent: Council Member Toles.

Vote: 8-0

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: 
Andrea C. Harrison, Chair

ATTEST:



Redis C. Floyd
Clerk of the Council

RESOLUTION

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on March 28, 2013, regarding Specific Design Plan SDP-0805 for Kenwood Village, the Planning Board finds:

1. **Request:** The subject application proposes to develop 72 single-family detached residential lots on a vacant, wooded parcel of land.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-S	R-S
Uses	Vacant	Single-family detached
Acreage (in the subject SDP)	63.07	63.07
Parcels	2	3
Lots	0	72

OTHER DEVELOPMENT DATA

PARKING	REQUIRED	APPROVED
72 single-family detached units 2-car garage and 1 space/driveway each	144	216

The plan proposes four house types as follows:

Model	Base Finished Living Area
Augustine Homes—James	3,650 square feet
Augustine Homes—Potomac	4,446 square feet
Augustine Homes—Rappahannock	3,147 square feet
Augustine Homes—Windsor	2,002 square feet

3. **Location:** The subject site is located on the south side of White House Road, directly south of its intersection with Harry S Truman Drive, approximately 1,410 feet east of its intersection with Ritchie Marlboro Road, in Planning Area 78, Council District 6 in the Developing Tier.

4. **Surrounding Uses:** The subject property is bounded to the north by the public right-of-way of White House Road, with single-family residences in the R-80 (One-Family Detached Residential) Zone beyond; to the east by an R-E-zoned (Residential-Estate) property used for agriculture; to the south by R-A-zoned (Residential-Agricultural) properties used for agriculture; and to the west by a single-family detached house in the R-E Zone.
5. **Previous Approvals:** The overall site was rezoned by the District Council in November 1992 from the R-E Zone to the R-S Zone (Residential Suburban Development) through Zoning Map Amendments A-9802-C and A-9803-C (Zoning Ordinance Nos. 50-1992 and 51-1992, respectively) for 92 to 126 dwelling units, subject to 14 conditions and 4 considerations. A Comprehensive Design Plan, CDP-0303, was approved by the Planning Board on March 3, 2005. Subsequently, on October 17, 2005, Comprehensive Design Plan CDP-0303 was approved by the District Council subject to 37 conditions and 2 considerations. The relevant Preliminary Plan of Subdivision, 4-06159, was approved by the Planning Board on September 13, 2007 subject to 33 conditions.
6. **Design Features:** The subject property is a long linear rectangle running along the south side of White House Road, south of its intersection with the constructed portion of Harry S Truman Drive. Environmental features, including wetlands and floodplain, cover the majority of the north side of the property and the 120-foot-wide, master-planned right-of-way for Harry S Truman Drive, as shown on the approved preliminary plan, divides the site into an eastern and western developable area. The western portion, approximately 19.1 acres, is to be dedicated to The Maryland-National Capital Park and Planning Commission (M-NCPPC), leaving only the southeastern part of the site for the development of 72 single-family residential lots. A single, proposed, public right-of-way at the eastern end of the site crosses the environmental features and provides access to the residential development from White House Road; no access is proposed to the Harry S Truman right-of-way for the residential lots. Multiple culs-de-sac allow full use of the developable area of the site for the lots and two above-ground stormwater management ponds. The proposed lot sizes range from 6,000 square feet to over 24,000 square feet. All of the proposed streets will be public and, therefore, landscaped and lit in conformance with Prince George's County Department of Public Works and Transportation (DPW&T) standards. At the only entrance to the development, off of White House Road, two stone-veneered columns with bronze name plaques will serve as the entrance signage. Proposed recreational features include the dedication of parkland at the west end of the site, as well as a central facility within the residential development area, which includes a tot lot, pre-teen play area, and picnic area.

The subject SDP includes four house types to be constructed by Augustine Homes: the James, Potomac, Rappahannock, and Windsor models, which range in base finished size from 2,002 square feet to 4,446 square feet. All of the models have gabled, shingled roofs with multiple front elevation features, including various stoop or porch configurations, paneled shutters, enhanced door and window trim, optional dormer and bay windows, cross gable roof elements, and optional brick or stone water tables or full brick or stone finishes. Proposed side and rear elevations are generally finished in siding with options for bay windows, doors, and

fireplaces. Conditions have been included in this approval regarding the finishing of the front façades and the number of features on side elevations to ensure the final permitted houses create a well-designed, quality development.

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-S Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-511, Purposes; Section 27-512, Uses; Section 27-513, Regulations; and Section 27-514, Minimum Size Exceptions, governing development in the R-S Zone. The proposed residential lots are a permitted use in the R-S Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-528 of the Zoning Ordinance regarding required findings that must be made by the Planning Board for specific design plans. See Finding 14 for a detailed discussion of that conformance.
8. **Zoning Map Amendments A-9802-C and A-9803-C:** On November 9, 1992, the District Council approved Zoning Map Amendments A-9802-C and A-9803-C, subject to the same 14 conditions and 4 considerations. Of the conditions and considerations attached to the approvals, the following are applicable to the review of this SDP:

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

The submitted SDP does not propose any direct access to any residential lots from White House Road or Harry S Truman Drive.

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

The submitted SDP proposes dedication of the 120-foot right-of-way for Harry S Truman Drive.

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

The submitted SDP proposes the required 60-foot dedication from the proposed centerline. DPW&T indicated that the required frontage improvements along White House are still being

finalized. Therefore, this condition is being carried forward in this approval to ensure resolution of this issue prior to issuance of building permits.

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

No internal trails are proposed with the subject SDP. Further evaluation of pedestrian connectivity on-site by the trails coordinator can be found in Finding 14 below.

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

At this time, the Chesapeake Beach trail corridor has not been damaged, filled with debris, or become a storage area for supplies or equipment.

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

The applicant confirmed that there has been no grading or cutting of trees on the site to date.

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

The submitted SDP conforms to this condition regarding minimum lot sizes.

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

The submitted SDP proposes the required 50-foot undisturbed buffers along the eastern and southern boundaries extending to the east side of Harry S Truman Drive. A six-foot-high, vinyl-clad, chain-link fence has been provided along a portion of this buffer, and a six-foot-high, vinyl, tongue and groove privacy fence has been provided along the remainder of the length, behind the residential lots.

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

A Type I tree conservation plan (TCPI) was approved previously in accordance with this condition.

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

The Patuxent River Policy Plan is a 1997 watershed management plan aimed at protecting streams and their associated buffers through the establishment and protection of a primary management area (PMA) along all regulated streams. The delineation of this area has been implemented through previous approvals and current plans for the subject site.

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

An approved Stormwater Management Concept Plan and Letter (43083-2005-02) was stamped as received November 29, 2012. The limits of the 100-year floodplain have been correctly reflected on the plan and all proposed lots are shown to be a minimum of 50 feet from the limits of the 100-year floodplain.

The stormwater management concept plan shows retention and extended detention requirements met with three ponds and credits for the use of grass channels. The stormwater management design shown on the Type II tree conservation plan (TCPII) is slightly different than what is shown on the approved concept plan because only two ponds are shown; however, additional water quality swales have been shown to meet the requirements.

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

This condition was met prior to approval of the preliminary plan as required. The current application includes an approved Stormwater Management Concept Plan and Letter (43083-2005-02).

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

required to provide adequate screening, to be approved by the Urban Design Section.

This condition was adequately addressed at the time of preliminary plan. The current application continues to show the PMA, which accounts for the stream buffers, 100-year floodplain, wetlands, steep slopes, and soils with erodibility factors of 0.35 and greater. Two stream crossing impacts were approved with the preliminary plan and have been shown in general conformance on the current plans. One minor additional impact has been shown for the conveyance of stormwater and is considered to be in general conformance with the preliminary plan approval.

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

A geotechnical report was submitted with the preliminary plan and addresses the above condition. The study details the results of 16 soil borings tested on the site. Each boring was drilled to a 25-foot depth. Groundwater was encountered between 20 and 25 feet below the surface for only three samples.

At the time of permitting, the appropriate agencies including, but not limited to, the Washington Suburban Sanitary Commission (WSSC), DPW&T, and the Prince George's County Department of Environmental Resources (DER), may require information in addition to the submitted report to ensure the site is adequate for the installation of necessary infrastructure prior to development of the site.

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

The submitted SDP proposes to preserve the undisturbed buffer along both sides of the stream adjacent to White House Road. The closest proposed residential lot is at least 130 feet from the proposed right-of-way line, which will provide sufficient protection of the character and visual image of White House Road.

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

The submitted SDP meets other previous conditions of approval regarding required lot sizes, 6,000 to 10,000 square feet, and undisturbed wooded buffers along the northern, southern, and eastern boundaries. These techniques will maintain compatibility with the surrounding neighborhood.

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

The submitted SDP provides a large setback, over 100 feet of undisturbed wooded area, between residential lot lines and the proposed right-of-way of White House Road, which will provide adequate visual and sound screening. Along the future Harry S Truman Drive, where there is only an approximate 17-foot setback between the proposed right-of-way and residential lot lines, a nine-foot-high noise wall will be provided along with plantings per the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). This will be adequate to provide visual and sound screening for these lots.

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

All dwellings front onto primary streets with the rears oriented toward the interior of the envelopes. The Landscape Manual requirements are met for the dwellings whose rears face Harry S Truman Drive, and existing trees are preserved in other areas as buffers, which is discussed further in Finding 11 below.

9. **Comprehensive Design Plan CDP-0303:** Comprehensive Design Plan CDP-0303 was approved by the Planning Board on March 3, 2005. Subsequently, on October 17, 2005, Comprehensive Design Plan CDP-0303 was approved by the District Council subject to 37 conditions and 2 considerations. The following conditions and considerations of the CDP approval are applicable to the subject SDP and warrant discussion:

1. **Before approval of a specific design plan for the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T, for a possible signal at the intersection of White House Road and Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic, as well as existing traffic, at the direction of DPW&T. If a signal is deemed warranted by DPW&T, then the applicant shall bond the signal before release of building permits for the subject property, and shall install it when directed by DPW&T.**

A revised traffic signal warrant study was submitted to DPW&T and they found that no signal was warranted.

- 3. If any portion of the 50-foot buffer required by condition 13 in the approvals of A-9802 or A-9803 will be used for woodland conservation, then larger caliper trees and permanent protection shall be provided, for the reforestation. The buffer area shall be placed in a permanent conservation easement.**

The current plans shows woodland preservation in the required 50-foot nondisturbance buffers. No reforestation is proposed or required within the 50-foot buffer based on the proposed design.

- 8. All subsequent plan submittals for this property, including the preliminary plan of subdivision and the specific design plans, shall further minimize the extent and number of anticipated PMA impacts as each phase of the development process involves more detailed information. Impacts solely associated with the creation of lots, are not allowed.**

Impacts to the PMA are reviewed in detail in the environmental review in Finding 14 below.

- 12. The preliminary plan of subdivision application shall include a Phase I noise study addressing potential adverse noise impacts from existing and widened White House Road (A-36) along the northern property boundary.**

At the time of preliminary plan, the noise impact area was determined to be 144 feet from the centerline of White House Road and 228 feet from the centerline of Harry S Truman Drive. This information was found to be acceptable in lieu of the study. Because no lots will be impacted by noise from White House Road, mitigation is not required. The model did show that at least four lots would be impacted by noise associated with Harry S Truman Drive.

For the review of this SDP, a Phase I noise study has been submitted for Harry S Truman Drive. The study not only determines the location of the unmitigated 65 dBA Ldn, it also includes a Phase II assessment that provides recommendations for mitigation that will reduce the noise to an acceptable level. Because this road has not yet been built, the study was based on future modeling that included existing conditions and future site development. The study showed that the unmitigated noise contours at 65 dBA Ldn for Harry S Truman Drive are at approximately 150 feet (ground level) and 190 feet (upper level) from its centerline, which still results in noise impacts to proposed Lots 1, 72, 63, and 64.

To mitigate for the rear yards of these lots, the study recommends a nine-foot-high fence along the rears of the yards. The proposed fence will mitigate noise in the rear yards to below 60 dBA Ldn. The TCPII and SDP show a symbol for a fence on the plan and in the legends. It also appears that the fence is on a homeowners association (HOA) parcel.

With regard to the upper levels, the study showed that the upper levels of the future homes on the proposed lots will still be impacted by high interior noise levels, and stated that a building shell analysis of the proposed building materials will be needed in order to accurately determine if the structures themselves would mitigate interior noise. At the time of this study, that information was not available to the noise consultant. Prior to issuance of building permits, the noise consultant should be provided with the architectural plans to determine if the materials are sufficient to mitigate interior noise levels to below 45 dBA Ldn.

- 13. The applicant shall convey to the M-NCPPC 14.1 acres of open space, as designated on Exhibit A. The land to be conveyed shall be subject to the conditions in Exhibit C.**

The submitted SDP proposes to convey 19.1 acres of open space to M-NCPPC.

- 14. The applicant shall dedicate 5,003 square feet off-site, as shown on Exhibit B. Before final plat, the applicant shall file for review and approval by Parks and Recreation a deed and metes and bounds description of the dedicated land. The land to be conveyed shall be subject to the conditions in Exhibit C.**

The submitted SDP proposes to convey an off-site area of 5,119 square feet to M-NCPPC, as was shown on Exhibit B.

- 15. The applicant shall construct an eight-foot-wide asphalt trail connector from the end of Street A, to and around the stormwater management pond to be built on dedicated parkland.**

The stormwater management pond on dedicated parkland mentioned is no longer required or proposed. The Department of Parks and Recreation (DPR) reviewed the SDP plans and finds that construction of a trail connector from the subject subdivision to the dedicated parkland is no longer feasible because of the major master-planned road (120-foot-wide Harry S Truman Drive) that now separates the subdivision from the park. DPR staff believes that pedestrian access to the park from the subject property will be accommodated in the future via the master-planned Chesapeake Beach Railroad Trail. At the time of design and construction of the master-planned Harry S Truman Drive extension, a safe at-grade or under-road trail crossing should be provided for the master-planned Chesapeake Beach Railroad Trail. The applicant has provided a future trail connection to the master-planned trail on HOA open space in the southern portion of the subdivision.

- 16. The applicant shall grade the portion of the parkland for the open play field, as shown on DPR Exhibit A.**

The applicant has agreed to grade a portion of the parkland. This issue is discussed further in Finding 10 below.

- 17. The applicant shall construct a stormwater management pond on dedicated parkland, in accordance with applicable standards in the Parks and Recreation Facilities Guidelines. The pond shall be designed as a recreational amenity. For public safety and aesthetic reasons, the slope around the pond shall be gentle, generally 5:1 or less, the pedestrian trail system shall have seating areas, and the area around the pond shall have attractive landscaping.**

A stormwater management pond is no longer necessary on the dedicated parkland; therefore, this condition is no longer applicable.

- 18. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.**

No trails are proposed on the submitted SDP.

- 19. Before submission of a specific design plan (SDP), the applicant shall submit for review and approval by DPR a conceptual site plan for the improvements to be constructed on dedicated parkland.**

The applicant has submitted the conceptual site plan for the improvements to be constructed on dedicated parkland. DPR staff reviewed and approved this concept plan.

- 20. Construction drawings for the park improvements shall be approved by DPR staff and not be unreasonably withheld, prior to signature approval of the SDP.**

This condition remains in effect.

- 21. Before issuance of building permits for 50 percent of the lots, the applicant shall complete all improvements on dedicated parkland.**

The timing mentioned in this condition was modified in the subsequent preliminary plan approval, which is discussed further in Finding 10 below.

- 22. Before submission of a final plat of subdivision, the applicant shall enter into a Recreational Facilities Agreement (RFA), for construction of the trail and pond improvements and grading for open play fields on park property. The applicant shall submit three original executed RFAs to the Department of Parks and Recreation (DPR) for their approval three weeks prior to the submission of the final plat. Upon approval by DPR, the RFA shall be recorded among the land records of Prince George's County.**

Trail and pond improvements are no longer proposed on park property. The timing mentioned in this condition was reiterated in the subsequent preliminary plan approval, which is discussed further in Finding 10 below.

- 23. The applicant shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of the park improvements in an amount to be determined by DPR, at least two weeks before applying for a grading permit.**

The timing mentioned in this condition was modified in the subsequent preliminary plan approval, which is discussed further in Finding 10 below.

- 24. Before conveyance of 14.1 acres to M-NCPPC, including a stormwater management pond, the applicant shall enter into joint multiuse stormwater management system maintenance agreements among the applicant, the County Department of Environmental Resources, and the Department of Parks and Recreation, for construction, operation, and maintenance of the stormwater management facility.**

The submitted SDP no longer proposes stormwater management on the dedicated parkland; therefore, this condition is no longer applicable.

- 27. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.**

The submitted SDP proposes an eight-foot-wide trail connection from the subject site to the southern property line for eventual connection to the proposed off-site master plan trail as required by this condition.

- 28. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.**

Standard sidewalks are shown on the SDP along both sides of all internal roads.

- 29. The 50-foot buffers along the east and south boundaries shall be labeled as nondisturbance buffers, and a six-foot-high black vinyl clad chain link fence shall be indicated on the plans.**

The submitted SDP proposes the required 50-foot undisturbed buffers along the eastern and southern boundaries. A six-foot-high, vinyl-clad, chain-link fence has been provided along a portion of this buffer, and a six-foot-high, vinyl, tongue and groove privacy fence has been provided along the remainder of the length, behind the residential lots.

- 30. Before approval of a preliminary plan of subdivision and specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.**

No internal trails are proposed with the subject SDP. Further evaluation of pedestrian connectivity on-site by the trails coordinator can be found in Finding 14 below.

- 31. The required side yard setback in Development Envelopes A through D shall be six feet, and the required side yard setback in Development Envelope E shall be eight feet.**

The submitted SDP conforms to this condition regarding side yard setbacks.

- 33. Before approval of a specific design plan for the project, the following design issue shall be analyzed and provided for, to the extent feasible:**

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

The submitted SDP meets other applicable conditions of approval regarding providing undisturbed wooded buffers along the northern, southern, and eastern boundaries. These techniques will maintain compatibility with the surrounding neighborhood without the need for berming and augmenting screen plantings.

- 34. Before approval of a specific design plan, the applicant shall add a note to the plans that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed (and approved) crossing.**

The required note is not on the submitted SDP and should be added prior to certification; therefore, this is included as a condition in this approval.

- 35. The public vehicular access to the future master-planned neighborhood park shall be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village shall be limited to pedestrian access only.**

Vehicular access to the park will be provided from Ritchie Marlboro Road or from the future Harry S Truman Drive. The pedestrian access to the park from the subject subdivision will be provided via the master-planned Chesapeake Beach Railroad Trail system.

- 36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.**

DPR acknowledges that trailhead facilities for the Chesapeake Beach Railroad Trail will not be provided at this location until the master-planned trail is under construction on adjacent property.

Consideration 1 **At the time of specific design plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the request of property owners to the south for additional berming and screening.**

The submitted SDP proposes a 50-foot-wide undisturbed buffer with a six-foot-high, vinyl-clad, chain-link fence and a six-foot-high, vinyl, tongue and groove privacy fence behind the residential lots along the southern boundary. One of the property owners to the south concurred with the proposed bufferyard design.

Consideration 2 **At the time of specific design plan review, recreation facilities for the subdivision shall be reevaluated and redesigned, so that recreation facilities are located near all lots. The facilities must include more than one centralized recreational facility. Existing or planned neighborhood park facilities adjacent to the subject site, and the trail head connection in its vicinity, shall not relieve the applicant of the responsibility to provide adequate recreation facilities proximate to all lots in the proposed subdivision.**

The CDP was approved for 84 residential lots and only 14.1 acres of parkland dedication, whereas the subject SDP proposes only 72 residential lots and 19.1 acres of parkland dedication. Therefore, the Planning Board found that one larger centralized on-site recreational facility is sufficient for the subdivision.

10. **Preliminary Plan of Subdivision 4-06159:** The relevant Preliminary Plan of Subdivision, 4-06159, was approved by the Planning Board on September 13, 2007 subject to 33 conditions. The validity period for the preliminary plan was extended to December 31, 2013 pursuant to County Council Bill CB-8-2011. A final plat for the subject property must be accepted by M-NCPPC before the preliminary plan expires or a new preliminary plan is required. The following conditions of the preliminary plan approval are applicable to the subject SDP and warrant discussion as follows:

1. Prior to Planning Board approval of any specific design plan, the applicant shall submit a Phase II work plan for site 18PR871 to the Historic Preservation and Public Facilities Planning Section for review and approval. This work plan shall allow for additional archival research to determine the occupants of sites 18PR870 and 18PR871, and provide for public interpretation of the sites identified on the property, including the Chesapeake Beach Railroad bed, 18PR605. If site 18PR871

is found to be eligible for inclusion in the National Register of Historic Places, the site shall be preserved in place or, if this is not feasible, Phase III mitigation should be performed on the site. The applicant shall provide a final report detailing the Phase II and/or Phase III investigations and ensure that all artifacts are curated in a proper manner, prior to approval of any grading permits.

A Phase II work plan was submitted, reviewed, and approved by Historic Preservation (M-NCPPC) staff and the Maryland Historical Trust in February 2012. This issue is discussed further in the archeological review in Finding 14 below.

- 3. In consideration with the specific design plan, a Type II tree conservation plan shall be approved.**

A Type II tree conservation plan (TCPII) was submitted with the subject SDP and is approved with conditions.

- 4. The applicant shall comply with the following concerning their parkland dedication:**

- a. The applicant shall construct a combination of on-site and parkland recreational facilities to be determined at the time of SDP.**

The submitted SDP proposes a combination of on-site recreational facilities and parkland dedication.

- b. The recreational facilities shall be constructed in accordance with the applicable standards in the Parks and Recreation Facilities Guidelines.**

This condition will be enforced at the time of construction; however, the provided details and notes for the recreational facilities appear to be in accordance with the standards.

- c. Detailed construction drawings for recreational facilities on park property including grading plans, sections, equipment, and landscaping schedules shall be submitted to DPR for review and approval prior to submission of any application for building permits in Kenwood Village.**

This condition will be enforced prior to submission of building permits.

- 6. At the time of specific design plan, a detail of the black-vinyl-clad, chain-link fence shall be included on all plans, including the TCPII.**

It should be noted that this fence is the required fencing along the southern and eastern boundaries, and not the noise fence. The TCPII as submitted does not provide a detail of the black, vinyl-clad, chain-link fence and this will need to be added prior to certification.

- 11. Prior to acceptance of the specific design plan application, it shall be inspected to ensure that it includes a Phase II noise study that states the proposed noise mitigation measures and to ensure that these measures are shown on the SDP. The Phase II noise study shall address all traffic-related noise and the location of the mitigation 65 dBA Ldn ground level and upper level contours. If a noise wall is proposed, it must be placed on an HOA parcel and show a minimum of 10 feet of unencumbered area on each side of the wall for future access and maintenance. All rear outdoor activity areas shall be mitigated to 65 dBA Ldn or less and all interior residential areas shall be mitigated to 45 dBA Ldn or less.**

A Phase II noise analysis was included in the Phase I noise study dated January 31, 2013. The analysis recommended a solid fence along the rears of the affected lots (Lots 1, 72, 63, and 64). Further analysis of the building materials will be needed at the time of permit to determine if the building materials used will mitigate for interior noise impacts. The proposed noise fence is shown on a homeowners association (HOA) parcel with a minimum of 10 feet unencumbered on each side of the wall for access and maintenance.

- 15. Approval of impacts 1 through 9 to the PMA with the following requirements:**

- a. Impacts 6-8 shall be revised to reduce the impacts to the fullest extent possible by minimizing the excessive grading shown on the exhibits.**

Impacts 6–8 are associated with the entrance road from White House Road. At the time of preliminary plan review for signature approval, a revised letter of justification with revised exhibits for Impacts 6–8 was submitted. The letter and exhibits indicated that Impact 6 was reduced from 0.57 acre to 0.03 acre; Impact 7 was reduced from 1.39 acres to 1.12 acres; and Impact 8 stayed the same at 0.24 acre.

The revised exhibit was reviewed with the submitted SDP and TCPII. The reductions for Impacts 6 and 7 are in general conformance with the revised exhibits which significantly reduced the excessive grading for the road entrance. Impact 8 shows additional grading adjacent to its original limits. In a discussion with the applicant's engineer on March 12, 2013, it was explained that the additional grading was required by current sediment and erosion control guidelines.

- b. At the time of Specific Design Plan Impact 9 shall be further evaluated to reduce or eliminate the excessive clearing and grading impacts shall be reduced by eliminating the impact for the access road and the side grading impacts for the road crossing of "Street A."**

The revised statement showed that Impact 9, for an interior road crossing, was increased from 0.59 acre to 0.67 acre. It did not include an explanation as to why the impact increased. A review of the exhibit with the TCPII and SDP shows a similar area of impact, as well as additional grading for Stormwater Pond 2.

In a discussion with the applicant's engineer on March 12, 2013, it was explained that the additional grading was required by current sediment and erosion control guidelines.

- c. Lots 30-32, 60 and 61 shall be revised to exclude the PMA. No residential lots shall contain any portion of the PMA.**

This condition has been addressed. No portions of the PMA are within Lots 30-32.

It appears that the net decrease in impacts as shown on the TCPII and SDP are no longer consistent with the revised letter of justification and, because the plans show an increase in the impacts for the proposed ponds as a result of additional clearing required by another agency, a summary of the acreages of each impact should be submitted prior to certification.

- 17. At the time of final plat approval, the applicant shall dedicate a minimum of 120 feet for the future alignment of Harry S Truman Drive extended (A-39) as shown applicant's site plan.**

The SDP shows the future alignment of Harry S Truman Drive, a 120-foot-wide right-of-way. Final conformance to Condition 17 will be reviewed and determined at the time of final plat.

- 19. Prior to the issuance of any building permit, the applicant shall conduct a signal warrant study at the intersection of White House Road and Harry S Truman Drive and install said signal if deemed to be warranted, or provide an alternate improvement as deemed necessary by DPW&T.**

The applicant submitted a signal warrant study to DPW&T, which stated that no traffic signal is warranted.

- 20. The applicant shall provide the following improvements along White House Road pursuant to DPW&T specifications:**

- **Provision of a deceleration and an acceleration lane along White House Road at the site entrance.**
- **Provision of a left-turn bay on westbound White House Road at its intersection with the site access road.**

These improvements will be enforced by DPW&T at the time of permitting; however, the submitted SDP shows the required improvements.

21. In accordance with the adopted and approved Subregion Melwood-Westphalia master plan and the adopted and approved Westphalia sector plan, the applicant and the applicant's heirs, successors, and/or assignees shall provide the following:

a. Provide a standard or wide sidewalk along the subject site's entire frontage of White House Road, unless modified by DPW&T. The width and location of the trail/sidewalk will be determined at the time of SDP.

Due to environmental constraints, DPW&T has not finalized the required improvements along the subject site's frontage of White House Road. Therefore, a condition has been included requiring this be resolved prior to issuance of building permits. Meanwhile, pedestrian access will be provided along this segment of White House Road via an existing wide sidewalk along the north side of the road.

b. Standard sidewalks shall be indicated on both sides of all internal roads, unless modified by the Department of Public Works and Transportation.

Standard sidewalks are included on the submitted SDP on both sides of all internal roads.

c. All trails shall be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed and approved by DPR prior to construction.

No trails are proposed on the submitted SDP.

22. At the time of SDP, the historic farm roads should be evaluated for use as possible natural surface trail corridors.

Based on discussions with the Historic Preservation Section, it appears that the historic farm road ran along the approximate alignment of Public Street "A." This road and the adjoining residential lots will be replacing the former farm road. Due to the significant environmental constraints on the site along White House Road, this is one of the few viable points to access the site from the north and it is not feasible to relocate Public Street "A" to a different location in order to preserve the farm road. However, standard sidewalks will be provided along both sides of the planned road to accommodate pedestrians through the subject site.

23. The dedication of 19.1± acres to the M-NCPPC as shown on the Department of Parks and Recreation (DPR) Exhibit "A."

The submitted SDP shows 19.1 acres of dedication to M-NCPPC per Exhibit A.

24. The applicant shall dedicate 5,003 square feet of off-site land to M-NCPPC as shown on attached Exhibit "B." Before final plat, the applicant shall submit a deed, metes and bounds description, and certificate of title for the dedicated parkland.

The submitted SDP proposes to dedicate an off-site area of 5,119 square feet to M-NCPPC, as was shown on Exhibit B.

27. **The applicant shall construct 10-foot-wide gravel maintenance access road from Ritchie Marlboro Road to the dedicated parkland as shown on attached Exhibit “B”. This area shall be graded at the time of mass grading of the project area and reviewed and approved by DPR staff prior to issuance of the first building permit. Prior to the issuance of the 37th building permit, the gravel maintenance road and park gates shall be constructed.**
28. **The applicant shall grade the southern portion of the dedicated parkland and stabilize the area according to local codes and ordinances. DPR staff shall establish the exact boundaries and elevation of park grading at the time of SDP. Park grading shall be completed and inspected by DPR staff prior to issuance of the first building permit.**

These conditions establish timing for improvements on the dedicated parkland that will be enforced at the time of permits. During the SDP review, the applicant approached DPR proposing a fee-in-lieu payment for construction of the gravel maintenance access road and grading of the southern portion of the parkland. The applicant and members of the surrounding community were concerned about possible illegal vehicular access to the undeveloped portion of the parkland, which is located in close proximity to the future residential lots and the adjacent farmland. DPR met with the applicant and members of the community to discuss these concerns and agreed with the concept of a fee in-lieu of the conditioned construction. However, the Planning Board found that the SDP approval could not change these improvements conditioned with the preliminary plan of subdivision. If the applicant wishes to pursue a fee-in-lieu option, as opposed to the construction as required by these conditions, preliminary plan reconsideration would be necessary.

29. **The applicant shall be responsible for any revisions to CDP-0303 necessitated by adoption of conditions of this application, which revisions shall be made administratively.**

Based on the submitted SDP, the Planning Board found that no revisions to CDP-0303 were required at this time.

30. **Tree conservation shall be allowed on dedicated parkland, the exact acreage and location shall be determined at the time SDP.**

The applicant developed a concept plan for future improvements in the park. The developable areas of the parkland are shown to be graded for the future recreational facilities. DPR believes that areas outside of the developable area on dedicated parkland can be placed in tree conservation.

- 31. At the time of final plat approval, the applicant shall dedicate the necessary land area for the ultimate 120-foot wide right-of-way for White House Road as shown on the preliminary plan.**

The SDP shows the ultimate 120-foot-wide right-of-way for White House Road as shown on the preliminary plan. Final conformance to Condition 31 will be reviewed and determined at the time of final plat.

- 32. The applicant shall make required frontage improvements along White House Road as determined by DPW&T during the permitting process.**

DPW&T has not finalized the required improvements along the subject site's frontage of White House Road. Therefore, a condition has been included requiring this be resolved prior to issuance of building permits.

- 33. At the time of Specific Design Plan review, the relationship of the lots adjacent to the proposed Harry S Truman ROW dedication shall be evaluated to address orientation of the lots and houses to be constructed on the lots, design of cul-de-sacs and internal road design. This review may result in the alteration of the lot pattern, stormwater management ponds, open space parcels and/or internal road design as shown on the approved Preliminary Plan.**

The submitted SDP shows four residential lots, each over 15,000 square feet, with rear yards facing the proposed Harry S Truman Drive right-of-way. These lots are set 18 feet from the right-of-way line, and then the houses themselves are over 25 feet away from the property line, for a total distance of over 40 feet. In addition, there is a nine-foot-high noise wall and substantial plantings provided between the houses and the right-of-way, which should create a sufficient buffer between the roadway and the homes. The Planning Board found that no alteration of the lot pattern was necessary.

11. **Prince George's County Landscape Manual:** The proposed single-family residential lots in the R-S Zone are subject to Section 4.1, Residential Requirements; Section 4.6, Buffering Development from Streets; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
- a. Section 4.1, Residential Requirements, requires a minimum of two shade trees and two ornamental or evergreen trees per one-family detached lot smaller than 9,500 square feet; a minimum of three shade trees and two ornamental or evergreen trees per one-family detached lot of 9,500 to 19,999 square feet; and a minimum of four shade trees and three ornamental or evergreen trees per one-family detached lot of 20,000 to 39,999 square feet. The submitted SDP provides the appropriate schedules showing that the requirements of this section are being met.

- b. Section 4.6, Buffering Developments from Streets, requires that, when rear yards of single-family detached dwellings are oriented toward a street, a buffer area shall be provided between the development and the street. On the subject application, multiple lots' rear yards face Harry S Truman Drive and White House Road, both arterial roadways, requiring a minimum 50-foot-wide buffer planted with 6 shade trees, 16 evergreen trees, and 30 shrubs for every 100 linear feet of property line adjacent to the street. Between the lots and White House Road, the SDP proposes a minimum 135-foot-wide buffer which includes existing trees to be preserved within the environmental areas on-site, which is sufficient to fulfill this requirement. Between the lots and the proposed right-of-way of Harry S Truman Drive, the SDP proposes to provide a 50-foot-wide buffer and required plants, minus the allowed reduction for the provision of the nine-foot-high noise barrier, on the lots.

Additionally, on the subject application, multiple lots' rear yards face internal streets, which are all primary or lower road classifications, and would require a minimum 20-foot-wide buffer planted with 2 shade trees, 8 evergreen trees, and 12 shrubs for every 100 linear feet of property line adjacent to the street. The submitted SDP provides the appropriate schedules showing that the requirements of this section are being met.

- c. Section 4.7, Buffering Incompatible Uses, requires a buffer between adjacent incompatible land uses which includes the existing agriculture uses located to the south and east of the subject site. The landscape plan correctly identifies the Type "B" bufferyard required along these property lines, which includes a 30-foot-wide building setback and a 20-foot-wide landscaped yard planted with 80 plant units per 100 linear feet of shared property line. This requirement is being met along the entire property line by existing woodlands within the 50-foot-wide nondisturbance buffer required by Condition 8 of the zoning map amendments.
- d. Section 4.9, Sustainable Landscaping Requirements, requires certain percentages of native plants be provided on-site, along with no invasive plants, and no plants being planted on slopes steeper than three-to-one. The landscape plan provides the appropriate schedule showing that the requirements of this section have been met.
12. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** The subject application is grandfathered from the environmental regulations in Subtitles 24 and 27 that came into effect on September 1, 2010 because the project has a previously approved preliminary plan of subdivision. The project is also grandfathered from the requirements of Subtitle 25, Division 2, Woodland and Wildlife Habitat Conservation Ordinance because it has a previously approved tree conservation plan.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it has a previously approved tree conservation plan. Type I Tree Conservation Plan TCPI/17/04 was approved with CDP-0303 and TCPI/17/04-01 was approved with the

preliminary plan. A Type II Tree Conservation Plan, TCPII-006-13, was stamped as received February 14, 2013.

Based on the acreage shown on the TCPII, the site has an overall requirement of 23.51 acres. The plan proposes to meet the requirement with 18.18 acres of on-site woodland preservation, 2.42 acres of woodland afforestation/reforestation, and 2.91 acres of fee-in-lieu. Because the remaining requirement of 2.91 acres is over one acre, it must be met with off-site woodland conservation. The worksheet should be revised to remove the 2.91 acres of fee-in-lieu and show it to be met with off-site woodland conservation. Because the acreages are slightly different from those on the approved natural resources inventory (NRI) and TCPI, the worksheet acreages will change, but the difference will be minor.

The plan shows Specimen Trees 48 and 49 to be saved; however, these trees are located within a future right-of-way. The specimen tree chart should be revised to show the disposition for these trees as “removed.”

Sheet 33 of the plan set indicates a match line for the extension of the limits of disturbance; however, it does not indicate a sheet number, nor does there appear to be a sheet in the set to match the line. The sheet number for the match line associated with the White House Road improvement should be provided. This approval includes conditions to address these issues.

13. **Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a building or grading permit for 1,500 square feet or greater of gross floor area or disturbance. Properties that are zoned R-S are required to provide a minimum of 15 percent of the gross tract area in tree canopy. The subject property is 63.1 acres in size, resulting in a TCC requirement of 9.47 acres. A TCC schedule was provided showing that the requirement is being met on-site by the retention of existing woodlands.
14. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—The Planning Board found that the subject SDP will have no effect on identified historic sites, resources, or districts.
 - b. **Archeological Review**

Findings

- (1) The bed of the former Chesapeake Beach Railroad, Archeological Site 18PR605, is located in the southwestern corner of the property. This portion of the property is proposed to be dedicated to M-NCPPC for active parkland. The specific design plan and landscape plan do not show the location of this feature.

- (2) A Phase I archeological survey was completed on the Kenwood Village property in February 2007. Three archeological sites were identified, 18PR870, 18PR871, and 18PR872. Site 18PR870 is an early to late twentieth century domestic site. Site 18PR871 is a mid-eighteenth to late twentieth century domestic site, which contained two houses. Site 18PR872 is a small prehistoric site of unknown date at the head of a spring. Two historic access roads lead to Sites 18PR870 and 18PR871 off of White House Road. These access roads could possibly be used as recreational trails for the development. The Planning Board concurred with the report's recommendations that no further archeological work is necessary on Sites 18PR870 and 18PR872 due to significant disturbance or lack of research potential. The Planning Board found that since further construction may not be able to avoid Site 18PR871, Phase II investigations should be performed to determine the site's extent and the presence of intact cultural features and middens. The specific design plan and landscape plan do not show the locations of the archeological sites.
- (3) The proposed development will require state and federal wetlands permits. Therefore, the development will be subject to Section 106 review under the National Historic Preservation Act.
- (4) A Phase II work plan was submitted to Historic Preservation staff and to the Maryland Historical Trust (MHT) for review. The Phase II work plan was reviewed and approved by M-NCPPC and MHT in February 2012.

Conclusions

- (1) The applicant should show the locations of the four Archeological Sites, 18PR605, 18PR870, 18PR871, and 18PR872, on the specific design plan and landscape plan.
- (2) The applicant should continue to coordinate the archeological review with M-NCPPC, MHT, and the U.S. Army Corps of Engineers.

Archeological conditions addressing these issues have been included in this approval.

- c. **Community Planning**—This application is consistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developing Tier. This application is in conformance with the land use recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)* since the Planning Board found that this proposal complies with the recommendations in the master plan for planned improvements along White House Road and Ritchie Marlboro Road.

Initially, it was recommended that the specific design plan should be revised to reflect the location of the noise barrier within a homeowners association (HOA) parcel, provide detail on the appearance of the noise barrier, and show significant plantings between the noise barrier and proposed Harry S Truman Drive. These plantings and the design of the noise barrier would have been reviewed for conformance with the vision of the area as a gateway to the Westphalia sector.

Page 66 of the master plan states that at this location “the use of the cluster subdivision technique of the Comprehensive Design Zone, R-S Category (1.6-2.6 dwelling units per acre) is encouraged to protect environmentally sensitive areas.” This plan appears to meet this recommendation. The average of this density range is 2.1 dwelling units per acre. This proposal consists of 72 dwelling units, with a density on the site of the proposed development of 1.16 dwelling units per acre.

The realignment of A-39, Harry S Truman Drive/Ritchie Marlboro Road, is shown on the plan map at this location. At the time the master plan was approved, the District Council determined that the realignment of the segment of Ritchie Marlboro Road south of its intersection with White House Road would be addressed coincident with new development.

The gateway into the Westphalia community at the White House Road/Harry S. Truman intersection should take into account the strategies in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* (Westphalia Sector Plan). Designated gateways are to be designed to include elements that will help define the site by incorporating elements such as entrance signage, artwork, water features, or timepiece, and landscape design should include both softscape and hardscape elements. Resting, recreational facilities, and other amenities, as appropriate, would also be incorporated into the design. However, the Planning Board found that no improvements are required with the subject application.

It is noted that the current configuration of White House Road and the future location of Harry S Truman Drive represent several issues that will impact gateway features in the area. The entire northern boundary of the subject property is in wetland and floodplain, reducing the amount of area of disturbance that will be permitted for gateway features. In addition, White House Road is not yet constructed to its projected width leaving a barrier between the current roadway and the future gateway area.

One feature of the current proposal is in direct conflict with the sector plan vision for a gateway in this area. A proposed noise fence/wall runs for approximately 620 feet behind four lots. These lots are Lots 1, 72, 62, and 63 on the west side of the residential area. No detail of a noise barrier is included in the plans and no landscaping is proposed on the west side of the barrier. The plan should be revised to reflect a design for the noise fence and landscaping that are compatible with the vision of the area as a gateway. Provision should be made for the continued upkeep and care of the fence and the landscaping.

However, the Planning Board found no improvements to the noise fence design are required with the subject application.

The area surrounding the proposed noise barrier should be included in property owned and maintained by the HOA. The approved Preliminary Plan of Subdivision (4-06159) recognized the significant noise issues that are represented by the proximity of the homes to proposed Harry S Truman Drive.

The current plan proposes that the noise barrier will be in a “noise fence easement.” The site plan should be revised to place the noise barrier into a HOA parcel. Additionally, the homes shown on these lots are within 40 feet of the proposed right-of-way. Evaluation of the location of the homes in relation to the 120-foot-wide arterial roadway should be completed by the Urban Design Section (M-NCPPC). This may result in a loss of lots, a fact that was recognized in the preliminary plan.

In conclusion, the Planning Board found that the noise barrier was proposed within a HOA parcel, that a detail on the appearance of the noise barrier was provided, and that the SDP was not required to show significant plantings between the noise barrier and proposed Harry S Truman Drive.

- d. **Transportation Planning**—The Planning Board found that all of the transportation-related preliminary plan of subdivision conditions were still valid. Additionally, the applicant is proposing a road network that accurately represents the network on which the approved preliminary plan was based. Since all of the preliminary plan conditions are developer-funded, and are tied to the release of building permits, those improvements will be provided in a reasonable period of time.
- e. **Subdivision Review**—An analysis of the site plan’s conformance with Preliminary Plan of Subdivision 4-06159 is discussed in detail in Finding 10 and included as conditions in this approval as necessary.

Additionally, the subject site is known as Parcels 65 and 73, and is located on Tax Map 83 in Grid A-1, within the Residential Suburban Development (R-S) Zone for 63.1 acres. The site is currently undeveloped and wooded. The applicant submitted a specific design plan for the development of 72 single-family detached dwellings.

The site is the subject of approved Preliminary Plan of Subdivision 4-06159, and the resolution was adopted by the Prince George’s County Planning Board on October 18, 2007 (PGCPB Resolution No. 07-169). The preliminary plan was signature approved on August 7, 2012. The approved preliminary plan is valid until December 31, 2013 pursuant to County Council Bills CB-07-2011 and CB-08-2011. A final plat for the subject property must be accepted by M-NCPPC before the preliminary plan expires or a new preliminary plan is required.

The SDP proposes 72 residential lots as reflected on the approved preliminary plan. The lot size and layout of Lots 21–26, Lots 32–36, and Lots 41–51 on the SDP are different from the approved preliminary plan. However, the overall lot layout and street pattern on SDP-0805 are not inconsistent with the approved preliminary plan.

Specific Design Plan SDP-0805 is in substantial conformance with approved Preliminary Plan 4-06159 if the comments in Finding 10 have been addressed. Failure of the site plan and record plat to match will result in building permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

- f. **Trails**—The Planning Board reviewed the following summarized discussion regarding conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia* (area master plan) in order to implement planned trails, bikeways, and pedestrian improvements:

There are three master plan trail/bikeway facilities included in the MPOT or area master plan that are in the vicinity of the subject site. These include 1) an eight-foot-wide sidepath along White House Road, 2) an eight-foot-wide sidepath along Harry S Truman Drive extended, and 3) the Chesapeake Beach Rail-Trail just south of the subject site. The sidepath along Harry S Truman Drive extended will be an extension of the existing wide sidewalk along the east side of the road, north of White House Road.

The MPOT includes several policies related to pedestrian access and the provision of sidewalks within designated centers and corridors, as well as other areas in the Developed and Developing Tiers. The Complete Streets section includes the following policies regarding sidewalk construction and the accommodation of pedestrians.

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.

Standard sidewalks are included on both sides of the internal roads. The sidepath or wide sidewalk along Harry S Truman Drive extended will be provided at the time of road construction by DPW&T. It appears that a sidewalk will not be required along the south side of White House Road due to environmental constraints, as discussed below.

The subject site includes two previous approvals which contain multiple conditions of approval related to bicycle and pedestrian facilities. These are discussed further in Findings 9 and 10 above.

It appears that DPW&T has determined that a wide sidewalk or sidepath will be provided along the north side of White House Road, but that no sidewalk will be provided along the south side due to the sensitive environmental features that abut the road. This should be documented by the applicant as it means that Condition 21a of the preliminary plan will not be met.

The master plan trail or wide sidewalk along Harry S Truman Drive extended will be provided at the time of road construction. No trail construction is required at this time.

The Planning Board found it is appropriate to utilize the future alignment of the Chesapeake Beach Rail-Trail as the park access road. This will serve both the short-term need for access to the dedicated parkland and the long-term need for the master plan trail. This trail will ultimately serve as a major trail connection across central Prince George's County and will provide access from surrounding residential communities to the regional park facilities.

Due to wetlands, steep slopes, and other sensitive environmental features on the subject site immediately to the south of White House Road, it has been determined by DPW&T that no standard or wide sidewalk will be provided on the south side of White House Road. Pedestrians will be accommodated with a wide sidewalk on the north side of White House Road at this location.

Conditions have been included this approval to address these issues as necessary. DPW&T stated in their referral below that the final required improvements, including sidewalks, along White House Road are still not finalized and this will be required to be resolved prior to issuance of building permits.

- g. **The Department of Parks and Recreation (DPR)**—In a memorandum dated February 27, 2013, DPR provided an analysis of the SDP's conformance to previous conditions of approval having to do with parks issues, which has been incorporated into Findings 9 and 10 above. They found the submitted SDP to be in general conformance with the conditions of approved Comprehensive Design Plan CDP-0303 and Preliminary Plan 4-06159, as they pertain to parks and recreation. Their recommended conditions have been included in this approval as found by the Planning Board.
- h. **Permit Review**—Permit comments regarding the review of the subject SDP have been addressed either by revisions to the plans or through conditions of this approval.
- i. **Public Facilities**—The Planning Board found that the required fire, rescue, and police facilities have been determined to be adequate. Additionally, the SDP will be subject to

the school facilities surcharge for each dwelling unit, and the proposed development is in water and sewer Category 4, Adequate for Development.

- j. **Environmental Planning**—The Planning Board reviewed a summary of the environmental site description and an analysis of the site plan’s conformance with various environmental conditions in Zoning Map Amendments A-9802-C and A-9803-C, Comprehensive Design Plan CDP-0303, and Preliminary Plan of Subdivision 4-06159, and with the applicable environmental ordinance. This analysis is provided in Findings 8, 9, 10, and 12 above.

An approved Natural Resources Inventory, NRI/135/05, was submitted with the application. There is a primary management area (PMA) comprised of streams, stream buffer, wetlands, wetland buffer, 100-year floodplain, and steep slopes on soils with erodibility factors of 0.35 and greater.

The forest stand delineation (FSD) indicates that there are ten forest stands totaling 59.52 acres and 48 specimen trees. The entire net tract area of this property has existing forest cover and 77 percent of the floodplain has existing forest cover. The woodlands on this property, although categorized into ten forest stands by the FSD, can be further grouped into three distinct forest types, including upland mature forest, early succession upland forest, and immature bottomland forest. The upland mature forest and immature bottomland forest stands have the highest retention priority.

There are discrepancies between the acreages shown on the NRI, the TCPI, and the TCPII. The NRI and TCPI show the gross tract area as 63.02 acres, while the TCPII shows it as 63.07 acres. The NRI and TCPI show the total floodplain area as 12.06 acres, while the TCPII shows the total floodplain area as 11.81 acres. The total woodland listed on the NRI and TCPI is 59.52 acres, while the TCPII shows the total woodland as 59.69 acres.

To address these discrepancies, conditions have been included in this approval.

- k. **Prince George’s County Fire/EMS Department**—The Prince George’s County Fire/EMS Department, in a memorandum dated December 15, 2012, provided standard comments regarding fire apparatus, hydrants, and lane requirements. Those issues will be enforced by the Fire Department at the time of issuance of permits.
- l. **The Department of Public Works and Transportation (DPW&T)**—In a memorandum dated March 7, 2013, DPW&T provided a standard response on issues such as frontage improvements, soils, storm drainage systems, and utilities, in order to be in accordance with the requirements of DPW&T. Those issues will be enforced by DPW&T at the time of issuance of permits. DPW&T indicated that the subject SDP is consistent with approved Stormwater Management Concept Plan 43083-2005-02. Additional comments regarding plan specific issues are summarized as follows:

The property is located at the intersection of White House Road and Harry S Truman Drive. Right-of-way dedication in accordance with DPW&T's Urban Arterial Road standard is required for White House Road. White House Road is to be improved to a four-lane urban collector along the site frontage. An acceleration and deceleration lane on White House Road westbound from Harry S Truman Drive is required. An eastbound left-turn lane on White House Road to Harry S Truman Drive is also required. Additionally, right-of-way dedication and frontage improvements in accordance with DPW&T's specifications and standards are required for the proposed internal subdivision streets. Frontage improvement on White House Road has not been finalized.

The property bisects the future right-of-way for master-planned A-39 (arterial roadway). This right-of-way is to be dedicated.

The portion of Public Road "A" along the frontage of Lots 20 and 21 is not in accordance with DPW&T specifications and standards. The proposed bulb configuration is not acceptable and must be revised. This item was addressed and the plans updated.

The configuration of Public Street "C" along the frontage of Lots 56 to 59 is also not in accordance with DPW&T specifications and standards. However, the proposed configuration is acceptable based on the low-volume traffic.

Public Street "A" will transition to a 50-foot-wide right-of-way after its intersection with Public Street "C." The 60-foot-wide right-of-way was extended as required by DPW&T and the plans updated.

The SDP was updated to address DPW&T's comments.

- m. **Prince George's County Police Department**—In a memorandum dated December 28, 2012, the Police Department indicated that they had no crime prevention through environmental design (CPTED) concerns for the subject application.
- n. **Prince George's County Health Department**—In a memorandum dated December 21, 2012, the Health Department provided the following summarized comments:
 - (1) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Provide details indicating that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.

The submitted SDP notes that full cut-off optic light fixtures shall be used throughout the development and shall be directed downward to reduce glare and light intrusion.

- (2) Scientific research has demonstrated that a high-quality pedestrian environment can support walking both for utilitarian purposes and for pleasure, leading to positive health outcomes. Indicate how development of the site will provide safe pedestrian access to amenities in the adjacent communities.

The subject SDP proposes sufficient public sidewalks on the subject site that connect to those within the adjacent rights-of-way providing pedestrian access to the surrounding community.

- (3) The site is bounded by an arterial roadway and a future arterial roadway, and therefore, subject to associated noise impacts to occupants of proposed residential and office space uses. Noise can be detrimental to health with respect to hearing impairment, sleep disturbance, cardiovascular effects, psychophysiological effects, psychiatric symptoms, and fetal development. Sleep disturbances have been associated with a variety of health problems, such as functional impairment, medical disability, and increased use of medical services even among those with no previous health problems. A noise fence/wall is shown between the future arterial roadway and closest proposed residences. Provide details regarding the fence/wall and any other proposed modifications, adaptations and/or mitigation as necessary to minimize the potential adverse health impacts of noise on the susceptible residential population.

The applicant submitted a noise analysis with the subject SDP, which provided details for the proposed mitigation measures.

- (4) The site is bounded by an arterial roadway and a future arterial roadway, and therefore, subject to associated air quality impacts to occupants of the proposed office/residential space uses. Several large scale studies demonstrate that increased exposure to fine particulate air pollution is associated with detrimental cardiovascular outcomes including increased risk of death from ischemic heart disease, high blood pressure and coronary artery calcification. Additionally, there is an emerging body of scientific evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma. Provide details regarding proposed modifications, adaptations and/or mitigation as necessary to minimize the potential adverse health impacts of air pollutants on the susceptible residential population.

The subject SDP preserves a large amount of wooded environmental features between the proposed residences and the arterial roadway which will help to mitigate air quality issues.

- (5) The public health value of access to active recreational facilities has been well documented. Indicate the location of active recreational facilities within one-quarter mile of the proposed residences.

Recreational facility requirements were reviewed and established with the previous plan approvals for the subject property, and the subject SDP provides an acceptable level of private recreational facilities relative to the amount of development.

- (6) There are NO existing markets/grocery stores within a half mile radius of this location. A 2008 report by the UCLA Center for Health Policy Research found that the presence of a supermarket in a neighborhood predicts higher fruit and vegetable consumption and a reduced prevalence of overweight and obesity. Additionally, there is an increasing body of scientific research suggesting that community gardens enhance nutrition and physical activity, and promote the role of public health in improving quality of life. The developer should consider setting aside space for a community garden.

The applicant does not propose any retail space with the subject application. Previous approval conditions, along with the large amount of environmental features on-site and the dedication of parkland, leave no feasible area for a community garden.

- (7) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Future plans should 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.

This requirement will be enforced at the time of permit; however, a note has been provided on the SDP indicating conformance with these requirements.

- (8) During the construction phases of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Future plans should indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

This requirement will be enforced at the time of permit; however, a note has been provided on the SDP indicating conformance with these requirements.

- o. **Maryland State Highway Administration (SHA)**—In a memorandum dated December 17, 2012, SHA indicated that the proposed site will be accessed from a county-owned, operated, and maintained roadway and that they had no objections to approval of the subject development.
- p. **Prince George's County Board of Education**—The Board of Education did not provide comments on the subject application.

- q. **Washington Suburban Sanitary Commission (WSSC)**—In a memorandum dated December 13, 2012, WSSC provided a standard response on issues such as pipe and easement requirements.
 - r. **Verizon**—Verizon did not provide comments on the subject application.
 - s. **Potomac Electric Power Company (PEPCO)**—PEPCO did not provide comments on the subject application.
15. **Required Findings:** Section 27-528 of the Zoning Ordinance sets forth the following criteria for approval of a specific design plan:

(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);**

The plan conforms to the requirements of CDP-0303 as detailed in Finding 9 above and the Landscape Manual as detailed in Finding 11 above.

- (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 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;**

The Planning Board found that the subject development will be adequately served within a reasonable period of time based on the transportation-related conditions in the preliminary plan of subdivision approval.

The Planning Board reviewed the subject SDP for public facilities including fire, rescue, police, schools, and water and sewer, and found that the development will be adequately served within a reasonable period of time.

- (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;**

In a referral dated January 11, 2013, DPW&T stated that the subject SDP is consistent with approved Stormwater Management Concept Plan 43083-2005-02.

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

The Planning Board approved Type II Tree Conservation Plan TCPII-006-13, with conditions. Those conditions have been included in this approval. Therefore, it may be said that the plan is in conformance with an approved Type II tree conservation plan.

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

The project is grandfathered with respect to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010 because the project has a previous preliminary plan approval. Therefore, this requirement is not applicable.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Type II Tree Conservation Plan (TCPII-006-13), and further APPROVED Specific Design Plan SDP-0805 for the above-described land, subject to the following conditions:

1. Prior to certification of the specific design plan (SDP), the applicant shall:
 - a. Revise the SDP as follows:
 - (1) Add a note that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed crossing.
 - (2) Clearly show the centerlines for Harry S Truman Drive and White House Road.
 - (3) Show the proposed outfalls for Ponds 1 and 2.
 - b. Revise the architecture to show a minimum of two standard architectural features, such as windows, doors, or fireplace chimneys, arranged in a reasonably balanced design on all

side elevations and a minimum of three such features on all highly-visible side elevations, which shall include Lots 9, 10, 26, 27, 39, 51, 52, 54, 67, and 68. This should be noted on the SDP and architecture.

- c. Revise the Type II tree conservation plan as follows:
 - (1) Show new tree conservation boundaries as shown on DPR Exhibit A.
 - (2) Add a detail of the proposed black, vinyl-clad, chain-link fence.
 - (3) Show the proposed outfalls for Ponds 1 and 2.
 - (4) Revise all acreages in the worksheet to be consistent with the acreages on the approved natural resources inventory and Type I tree conservation plan, or provide a detailed explanation for the change in acreages for gross tract, existing woodland, and woodland within the floodplain. Revise the summary charts as necessary.
 - (5) Show Specimen Trees 48 and 49 as to be removed.
 - (6) Provide a sheet number for the match line on Sheet 3 where the limit of disturbance continues off-site.
 - (7) Revise the worksheet to remove the 2.91 acres of fee-in-lieu and show it to be met with off-site woodland conservation.
 - (8) Remove the proposed tree line from the plan and legend and only show the existing tree line.
 - (9) Have the revised plan signed and dated by the qualified professional who prepared the plan.
 - d. Submit a summary of the acreages of the proposed primary management area impacts as shown on the Type II tree conservation plan and SDP.
 - e. Submit to DPR, for review and approval, construction drawings, including a grading plan and details for gravel road construction.
 - f. Submit construction drawings for the park improvements for approval by DPR staff.
 - g. Label the proposed noise barrier and its height on all affected plans.
2. A minimum of 60 percent of the approved dwelling units shall have full brick or stone front façades. A tracking chart shall be provided on the coversheet of the specific design plan to account for the masonry façades at the time of building permit.

3. No two identical façades may be located next to or across from one another.
4. At the time of building permit submittal, the permit plans shall label all building setbacks (front, side, and rear yards) on each lot, label garages as single or double-car garages, and list the actual percentage of lot coverage on each lot.
5. Prior to issuance of building permits, the applicant/developer, his heirs, successors, and/ or assignees shall construct or bond to construct a half section of White House Road, including a standard sidewalk, for the entire segment of this roadway through the subject parcel, unless modified by the Department of Public Works and Transportation (DPW&T).
6. Prior to any ground disturbance or approval of any grading permits, the applicant shall:
 - a. Provide a plan, subject to review and approval by the M-NCPPC staff archeologist, for interpretive signage to be erected and public outreach measures (based on the findings of the archeological investigations).
 - b. If Site 18PR871 is found to be eligible for inclusion in the National Register of Historic Places, the site shall be preserved in place or, if this is not feasible, Phase III mitigation should be performed on site. The applicant shall provide a final report detailing the Phase II and/or Phase III investigations to the M-NCPPC staff archeologist.
7. Prior to the issuance of the 47th building permit, the applicant shall install the required interpretive measures for Site 18PR871 and will ensure that all archeological artifacts 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 Historic Preservation staff.
8. Provide standard sidewalks along both sides of all internal roads, unless modified by the Department of Public Works and Transportation (DPW&T).
9. Regarding the private on-site recreational facilities:
 - a. Prior to approval of final plats, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original executed Recreational Facilities Agreements (RFA) to The Maryland-National Capital Park and Planning Commission (M-NCPPC), Prince George's County Planning Department, Development Review Division (DRD), for construction of the private recreational facilities on-site. Upon approval by the DRD Division, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.
 - b. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable

financial guarantee in an amount to be determined by the DRD Division, for construction of the private on-site recreational facilities.

- c. The private on-site recreational facilities shall be constructed prior to issuance of the 43rd building permit.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Shoaff, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 28, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of May 2013.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:JK:arj

From: [Stan Brown](#)
To: [Shelly, Andrew](#)
Cc: [Hunt, James](#); [Hurlbutt, Jeremy](#)
Subject: Re: CDP-0303-01 People's Zoning Counsel
Date: Thursday, June 15, 2023 12:02:16 PM

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Got it, thanks.

Stan Brown, Esq.

Stan Derwin Brown Law Office, LLC
1300 Caraway Court, Suite 101
Largo, Maryland 20774
Telephone no.: 301-883-8888
Facsimile no.: 301-883-8606
Email: attorney@StanBrown.law
Website: www.StanBrown.law

Sent from iPhone

On Jun 15, 2023, at 6:58 PM, Shelly, Andrew
<Andrew.Shelly@ppd.mncppc.org> wrote:

Good Morning Mr. Brown,

Planning Department staff would like to alert you that the applicant for CDP-0303-01, Kenwood Village, has requested a continuance for the case from the June 29, 2023 Planning Board meeting to the July 13, 2023 Planning Board meeting.

Best regards,

Andrew Shelly

*Planner II | Urban Design Section
Development Review Division*

[<image001.png>](#)

14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-952-4976 | Teams (240) 573-2232 Andrew.Shelly@ppd.mncppc.org

From: Stan Brown <attorney@stanbrown.law>
Sent: Thursday, May 25, 2023 1:30 PM
To: Shelly, Andrew <Andrew.Shelly@ppd.mncppc.org>
Cc: Hunt, James <James.Hunt@ppd.mncppc.org>; Hurlbutt, Jeremy <Jeremy.Hurlbutt@ppd.mncppc.org>
Subject: RE: CDP-0303-01 People's Zoning Counsel

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Got it, thanks!

Stan Brown, Esq.

Stan Derwin Brown Law Office, LLC
1300 Caraway Court
Suite 101
Largo, Maryland 20774-5462
Telephone no.: 1-301-883-8888
Facsimile no.: 1-301-883-8606
email: attorney@StanBrown.law
website: www.StanBrown.law

-----Original Message-----

From: "Shelly, Andrew" <Andrew.Shelly@ppd.mncppc.org>
Sent: Thursday, May 25, 2023 1:18pm
To: "attorney@stanbrown.law" <attorney@stanbrown.law>
Cc: "Hunt, James" <James.Hunt@ppd.mncppc.org>, "Hurlbutt, Jeremy" <Jeremy.Hurlbutt@ppd.mncppc.org>
Subject: CDP-0303-01 People's Zoning Council

Good Afternoon Mr. Brown,

My name is Andrew Shelly and I'm the case reviewer for Comprehensive Design Plan (CDP-0303-01), Kenwood Village. Please see the application materials for the case, which is tentatively scheduled to be heard by the Planning Board on June 29, 2023. If you have any questions after reviewing the materials please let me know and myself or my supervisors, that are included on this email, would be happy to assist you.

<https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:9ebdff0f-c0d5-49cd-9b12-cab85aa9fb54>

Best regards,

Andrew Shelly

*Planner II | Urban Design Section
Development Review Division*

<[image001.png](#)>

Date 5/24/2023

MAJOR ISSUES MEMORANDUM

TO: Andrew Shelly, Planner II, Urban Design Section, Development Review Division
VIA: David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division
FROM: N. Andrew Bishop, MBA, Planner II, Placemaking Section, Community Planning Division *AD* on behalf of N. Andrew Bishop
SUBJECT: **CDP-0303-01 Kenwood Village**

FINDINGS

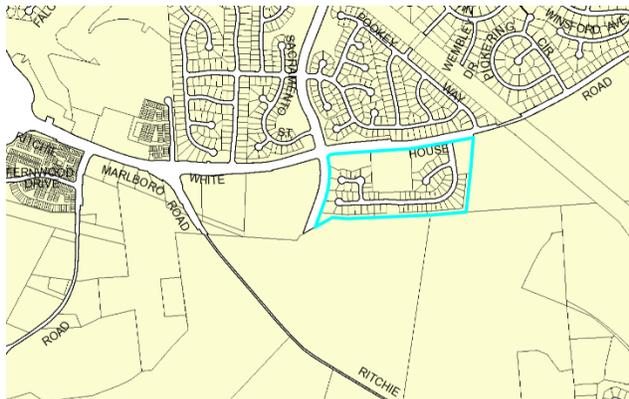
Community Planning Division staff finds that pursuant to Section 27-480(g)(1) of the prior Zoning Ordinance, the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change for the property establish and provide guidance for the development regulations to be incorporated in the Specific Design Plan.

Community Planning Division staff finds that pursuant to Section 27-521(a)(1) of the prior Zoning Ordinance, this application does conform to the design guidelines or standards intended to implement the development concept recommended by the *2013 Approved Subregion 6 Master Plan*

BACKGROUND

Application Type: Comprehensive Design Plan

Location: In the southeast quadrant of the intersection of Whitehouse Road and Harry S Truman Drive.



Size: 63.10 acres

Existing Use: Vacant

Proposal: Construction of 124 future single-family residential dwellings.

Zoning: Legacy Comprehensive Design (LCD) Zone

Prior Zoning: Residential Suburban Development (R-S) Zone

Zoning Ordinance or Subdivision Regulations (Prior)

The Community Planning Division has the following major issues:

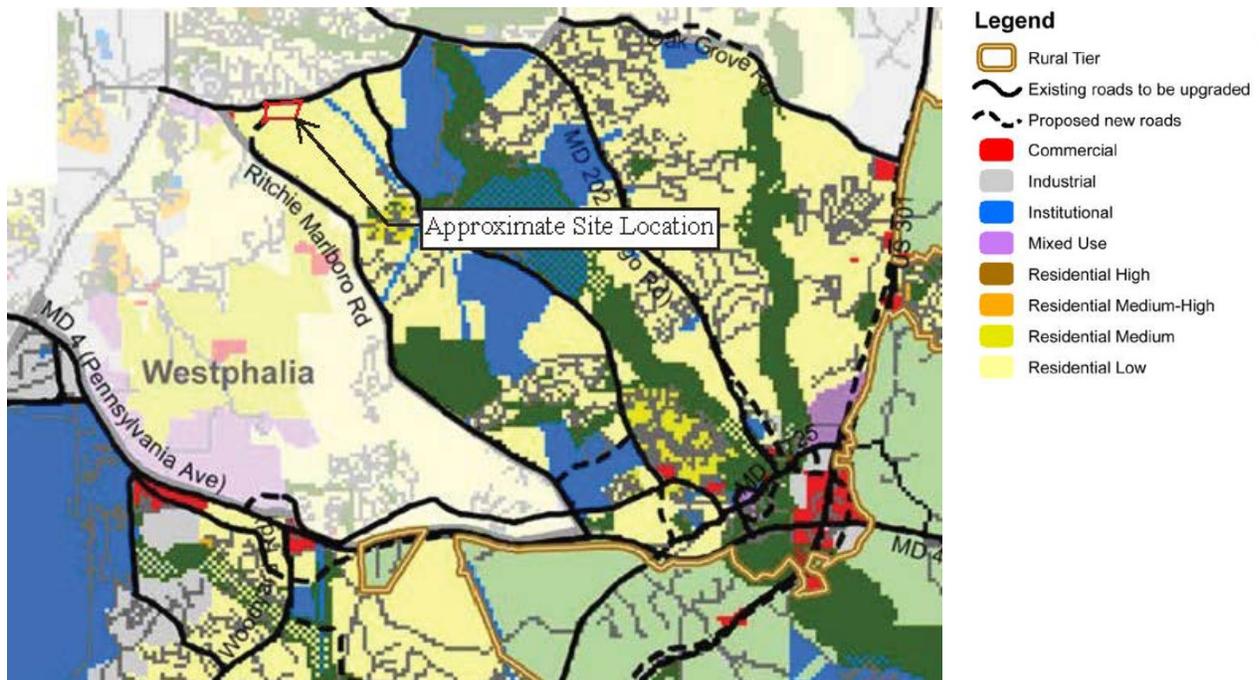
Master Plan Conformance

- Section 27-521(a)(1) requires that, prior to approving a CDP, the Planning Board shall find that:
- (1) *The plan is in conformance with the Basic Plan approved by application per Section 27-195; or when the property was placed in a Comprehensive Design Zone through a Sectional Map Amendment per Section 27-223, was approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation, is in conformance with the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change;*

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: This application is in the Established Communities. Established Communities are most appropriate for context-sensitive infill and low-to medium density development Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met. (pg. 20)

Master Plan: 2013 *Approved Subregion 6 Master Plan* recommends a Residential Low land use on the subject property. This use encourages residential subdivision that are primarily single family detached dwellings and are developed with areas of up to 3.5 dwelling units per acre (Page 40).



The following Master Plan policies and strategies are recommended to help advance the intent and purpose of the plan as future entitlements are approved.

Suburban/Developing Tier Communities

Policy

Continue to build high-quality, suburban development organized around a network of open space and community facilities with attention to site design.

Strategies

1. Develop a comprehensive trail/sidewalk system to connect the community.
3. Expand and enhance recreational activities and opportunities for youth, particularly in older communities.
5. Ensure that all new development in the area is compatible with existing development in terms of architecture and scale.
6. Install sidewalks along residential streets that currently lack them.
7. Encourage conservation subdivisions in environmentally sensitive areas and adjacent to parks where additional open space would be beneficial.
8. Design site features such as storm water management facilities during the development process so that they become amenities in the development.

9. Provide green edges (woods, and landscaping) in new developments to provide a buffer that blends naturally into surrounding wooded areas.

10. Incorporate historic sites, vistas, archeological resources, and cultural features into development design.

11. Incorporate environmentally sensitive design and green building/energy efficiency techniques. (Page 179)

Planning Area: 78

Community: Westphalia & Vicinity

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

SMA/Zoning: The *2013 Approved Subregion 6 Master Plan* and SMA retained the subject property in Residential-Estate (R-E) Zone. Also relevant to the subject property it is noted that Basic Plan A-9802-C and A-9803-C rezoned the subject property from the R-E Zone to Residential Suburban (R-S) Zone. The *2021 Approved Countywide Map Amendment* placed the subject property in the Legacy Comprehensive Design (LCD) Zone.

Pursuant to Section 27-480(g)(1) of the prior Zoning Ordinance, the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change. Map 27 in the Master Plan shows the recommended use as "residential low and provides guidance for how the use and the development regulations established by the Master Plan should be incorporated in the Specific Design Plan. The subject application proposes the single-family detached" development and is consistent with the Master Plan and SMA.

MASTER PLAN CONFORMANCE ISSUES:

None

ADDITIONAL INFORMATION

None

CC: Long Range Book

Adam Dodgshon, Planning Supervisor, Placemaking Section, Community Planning Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
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Countywide Planning Division
Transportation Planning Section

301-952-3680

June 29, 2023

MEMORANDUM

TO: Andrew Shelly, Urban Design Review Section, Development Review Division

FROM: Jun (Jim) Yang, Transportation Planning Section, Countywide Planning Division

VIA: *JS* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: **CDP-0303-01 Kenwood Village REVISED**

Proposal:

The subject Comprehensive Design Plan (CDP) applicant proposes the development of 124 single family detached dwelling units on the south side of White House Road at Harry S. Truman Drive in Upper Marlboro, MD. The site will be accessed via White House Road east of Harry S. Truman Drive. The Transportation Planning Section's (TPS) review of the CDP was evaluated under Section 27 of the prior zoning ordinance.

Prior Conditions of Approval:

The site is subject to the approved Basic Plans, A-9802-C-01 and A-9803-C-01. It is also related to the approved CDP-0303. The following transportation conditions of the basic plans are relevant to this CDP submission:

A-9802-C-01 and A-9803-C-01:

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

Comment: No direct access to any residential lots from White House Road or Harry S. Truman Drive are shown in the latest CDP, which staff finds acceptable.

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

Comment: A 120-foot right-of-way for Ritchie-Marlboro Road relocated (A-39) (Harry S. Truman Drive) is shown in the latest CDP, which staff finds acceptable.

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

Comment: Condition 3 will be evaluated at the time of building permit approval.

CDP-0303:

1. Prior to the approval of the Specific Design Plan within the subject property, the applicant shall submit an acceptable traffic signal warrant study to DPW&T for a possible signal at the intersection of White House Road at Harry S Truman Drive. The applicant should utilize a new 12-hour count, and should analyze signal warrants under total future traffic as well as existing traffic at the direction of DPW&T. If a signal is deemed warranted by DPW&T at that time, the applicant shall bond the signal prior to the release of any building permits within the subject property, and install it at a time when directed by DPW&T.

Comment: According to the latest TIS and 2022 Transportation Review Guidelines Supplement, a traffic signal warrant study is not needed.

2. During review of the preliminary plan of subdivision, the appropriate point of transition from a 60-foot right-of-way to a 50-foot right-of-way along the major internal street shall be determined. The point of transition shall be consistent with typical practices, and shall consider lotting patterns and the overall internal street network.

Comment: The latest CDP shows an 80-foot right-of-way along Kenwood Village Lane north of Street A and 50-foot right-of-way along all other internal road segments, which staff finds acceptable.

27. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.

Comment: Staff finds that this condition remains as written and has been included herein. M-NCPPC is conducting studies and acquiring right-of-way in support of this master planned facility.

28. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.

Comment: Condition 28 will be evaluated at the time of specific design plan.

30. Before approval of a preliminary plan of subdivision and specific design plan for the site, the trails coordinator shall review and approve the design and location of the trails internal to the site.

Comment: Staff agrees with the removal of this condition as no trails are proposed internal to the site.

36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.

Comment: As referenced above regarding Condition 27, staff anticipates that the facility will be constructed and that the condition still applies as written and has been included herein. This condition may be further explored during the review of a new PPS.

Master Plan Compliance

Master Plan Right of Way

The application is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) which shows two master plan right-of-way facilities adjacent to the site. The subject site has frontage on White House Road (A-36), which is designated as an arterial roadway with an ultimate right-of-way of 120 feet along the property's northern boundary. The latest CDP submission shows the extent of the right-of-way along the site's frontage.

The site is also impacted by Ritchie Marlboro Road (A-39), which is designated as an arterial road with 120 feet of ultimate right-of-way along the property's western boundary. The latest CDP submission shows the extent of the right-of-way along the site's frontage.

Master Plan Pedestrian and Bike Facilities

The MPOT recommends a shared-use path along White House Road adjacent to the property. The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling. The MPOT includes the following policies related to the subject development:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers (pg. 9).

Policy 3: Small area plans within the Developed and Developing Tiers should identify sidewalk retrofit opportunities to provide safe routes to schools, pedestrian access to mass transit, and more walkable communities (pg. 10).

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities* (pg. 10).

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles (pg. 10).

The development is also subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*, which includes the following policies:

Policy 7: Expand, encourage, and promote hiker/biker/equestrian recreational activities (pg. 104).

Policy 8: Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes (pg. 107).

Comment: The CDP submission includes the construction of sidewalks along both sides of all new roadways. However, the CDP does not show the shared-use path and sidewalks along White House Road as it abuts the subject property. As a condition of approval, staff recommends that this section of the shared use path, and the specifications and details for all master-plan facilities are shown on the Specific Design Plan (SDP).

Transportation Planning Review:

Transportation-related findings related to adequacy are made with this application, along with any determinations related to dedication, access, and general subdivision layout. Access is proposed by means of existing public arterial roadways.

The applicant has submitted a traffic impact analysis on May 10, 2023, at the request of the staff. This study is used as the basis for a determination of adequacy.

The subject property is located within TSA 2, as defined in the *Plan Prince George's 2035 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 procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted.

For two-way stop-controlled intersections, a three-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if the delay exceeds 50 seconds, (c) if the delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed and the standard of CLV is 1,150 or less.

For all-way stop-controlled intersections, a two-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if the delay exceeds 50 seconds, the CLV is computed and the standard of CLV is 1,150 or less.

Trip Generation

The table below summarizes trip generation for each peak period that will be used in reviewing site traffic generated impacts and developing a trip cap for the site:

Trip Generation Summary								
Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Single-Family Housing (Prince George's County Rates)	124	unit	19	74	93	73	39	112
Total Trip Cap Recommendation			93			112		

The traffic generated by the proposed preliminary plan of subdivision (PPS) would impact the following intersections in the transportation system:

- Ritchie Marlboro Road and Sansbury Road (signalized)
- Ritchie Marlboro Road and White House Road (signalized)
- White House Road and Harry S. Truman Drive (unsignalized)
- White House Road and Site Access (unsignalized)

Existing Traffic:

The critical intersections identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
Ritchie Marlboro Road and Sansbury Road	992	927	A	A
Ritchie Marlboro Road and White House Road	913	750	A	A
White House Road and Harry S. Truman Drive	73 s*	276 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	944	886	Pass	Pass

*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.

Background Traffic:

The traffic study identified 25 background developments whose impact would affect study intersections. Additionally, annual growths of 1.0% over six years were applied to through traffic volumes along all the study roads. The analysis revealed the following results. All intersections meet the adequacy requirements, except for White House Road and Harry S. Truman Drive intersection during PM peak hour.

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
Ritchie Marlboro Road and Sansbury Road	1077	1371	B	D

Ritchie Marlboro Road and White House Road	1223	1123	C	B
	241 s*	1191 s*	Fail	Fail
White House Road and Harry S. Truman Drive	>100 veh	>100 veh	Fail	Fail
	1075	1155	Pass	Fail

*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.

Total Traffic

The only proposed access point for this development is on White House Road. The access intersection will be an unsignalized T-intersection with the driveway controlled by a stop sign. The study intersections, when analyzed with total developed future traffic, operate as follows. All intersections meet the adequacy requirements, except for White House Road and Harry S. Truman Drive intersection during PM peak hour.

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
Ritchie Marlboro Road and Sansbury Road	1092	1387	B	D
Ritchie Marlboro Road and White House Road	1248	1158	C	C
White House Road and Harry S. Truman Drive	352 s*	1393 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	1142	1190	Pass	Fail
White House Road and Site Access	46 s*	35 s*	Pass	Pass

*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.

Total Traffic with Improvement

The applicant proposes to add a westbound White House Road right turn lane at Harry S. Truman Drive and convert the westbound thru-right turn lane to a through only lane. The study intersections, when analyzed with total developed future traffic with the improvement, operate as follows:

TOTAL TRAFFIC WITH IMPROVEMENT CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		LOS/Pass/Fail (AM & PM)	
Ritchie Marlboro Road and Sansbury Road	1092	1387	B	D
Ritchie Marlboro Road and White House Road	1248	1158	C	C

White House Road and Harry S. Truman Drive	314 s*	1378 s*	Fail	Fail
	>100 veh	>100 veh	Fail	Fail
	1060	1147	Pass	Pass
White House Road and Site Access	46 s*	35 s*	Pass	Pass
*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, a delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as severe inadequacy.				

Conclusion

Based on the findings presented above, the Transportation Planning Section concludes that adequate transportation facilities will exist to serve the proposed subdivision as required under Subtitle 24, and conform to the MPOT and the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment*, if the following conditions are met:

1. At the time of preliminary plan of subdivision, the applicant shall include the amount of right-of-way dedication in accordance with the 2009 *Approved Countywide Master Plan of Transportation*.
2. At the time of SDP, the shared use path, and the specifications and details for all master-plan facilities along the frontage of White House Road are shown on the plan.
3. Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.
4. The road improvement shall be included at the time of preliminary plan of subdivision, and shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency’s access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
 Prince George's County Planning Department

14741 Governor Oden Bowie Drive
 Upper Marlboro, Maryland 20772
 www.pgplanning.org
 301-952-3650

June 23, 2023

MEMORANDUM

TO: Andrew Shelly, Planner II, Urban Design Section, DRD

VIA: Tom Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Mary Rea, Planner II, Environmental Planning Section, CWPD *MAR*

SUBJECT: **Kenwood Village; CDP-0303-01 and TCP1-017-04-03**

The Environmental Planning Section (EPS) reviewed the above-referenced Comprehensive Design Plan (CDP-0303-01) and Type 1 Tree Conservation Plan (TCP1-017-04-03), accepted on April 26, 2023. Comments were provided in a Subdivision and Development Review Committee (SDRC) meeting on May 12, 2023. Revised materials were received on May 25, 2023. The EPS recommends approval of CDP-0303-01 and TCP1-017-04-03, subject to findings and conditions recommended at the end of this memorandum.

BACKGROUND

The EPS previously reviewed the following applications and associated plans for the subject site:

Development Review Case	Associated TCP(s)	Authority	Status	Action Date	Resolution Number
A-9802 & A-9803	N/A	District Council	Approved	1/29/93	Zoning Ordinance No. 50-1992 and 51-1992
CDP-0303	TCPI-017-04	Planning Board	Approved	3/3/05	PGCPB No. 05-65
4-06159	TCPI-017-04-01	Planning Board	Approved	9/13/07	PGCPB No. 07-169
NRI-135-05	N/A	Staff	Approved	2/3/06	N/A
4-06159 - Amended	TCPI-017-04-02	Planning Board	Approved	7/11/13	PGCPB No. 07-169 (A)
SDP-0805	TCPII-006-13	Planning Board	Approved	3/28/13	PGCPB No. 13-31
SDP-0805-02	TCPII-006-13-01	Planning Director	Approved	2/23/15	N/A
NRI-135-05-01	N/A	Staff	Approved	7/8/16	N/A
A-9802-C-01 & A-9803-C-01	N/A	District Council	Approved	2/27/23	Z.O. No. 1-2023
CDP-0303-01	TCP1-017-04-03	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

This CDP application is for the development of a residential community on a 63.10-acre site, located on the south side of White House Road at its intersection with Harry S. Truman Drive, in Upper Marlboro. The current zoning for the site is Legacy Comprehensive Design (LCD); which is reflective of the zoning standards that were in effect prior to April 1, 2022, for the Residential Suburban Development (R-S) Zone.

With this amendment, the applicant proposes to increase the number of single-family detached lots from 72 to 124.

GRANDFATHERING

This project is subject to the environmental regulations contained in prior Subtitles 24, 27, and Subtitle 25 because the application will require a new preliminary plan of subdivision (PPS). The areas outside of the new PPS will retain grandfathering.

SITE DESCRIPTION

The subject property is a 63.10-acre site located on the south side of White House Road at its intersection with Harry S. Truman Drive. Streams, wetlands, and 100-year floodplain with associated areas of steep slopes, are within the limits of this site. No Sensitive Species Project Review Areas (SSPRA) are indicated or mapped on the site. Furthermore, no rare, threatened, or endangered (RTE) species are indicated as present on-site. This property is located in the Southwest Branch watershed in the Patuxent River basin. The site contains Regulated Areas and Evaluation Areas, as designated on the *Countywide Green Infrastructure Plan of the Approved Prince George's County Resource Conservation Plan* (May 2017). The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map, and in the Established Communities of the General Plan Growth Policy (2035) map, as designated by *Plan Prince George's 2035 Approved General Plan* (2014).

COMPLIANCE WITH PREVIOUSLY APPROVED CONDITIONS

The site was subject to several prior approvals. An amendment to the Basic Plans, A-9802-C-01 and A-9803-C-01, was transmitted to the Zoning Hearing Examiner to allow for the re-subdivision of the subject property into as many as 124 smaller residential lots, to delete and amend certain conditions, and minor changes to the basic plan layout.

The conditions and considerations of approval for the zoning map amendment, which are environmental in nature for A-9802-C-01, A-9803-C-01, and prior CDP-0303 as provided in the staff report, are addressed below:

Review of Environmental Conditions and Considerations of Approval for A-9802-C-01 and A-9803-C-01

The previous conditions of the basic plan approvals, many of which contained environmental issues, were to be addressed during subsequent reviews. These respective conditions are provided below in **bold** typeface and the associated staff findings are in standard typeface.

5. **There shall be no grading or cutting of trees on the site prior to Phase II approval, except with the written permission of the Prince George's County Planning Board.**

No grading or cutting of trees has occurred on this site, based on a review of the most recent aerial photography available.

7. **A 50-foot buffer shall be provided along the eastern property boundary and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the south side of White House Road. The only disturbance to this buffer shall be for the construction of stormwater management facilities located within 550-foot from the right-of-way of White House Road. A 25-foot landscaped buffer shall be provided along the southern property boundary and provide the number of plant units required for a "B" buffer yard, as required by the 2010 Prince George's County Landscape Manual, and shall include a 6-foot-high black vinyl-clad chain link fence (or approved alternative), extending to the east side of Harry S. Truman Drive.**

The 50-foot buffer and landscape buffers will be reviewed during the PPS and the specific design plan (SDP) applications.

8. **A Type I Tree Conservation Plan (TCP) in accordance with the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance, is required for review by the Environmental Planning Section to be approved by the Planning Board prior to Comprehensive Design Plan approval. Woodland Conservation of 25 percent of the net tract is recommended.**

A revision to a Type I Tree Conservation Plan, (TCP1-017-04-03) was submitted with this application. Woodland conservation of 25 percent of the net tract is shown on the plan; this condition must continue to be met with future development applications.

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

This condition shall be met with future development applications.

10. **Approval of existing Conditions, 100-year Floodplain and Stormwater Management (SWM) Concept Plan by the Prince George's County Department of the Environment (DOE), prior to the approval of a Preliminary Plan of Subdivision, unless determined by DOE prior to submittal of the preliminary plat that this study will not be required until time of Specific Design Plan. At a minimum, the following shall be included: 50-foot buffers between the floodplain and lot lines; SWM ponds shall provide 2-10-100-year attenuation; water quality shall be achieved by infiltration or ponds; water quality ponds shall be located outside of wetland areas; and all impervious areas shall drain directly to a water quality facility.**

This condition shall be met with future development applications. The 100-year floodplain and stormwater management (SWM) concept plan shall be reviewed and approved by the County's Department of Permitting, Inspections and Enforcement (DPIE) rather than Department of the Environment (DOE).

11. **The Applicant(s) shall submit a 100-year Floodplain Study and a Stormwater Management (SWM) Concept Plan to the Prince George's County Department of Environmental Resources for approval prior to approval of the Preliminary Plan of Subdivision. The SWM Concept Plan shall also address road improvements to White House Road and construction of Harry S Truman Drive.**

A 100-year floodplain study and SWM concept shall be submitted to DPIE instead of the Department of Environmental Resources (DER).

12. **A 75-foot non-disturbance buffer shall apply along both sides of all streams and shall be expanded to include the 100-year floodplain, wetlands, steep slopes, and soils with erodibility factors of 0.35 and greater. Such buffers shall be approved by the Environmental Planning Section prior to Specific Design Plan, Phase III. Additional screen plantings may be required to provide adequate screening, to be approved by the Urban Design Section.**

The 75-foot non-disturbance buffer along both sides of all streams and any determined buffer expansions will be reviewed with the PPS and with the specific design plan (SDP) applications.

13. **The Applicant(s) shall submit a detailed soils study to demonstrate the site is geologically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to Specific Design Plan approval.**

A geotechnical report will be required with the SDP acceptance.

Review of Environmental Conditions and Considerations of Approval for CDP-0303

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

The amended basic plans updated this requirement to a 75-foot buffer. This area shall be placed in a conservation easement with the final plat.

4. **The Preliminary Plan of Subdivision submittal shall include a detailed soils study that demonstrates that this site is geologically suitable for the proposed development.**

This condition was met with the previously approved PPS. The amended Basic Plans, A-9802-C-01 and 9803-C-01 require a detailed soils study to be submitted with the CDP.

5. **Prior to certificate of approval for the Comprehensive Design Plan, the existing tree lines on TCPI/17/04 shall be corrected to show one continuous tree line, not multiple conflicting tree lines.**

This condition was met prior to the certification of TCPI/17/04.

6. **A revised Type I Tree Conservation Plan, TCPI/17/04, shall be submitted as part of the Preliminary Plan of Subdivision application. The revised TCPI shall include the following information in addition to the information typically found on a Type I Tree Conservation Plan:**

a. **A refined limit of disturbance and conceptual grading proposed for the site.**

b. **All proposed PMA impacts.**

c. **All stormwater management outfalls; on-site and off-site sewer and water connections; and road construction impacts adjacent to this property.**

d. **A table of proposed off-site infrastructure improvements associated with this application.**

e. **Label each Woodland Conservation Area with a distinct identifier, the type of woodland conservation being provided, and the acreage.**

This condition was met with the certification of TCPI/17/04-01 in association with PPS 4-06159.

7. **The Preliminary Plan of Subdivision application shall include a wetland study that addresses the presence of the streams and wetlands on this site.**

A wetland study was provided with PPS 4-06159. An updated wetland study shall be submitted with future development applications.

8. **All subsequent plan submittals for this property, including the Preliminary Plan of Subdivision and Specific Design Plan, shall further minimize the extent and number of PMA impacts proposed as each phase of the development process utilizes increasingly detailed information. Impacts solely associated with the creation of lots will not be allowed.**

PMA impacts were approved with previous approvals; however, with the change in layout and the requirement of a new PPS, the PMA impacts shall be reevaluated with the new PPS.

9. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area except areas of approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:**

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee.

The removal of hazardous trees, limbs, branches, or trunks is allowed.”

This condition was previously met; however, with a change in layout, a new final plat will be required, and this condition shall be carried forward.

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

This condition still stands.

- 11. A copy of the Stormwater Management Concept Plan and approval letter shall be submitted with the Preliminary Plan of Subdivision application.**

This condition was previously satisfied with the approval of the prior PPS. The approved stormwater concept plan and letter shall be submitted with the new PPS and following SDP.

- 34. Prior to approval of the specific design plan, applicant shall add a note to the plans that screening in the buffer running on both sides of the stream that parallels White House Road shall be provided by leaving the wetlands in a natural state, except for the crossing anticipated as part of the proposed project design.**

This condition still stands.

ENVIRONMENTAL REVIEW

Natural Resource Inventory (NRI)/Environmental Features

The NRI-001-2023, which only covers the area of the proposed residential development, was submitted with this application. An application to update Natural Resources Inventory Equivalency Letter (NRI-EL) NRI-135-05-01 was included with this application. This NRI-EL covers the entire site and will need to be approved prior to certification of this concept development plan (CDP).

According to NRI-001-2023, the site contains areas of regulated environmental features (REF), such as steep slopes, streams, or wetlands, and 100-year floodplain located along White House Road, in the central portion of the site, and in the area of the proposed Harry S. Truman Drive. The wetlands on-site are associated with streams that run along White House Road and through the center of the site. The NRI-001-2023 shows the proposed residential site containing 146 specimen trees that are on-site or in close proximity to the property, which ranges in condition from dead to good. The CDP shows all the required information correctly in conformance with the NRI.

Woodland Conservation

The site is subject to the provisions of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size and it contains more than 10,000 square feet of existing woodland. This project is also subject to the Environmental Technical Manual (ETM).

Type 1 Tree Conservation Plan (TCP1-017-04-03) was submitted with the subject application.

The site contains a total of 52.49 acres of woodlands and 6.37 wooded floodplains and has a woodland conservation threshold of 25 percent, or 11.77 acres. The TCP1 proposes to clear 29.67 acres of woodland and 0.26 acre of wooded floodplain resulting in a total woodland conservation requirement of 11.77 acres. The woodland conservation requirement is proposed to be met with 14.93 acres of on-site preservation. No further information is required.

Specimen Trees

The approved NRI-001-2023 identifies 146 specimen trees on site; no specimen trees are requested for removal with this CDP.

Soils

The predominant soils found on-site according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Collington-Wist complex, and Widewater, and Issue soils, frequently flooded. Unsafe soils containing Marlboro or Christiana clays have not been identified on this property. A geotechnical report shall be submitted with future development applications.

Stormwater Management

An unapproved SWM concept plan 19807-2022, showing two submerged gravel wetlands was submitted with this application. An SWM concept letter and plan approved by DPIE will be required to be submitted with future applications. Stormwater management is required to meet environmental site design (ESD) to the maximum extent practicable for water quantity and quality control measures.

Special Roadways

White House Road, which borders the site on the north, is a designated historic road. Appropriate buffering for special roadways, consistent with the requirements originally established by CDP-0303 shall be maintained on future development applications.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS OF APPROVAL

The Environmental Planning Section recommends approval of Comprehensive Design Plan CDP-0303-01 and Type 1 Tree Conservation Plan TCP1-017-04-03, subject to the following findings and conditions:

Recommended Findings:

1. The regulated environmental features (REF) on the subject property are being preserved to the fullest extent possible based on the limits of disturbance shown on the TCP1. No impacts are proposed with this CDP application; however, any impacts to REF will be reviewed with the preliminary plan of subdivision (PPS).
2. No specimen trees are proposed for removal with this CDP application.
3. The plan is in conformance with Basic Plans A-9802-C-01 and A-9803-C-01, approved on February 27, 2023, by the District Council, which allows for an increase in the number of lots.

Recommended Conditions:

1. Prior to certification of the CDP, the Natural Resources Inventory Equivalency Letter, NRI-135-05-01, shall be approved.
2. Crediting of woodland conservation shown on any property to be dedicated to, or is owned by, the Maryland-National Capital Park and Planning Commission, is subject to written approval by the Department of Parks and Recreation prior to certification of the TCP2 plan which specifically states the location, acreage, and methodology of the woodland conservation credits.
3. Prior to acceptance of the specific design plan, a geotechnical analysis shall be included in the application package.
4. A wetland study including the streams shall be included in future development applications.
5. Prior to acceptance of the preliminary plan application, a statement of justification for the necessary PMA impacts shall be included in the application package. The statement of justification shall address all proposed impacts on regulated environmental features. Primary management area impacts solely associated with the creation of lots will not be allowed.
6. At the time of the final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
8. Prior to approval of the specific design plan, the applicant shall add a note to the plans stating that screening in the buffer on both sides of the stream that parallels with White House Road shall be provided by leaving the wetlands in a natural state, except for the crossing anticipated as part of the proposed project design.

May 26, 2023

MEMORANDUM

TO: Andrew Shelly, Planner II, Urban Design Section
VIA: Mridula Gupta, Planner IV, Subdivision Section *MG*
FROM: Mahsa Vatandoost, Planner II, Subdivision Section *MV*
SUBJECT: CDP-0303-01; Kenwood Village

The subject property is located on Tax Map 75 in Grids A-4, B-4, and Tax Map 83 in Grids A-1 and B-1. The property currently consists of 72 lots and three parcels, which are recorded in the Prince George's County Land Records in Plat Book SJH 242 plat numbers 50 through 56. The property is located within the Legacy Comprehensive Design (LCD) Zone. However, this comprehensive design plan (CDP) application was submitted for review under the prior Zoning Ordinance. Therefore, the property is reviewed pursuant to the prior Residential Suburban Development (R-S) zoning of the property, and prior Subdivision Regulations. This CDP application was accepted for review on April 26, 2023. Comments were previously provided at the May 12, 2023, SDRC Meeting. The comments in this referral memorandum are based on revised plans received on May 25, 2023.

This CDP-0303-01 proposes 124 single-family detached residential dwelling units.

The property is subject to the Preliminary Plan of Subdivision (PPS) 4-06159, titled "Wood Property", which was approved by the Prince George's Planning Board on September 13, 2017 (PGCPB Resolution No. 07-169(A)). PPS 4-06159 approved 72 lots and three parcels for the development of 72 single-family detached residential dwelling units on the property. This CDP proposes 124 single-family detached residential units, and therefore requires the approval of a new PPS and a new determination of adequacy to establish the new layout of lots and parcels. The new PPS will supersede PPS 4-06159, once approved.

New final plats of subdivision for the proposed development will be required subsequent to approval of this CDP and following PPS before any permits can be approved for this site.

Additional Comments:

1. Public rights-of-way for several streets were dedicated with prior record plats. These rights-of-way (Deer Chase Court, Kenwood Creek Court, and Kenwood Village lane) are proposed to be vacated and new rights-of-way proposed based upon a new lot layout. Vacation of any existing rights-of-way should be completed prior to the approval of the new final plats.

Right-of-way was also dedicated for future widening of White House Road, and for extension of master plan arterial road A-39 (Harry S. Truman Drive).

2. General Note 17 on the CDP Coversheet states that the requirement of mandatory dedication of parkland is not applicable for this development. The applicant has stated that this requirement was satisfied under prior approvals for the property, in the form of land dedication and fee-in-lieu payments. The site plan, however, shows two areas for onsite private recreational facilities. The adequacy of any parkland dedication, fee-in-lieu, or recreational facilities will be determined at the time of PPS review.
3. The property is located adjacent to White House Road, a master-planned arterial road. The property is also bisected by A-39, which is not yet improved. A phase I noise study will be required with the PPS application to demonstrate that any planned outdoor recreation areas and dwelling units are not impacted by noise. Also, at the time of site plan when the positions of dwellings are known, Phase II noise studies will be required. Mitigation will be required for all exterior noise-sensitive areas exposed to traffic noise levels above 65 dBA Ldn, to ensure traffic noise is reduced to not higher than that level. All dwellings exposed to noise levels above 65 dBA Ldn must achieve an interior noise level no higher than 45 dBA Ldn.
4. The CDP proposes 124 lots and seven parcels with public and private streets. The lotting and circulation pattern, and all the right-of-way dedications, will be reviewed further with the PPS application. Moreover, the location of required public utility easements along all public and private streets will be determined with the PPS and should be in accordance with Section 24-122(a) and Section 24-128(b)(12) of the prior Subdivision Regulations.
5. Basic Plan Amendment A-9802-C-01 and A-9803-C-01 were approved by the District Council in February 2023. There are several conditions and considerations of these basic plans which will impact the site and lot layout. Conformance of the PPS to these conditions and considerations will be reviewed at the time of PPS review.

Recommended Conditions:

None.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. All bearings and distances must be clearly shown on the CDP and must be consistent with the record plats of the property. There are no other subdivision issues at this time.



Countywide Planning Division
Historic Preservation Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco
301-952-3680

May 15, 2023

MEMORANDUM

TO: Andrew Shelly, Urban Design Section, Development Review Division

VIA: Tom Gross, Planning Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **Age**

SUBJECT: CDP-0303-01, Kenwood Village

The subject property comprises 63.10 acres and is in the southeast and southwest quadrants of the intersection of White House Road and Harry S. Truman Drive. The subject property is zoned LCD and located within the 2013 *Approved Subregion 6 Master Plan* area. The subject application proposes the development of 124 single-family detached dwelling units.

The 2013 *Approved Subregion 6 Master Plan* contains goals and policies related to Historic Preservation (pages 161-174). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property was high. An archeology survey was completed on the property in 2006 and no further work was recommended.

Interpretive signage summarizing the findings of the archeological investigations conducted on the property should be provided at the time of a specific design plan for architecture.

The subject property does not contain, and is not adjacent to, any designated Prince George's County Historic Sites or resources.

Recommendation

Historic Preservation Section staff recommends approval of CDP-0303-01, Kenwood Village, with two conditions:

1. At the time of a specific design plan for architecture, the applicant shall submit the wording and location of an interpretive sign detailing the findings of the archeological investigations conducted on the subject property.
2. Prior to issuance of the 47th building permit, the applicant shall install the required interpretive sign detailing the findings of the archeological investigations.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation
6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: June 1, 2023

TO: Andrew Shelly
Urban Design and Zoning Section, Development Review Division
Planning Department

VIA: Sonja Ewing, Assistant Division Chief [SE](#)
Park Planning and Development Division
Department of Parks and Recreation

FROM: Dominic Quattrocchi, Planning Supervisor [DQ](#)
Ivy Thompson, AICP, Planner III [IRT](#)
Land Acquisition/Management & Development Review Section
Park Planning and Development Division
Department of Parks and Recreation

SUBJECT: **CDP-0303-01 Kenwood Village**

The Department of Parks and Recreation (DPR) has reviewed and evaluated this application as it pertains to public parks and recreational facilities.

PROPOSAL

This application is for the development of 124 single family detached residences.

BACKGROUND:

The subject 63.10-acre property is in the Residential Medium Legacy Comprehensive Design (LCD) Zone. The site is located on the southeast and southwest quadrants where White House Road intersects with Harry S. Truman Parkway. The site is subject to the 2013 *Approved Subregion 6 Master Plan*, the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*. This property is currently platted, but unimproved.

DISCUSSION

Sectional Map Amendment A-9802-C -01 and A-9803-C -01 amended the basic plan to alter the lot sizes, required buffers and increase the number of dwelling units to the maximum permitted under the approved Basic Plan, which will generate funding necessary for the required frontage improvements along White House Road. The amendment of the basic plan increases the density of the development by 52 units and the provision of standard sidewalks in-lieu of a formal trail network.

CDP-0303-01
Kenwood Village

The development of a 25-acre neighborhood park at southeast of the intersection of Ritchie Marlboro Road and White House Road is noted in the Subregion 6 Master Plan. In addition to its role as a neighborhood park, the master plan recommends trailhead facilities at this location for the Chesapeake Beach Railroad Trail, which is intended to be a major hiker/biker link to the public park system in the area when it is completed. The western portion of the site (19.1 acres) was dedicated to M-NCPPC for that purpose. The 19.1 acres of parkland dedication on the western portion of the site was completed with approval of Final Plat 5-15027. In addition to the 19.1 acres forming part of a neighborhood park, the applicable master plan includes trailhead facilities for the Chesapeake Beach Railroad Trail, providing a major hiker/biker link to the public park system. Additionally, an off-site dedication of 5,003 square feet along the former Chesapeake Beach Railroad right-of-way to extend the existing parkland on the east to Ritchie-Marlboro Road provides land for the master planned trail construction and vehicular access to the planned neighborhood park and trailhead.

Mandatory dedication of parkland pursuant to Section 24-134(a) of the Prince George's County Subdivision Regulations provides for the dedication of land, the payment of a fee-in-lieu, or on-site recreational facilities. This CDP shows the fulfillment of on-site recreation. The details of these amenities and the cost estimates will be provided with the subsequent preliminary plan of subdivision and specific design plan applications

RECOMMENDATION:

The Park Planning & Development Division of the Department of Parks and Recreation recommends approval of Kenwood Village CDP-0303-01, subject to the following:

1. The applicant, his successors, and/or assigns, shall provide onsite recreational facilities in accordance with the standards outlined in the Parks and Recreation Facilities Guidelines and be reviewed by DRD at the time of Preliminary Plan and Specific Design Plan.

cc: Alvin McNeal
Bridget Stesney

From: [Reilly, James V](#)
To: [Shelly, Andrew](#)
Cc: [PPD-PGCrefferrals](#); [Reilly, James V](#)
Subject: FW: CORRECTION: SDRC: CDP-0303-01 (Kenwood Village) - SDRC Comment response (PB)
Date: Monday, May 29, 2023 5:31:17 PM
Attachments: [image001.png](#)
[image002.jpg](#)
Importance: High

[EXTERNAL EMAIL] Exercise caution when opening attachments, clicking links, or responding.

Good Afternoon Mr. Shelly,

It does not appear that I responded to the original referral for CDP-0303-01 (Kenwood Village), but we have no comments for this case. Regards. Jim

James V. Reilly

Contract Project Coordinator III



Office of the Fire Marshal
Division of Fire Prevention and Life Safety
Prince George's County Fire and EMS Department
6820 Webster Street, Landover Hills, MD 20784
Office: 301-583-1830
Direct: 301-583-1838
Cell: 240-508-4931
Fax: 301-583-1945
Email: jvreilly@co.pg.md.us

To pay for a fire inspection by credit card go to:

<https://www.velocitypayment.com/client/princegeorges/fire/index.html>

From: Townsend, Donald <Donald.Townsend@ppd.mncppc.org>
Sent: Thursday, May 25, 2023 12:55 PM
To: Shelly, Andrew <Andrew.Shelly@ppd.mncppc.org>; Smith, Tyler <Tyler.Smith@ppd.mncppc.org>; Stabler, Jennifer <Jennifer.Stabler@ppd.mncppc.org>; Gross, Thomas <thomas.gross@ppd.mncppc.org>; Chisholm, Amelia <Amelia.Chisholm@ppd.mncppc.org>; Henderson, Tamika <Tamika.Henderson@ppd.mncppc.org>; Franklin, Judith <Judith.Franklin@ppd.mncppc.org>; Green, David A <davida.green@ppd.mncppc.org>; Hancock, Crystal <crystal.hancock@ppd.mncppc.org>; Gupta, Mridula <Mridula.Gupta@ppd.mncppc.org>; Conner, Sherri <sherri.conner@ppd.mncppc.org>; Holley, Edward <Edward.Holley@Pgparcs.com>; PPD-EnvDRDreferrals <ppd-envdrdreferrals@ppd.mncppc.org>; Reilly, James V <JVReilly@co.pg.md.us>; 'SLToth@co.pg.md.us' <sltoth@co.pg.md.us>; Giles, Mary C. <mcgiles@co.pg.md.us>; Lord-Attivor, Rene <rlattivor@co.pg.md.us>; Snyder, Steven G. <SGSnyder@co.pg.md.us>; Abdullah, Mariwan <MABdullah@co.pg.md.us>; Formukong, Nanji W. <nwformukong@co.pg.md.us>; Tayyem, Mahmoud <mtayyem@co.pg.md.us>;



Division of Environmental Health/Disease Control

Date: May 10, 2023

To: Andrew Shelly, Urban Design, M-NCPPC

From: Adebola Adepolu, Environmental Health Specialist, Environmental Engineering/ Policy Program

Re: CDP-0303-01 Kenwood Village

The Environmental Engineering / Policy Program of the Prince George's County Health Department has completed a desktop health review of the comprehensive design plan submission for Kenwood Village located in the intersection of Harry S. Truman and White House Roads and has the following comments/recommendations:

1. Health Department permit records indicate there are approx. 10 or more carry-out/convenience store food facilities and one markets/grocery stores within a ½ mile radius of this location. Research has found that people who live near an abundance of fast-food restaurants and convenience stores compared to grocery stores and fresh produce vendors, have a significantly higher prevalence of obesity and diabetes.
2. The public health value of access to active recreational facilities has been well documented.
3. 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.
4. 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.



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



Division of Environmental Health/Disease Control

5. There are may be abandoned underground well and/or septic structures that may not have been backfilled in an acceptable manner. Contact the Division of Environmental Engineering Environmental Engineering and Policy Program at (301) 883-7681 for guidance on how to backfill abandoned well and septic structures

If you have any questions or need additional information, please contact me at 301-883-7677 or aoadepoju@co.pg.md.us.



Angela Aboobrook
County Executive

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
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THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Office of the Director



MEMORANDUM

June 4, 2023

TO: Andrew Shelly, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director
Site/Road Plan Review Division, DPIE *Mary Giles*

Re: Kenwood Village
Comprehensive Design Plan (CDP-0303-01)

CR: White House Road
CR: Harry S. Truman Drive

This memorandum is in response to Comprehensive Design Plan (CDP-0303-01) referral, for the development of 124 single-family detached dwelling units. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The property is located in Upper Marlboro, MD, on the south side of White House Road at its intersection with Harry S. Truman Drive.
- **White House Road** is an existing County-maintained Urban Arterial roadway to the north of the subject property with a varying right-of-way width as per Master Plan Road (A-36). The applicant shall provide right-of-way dedications and roadway/frontage improvements as required in accordance with the Department of Public Works and Transportation (DPW&T) standard (Std. 100.01) or as amended by a waiver. This work shall be permitted prior to or concurrent with issuance of a fine grading permit.
- **Harry S. Truman Drive** is an existing Arterial roadway maintained by the County to the west of the property with a 120' minimum right-of-way width as per the Master Plan (A-39). The applicant shall coordinate right-of-way dedications and roadway/frontage improvements with DPW&T as determined necessary.
- In the fine grading permit stage, speed humps are to be shifted away from the driveways.
- Lot 27 may have sight distance concerns. In the fine grading permit stage, provide proof of adequate sight distance or eliminate Lot 27.
- Full-width 2-inch overlay for all County roadway frontages is required.
- Conformance with DPW&T street tree and street lighting standards is required.

- Sidewalks are required along all roadways within the property limits in accordance with Sections 23-105 and 23-136 of the County Road Ordinance.
- The 2018 Water and Sewer Plan designates platted Kenwood Village subdivision in Water and Sewer Category 3, inside the Sewer Envelope, in the Growth Tier, and within Tier 1 under the Sustainable Growth Act, to be developed on the public water and sewer system.
- There are water and sewer lines in Whitehouse Road area located near the subdivision.
- Water and sewer line extensions are required to service the proposed subdivision and have been approved for extensions by the Washington Suburban Sanitary Commission.
- All storm drainage systems and facilities are to be designed and built-in accordance with County requirements.
- The proposed Comprehensive Design Plan (CDP-0303-01) is consistent with the site development concept case no. 19807-2022-0, which is still under review by DPIE and has not been approved yet.
- The proposed development will require a site development fine grading permit approved by DPIE.
- Floodplain Study FPS 200601 governs. A floodplain easement will be required on the final subdivision plats.
- If the grading plans and proposed culverts do not match the previously approved floodplain study, then the floodplain study shall be revised/updated prior to approval of final subdivision plats and fine grading permit issuance.
- A soils investigation report which includes subsurface exploration and geotechnical engineering evaluation for all proposed roadways and grading is required.
- This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
 - a) Final site layout, exact impervious area locations are shown on plans.
 - b) Exact acreage of impervious areas has not been provided.
 - c) Proposed grading is shown on plans.
 - d) Stormwater volume computations have not been provided.
 - e) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth.

- f) Disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion, and sediment control practices are not included in the submittal.
- g) A narrative in accordance with the code has not been provided.
- h) Applicant shall provide items (a-g) at the time of filing final site permits.

If you have any questions or require additional information, please contact Mr. Mariwan Abdullah, District Engineer for the area, at 301.636.2060.

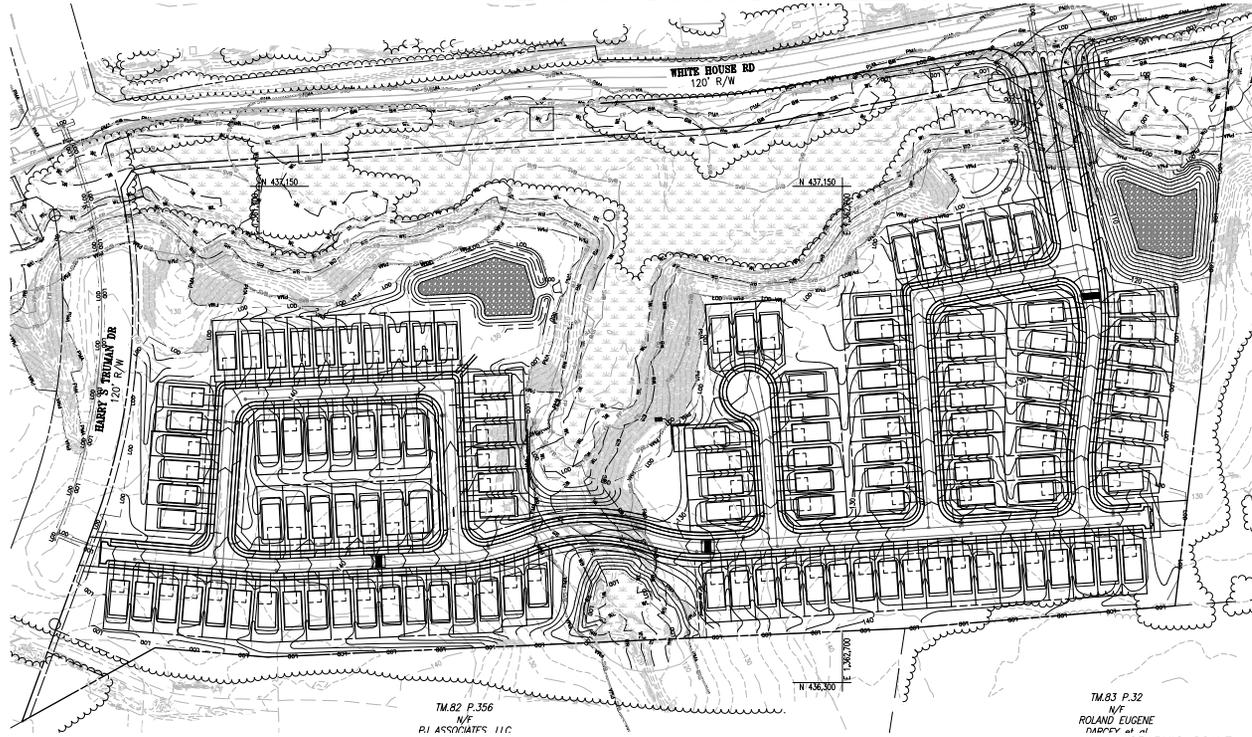
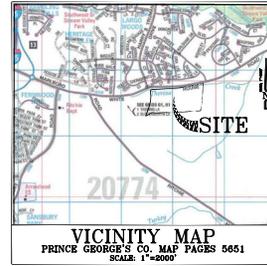
MA:II:AG:

cc: Rey DeGuzman, PE, Chief, S/RPRD, DPIE
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
MJ Labban, Engineer, S/RPRD, DPIE
Yonas Tesfai, P.E., Engineer, S/RPRD, DPIE
BHC, Inc., Mid-Atlantic Builders, 11611 Old Georgetown Road
Gibbs & Haller, 1300 Caraway Court, Suite 102

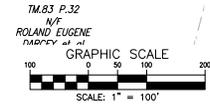
KENWOOD VILLAGE

SITE DEVELOPMENT CONCEPT PLAN

SDC # 19807-2022-0



- GENERAL NOTES**
- PROJECT NAME: KENWOOD VILLAGE
 PROJECT OWNER: WALTON MARYLAND LLC
 PO BOX 2240
 CHAMBERS, GA 30028
- APPLICANT: SNC INC.
 811611 OLD GEORGETOWN ROAD 2ND FLOOR
 ROCKVILLE, MD 20852
- SITE AREA: 38.32 AC.
 - EXISTING ZONING: LUD
- DEVELOPMENT DATA**
- PROPOSED USE OF PROPERTY: RESIDENTIAL (SINGLE FAMILY DETACHED)
 - PROPOSED NUMBER LOTS, OUTLOTS AND PARCELS: 124 LOTS, 10 PARCELS
 - GROSS FLOOR AREA: N/A
 - LOT WIDTH: 42 FT. MIN. AT FRONT STREET LINE
 - BUILDING HEIGHT: 30 FT. MAX.
 - BREAKDOWN OF PROPOSED DWELLING UNITS BY TYPE: 124 SINGLE FAMILY DETACHED
 - ROAD FRONTAGE: WHITE HOUSE ROAD: 3,414'
- UTILITY NOTES**
- EXISTING WATER/SSEWER CATEGORY: W-3 AND S-3
 - PROPOSED WATER/SSEWER CATEGORY: W-3 AND S-3
 - WATER/SSEWER SERVICE WILL BE PUBLIC.
 - 10 FT. PUBLIC UTILITY EASEMENT IS PROVIDED ALONG PROPOSED ROAD RIGHTS OF WAY.
 - 10 FT. PUBLIC UTILITY EASEMENT WAS PREVIOUSLY DEDICATED ALONG WHITE HOUSE ROAD AND HARRY S. TRUMAN DR. (P.L.S.H. 242 P.A.S. 50-56)
- SITE INVENTORY INFORMATION**
- TAX MAP & GRID: 75-04, 75-04, 83-01, 83-02
 - 200-FOOT MAP REFERENCE: Z05S09
 - ADJACENT INTERIM LAND USE CONTROL: NO
 - MANICURED PARK DESIGNATION: PREVIOUSLY DEDICATED
 - WETLANDS: YES
 - BEHIND CHESTERAKE BAY CRITICAL AREA: NO
 - 100-YEAR FLOODPLAIN: YES
 - APPROVED PPID: 200801
 - WATERSHED: WESTERN BRANCH PATUMENT RIVER
 - IMPACTED WATERSHED: YES, IMPACTED WITH SEDIMENT, NITROGEN, & PHOSPHOROUS
 - TIER & WATERSHED: NO
 - TOPOGRAPHY: AERIAL & FIELD SURVEY BY CHARLES P. JOHNSON & ASSOC., FEB 2022
 - PREVIOUS APPROVALS: STORM DRAIN AND PARKING PLAN (S.D. 43063-2006-02)



TOTAL DISTURBED AREA = 26.53 AC

SHEET INDEX	
SHEET NO.	DESCRIPTION
1	COVER SHEET
2	OVERALL DRAINAGE AREA MAP
3	SECTION 1
4	SECTION 2
5	SECTION 3
6	DETAIL SHEET

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LICENSE NUMBER: **19192**
 EXPIRATION DATE: **7/16/2023**

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Prince George's County Government
 Department of Permitting, Inspections and Enforcement
 Site/Road Plan Review Division
 8400 Peppercorn Place, Suite 420
 Largo, Maryland 20774
Final Plan BMP SUMMARY TABLE
 Revision Date: October 7, 2021

Project Name: Kenwood Village		Concept No. 19807-2022		Permit No.		Total Site Acreage: 38.32 acres														
POI	LABEL	NAME	MD NORTH	MD EAST	LAND USE	CONSTRUCTION PURPOSE	DRAINAGE AREA (AC)	TOTAL IMPERVIOUS AREA (AC)	NEW IMPERVIOUS AREA (AC)	EXISTING IMPERVIOUS AREA (AC)	PERCENT IMPERVIOUS	RV	TARGET PE (R)	TARGET VOL (CF)	DESIGN VOL (CF) USING ESD PRACTICES	DESIGN VOLUME (CF) USING STRUCTURAL PRACTICES	MAX ESD VOL (ESD MAX) (CF)	R/CN	ON_OFF_SITE	
LOI 1	SGW-1	Submerged Gravel Wetland 1	437,100	1,363,300	Residential	New Development	12.76	3.25	3.25	0	25%	0.28	1.5	19,402	33,971	0	35,030	70	ON-SITE	
LOI 2	SGW-2	Submerged Gravel Wetland 2	437,010	1,362,170	Residential	New Development	6.93	3.74	3.74	0	54%	0.53	1.5	20,192	35,158	0	36,690	81	ON-SITE	
Untreated Impervious							3.92	3.92	0	100%	0.95	1.5	20,268	0	0	0	0			
Total							10.90	10.90	0	41%	0.42	1.5	60,680	69,129	0	71,720				

Site Development Concept Plan
 COVER SHEET
KENWOOD VILLAGE
 15TH ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
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 www.cpj.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Pikesville, MD

CLIENT: SNC INC. 811 OLD GEORGETOWN ROAD 2ND FLOOR ROCKVILLE, MD 20852	TAX MAP/SSD: Z05S09 75-04, 75-04, 83-01, 83-02	SITE PLAN NO.: 2022-1026-58-01
DRAWN: CJDW	CHECKED: CJDW	DATE: MAR 2023
FILE NO.: 1	SHEET NO.: 6	SCALE: AS SHOWN

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15th ELECTION DISTRICT
 15th ELECTION DISTRICT
 15th ELECTION DISTRICT

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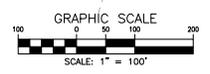
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- - - EX. GRADE	--- STEEP SLOPES (15-25%)
--- PROP. GRADE	--- PROP. SUBMERGED GRAVEL WETLAND
○ EX. UTILITY POLE	--- PROP. STORM DRAIN
--- EX. GUY WIRE	--- PROP. WATERLINE
--- EX. OVERHEAD ELECTRIC	--- PROP. SEWER
○ EX. GAS LINE	--- LIMITS OF DISTURBANCE
W WETLAND	--- PROP. DRAINAGE DIVIDE
WB WETLAND BUFFER	
--- STREAM CENTER	
--- STREAM VALLEY BUFFER	
--- 100 YEAR FLOODPLAIN	
--- PMA PRIMARY MANAGEMENT AREA	
--- EX. DRAINAGE DIVIDE	

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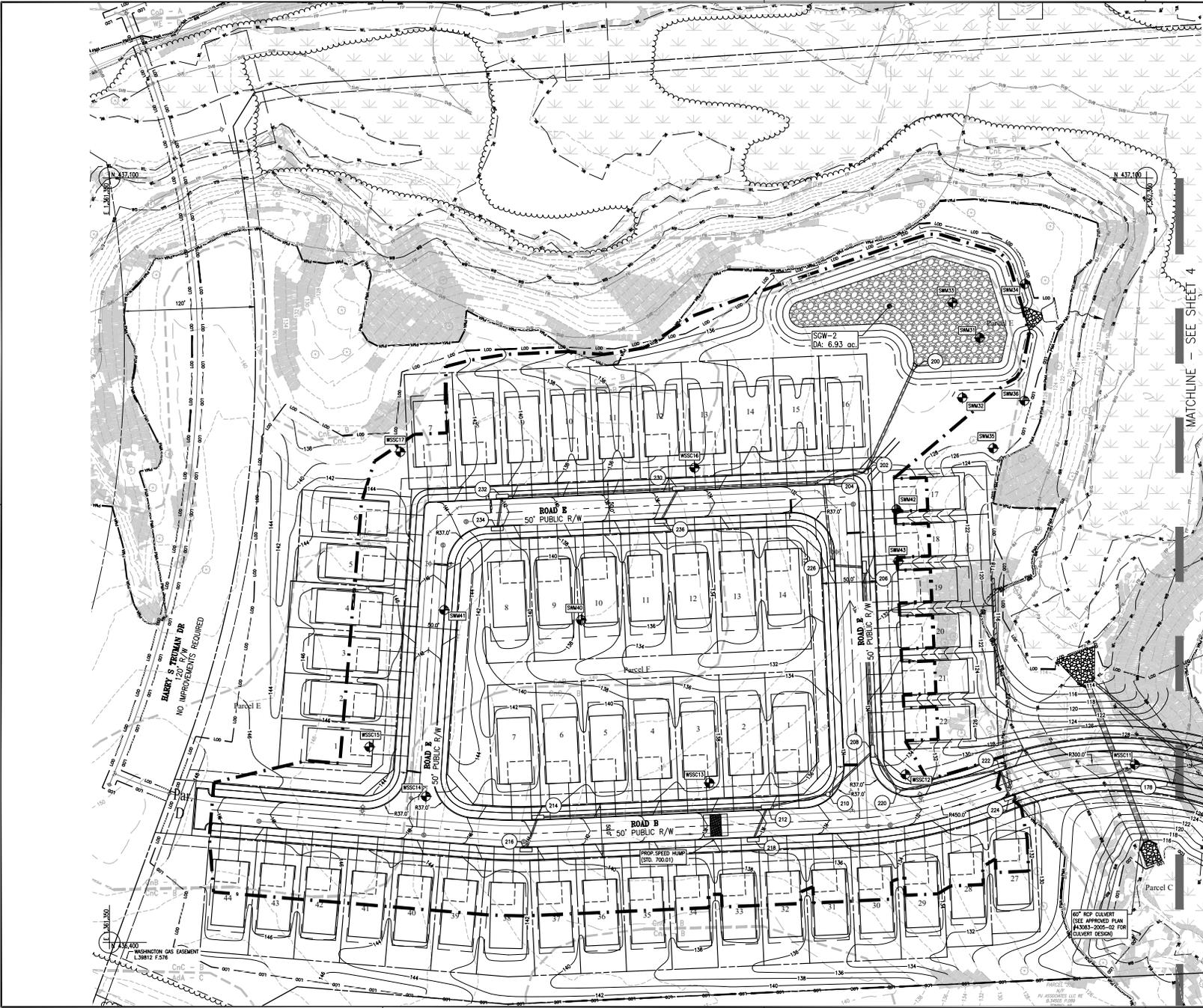


Site Development Concept Plan
 OVERALL DRAINAGE AREA MAP
KENWOOD VILLAGE
 15TH ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

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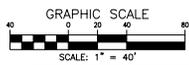
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	DRAFT: CDW	DATE: MAR 2023
	SCALE: AS SHOWN	FILE NO: 2022-0226-38-02

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MATCHLINE - SEE SHEET 4

1" = 40'
 1" = 20'
 1" = 10'
 1" = 5'



LEGEND

---	BOUNDARY LINE	+	SOIL BORE LOCATION
---	EX. GRADE	▨	SOILS DELINEATION
---	PROP. GRADE	▨	STEEP SLOPES (>15%)
○	EX. UTILITY POLE	▨	PROP. SUBMERGED GRAVEL WETLAND
○	EX. GUY WIRE	▨	PROP. STORM DRAIN
W	WETLAND	▨	PROP. WATERLINE
WB	WETLAND BUFFER	▨	PROP. SEWER
SC	STREAM CENTERLINE	▨	LIMITS OF DISTURBANCE
SVB	STREAM VALLEY BUFFER	▨	PROP. DRAINAGE DIVIDE
PM	PRIMARY MANAGEMENT AREA	▨	100 YEAR OVERFLOW PATH
FP	FLOODPLAIN	▨	PROP. STOP BAR
FB	FLOODPLAIN BUFFER	▨	PROP. STOP SIGN
		▨	PROP. SPEED HUMP

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Site Development Concept Plan
 SECTION 1
KENWOOD VILLAGE
 15TH ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

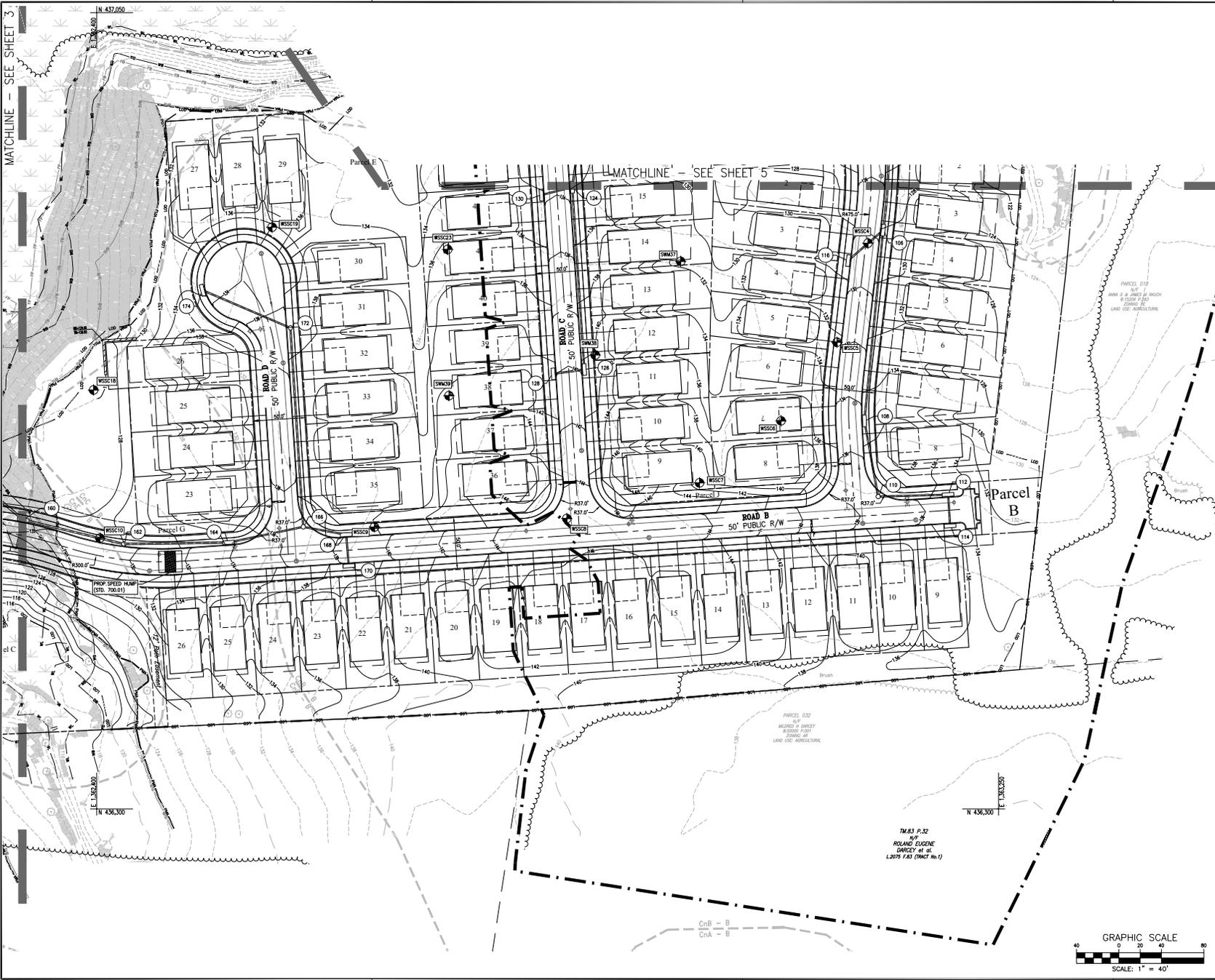
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CLIENT:	BY/DATE:	TAX MAP/ISSUE:	SITE PLAN NO.:
151 OLD GEORGETOWN ROAD 250 FLOORS ROCKVILLE, MD 20852	2/28/2023	202309	25.04.15.04.01.01.01.01
		DRAFT	CDW
		DRAFT	CDW
			3
			6
		DATE:	FILE NO.:
		MAR 2023	2022-1026-38-01
		SCALE:	AS SHOWN

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MATCHLINE - SEE SHEET 3

MATCHLINE - SEE SHEET 5



LEGEND

--- BOUNDARY LINE	⊕ SOIL BORE LOCATION
- - - EX. GRADE	▨ SOLS DELINEATION
- - - PROP. GRADE	▨ STEEP SLOPES (>15%)
⊙ EX. UTILITY POLE	▨ PROP. SUBMERGED GRAVEL WETLAND
⊙ EX. GUY WIRE	▨ PROP. STORM DRAIN
▨ WETLAND	▨ PROP. WATERLINE
▨ WETLAND BUFFER	▨ PROP. SEWER
▨ STREAM CENTERLINE	▨ LIMITS OF DISTURBANCE
▨ STREAM VALLEY BUFFER	▨ PROP. DRAINAGE DIVIDE
▨ PRIMARY MANAGEMENT AREA	▨ 100 YEAR OVERFLOW PATH
▨ FLOODPLAIN	▨ PROP. STOP BAR
▨ FLOODPLAIN BUFFER	▨ PROP. STOP SIGN
	▨ PROP. SPEED HUMP

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Site Development Concept Plan
 SECTION 2
KENWOOD VILLAGE
 15TH ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

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CLIENT: BPC INC. 181 OLD GEORGETOWN ROAD 250 FLOORS ROCKVILLE, MD 20852	TAX MAP/ISSUE: 2025001 25.04.25.04.05.01.01	SITE PLAN NO.: 46
DESIGN: CDW	DATE: MAR 2023	SCALE: AS SHOWN
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LEGEND

--- BOUNDARY LINE	⊕ SOIL BORE LOCATION
- - - EX. GRADE	▨ SOILS DELINEATION
- - - PROP. GRADE	▨ STEEP SLOPES (>15%)
⊕ EX. UTILITY POLE	▨ PROP. SUBMERGED GRAVEL WETLAND
⊕ EX. GUY WIRE	▨ PROP. STORM DRAIN
▨ WETLAND	▨ PROP. WATERLINE
▨ WETLAND BUFFER	▨ PROP. SEWER
▨ STREAM CENTERLINE	▨ LIMITS OF DISTURBANCE
▨ STREAM VALLEY BUFFER	▨ PROP. DRAINAGE DIVIDE
▨ PMA	▨ 100 YEAR OVERFLOW PATH
▨ FPA	▨ PROP. STOP BAR
▨ FLOODPLAIN	▨ PROP. STOP SIGN
▨ FLOODPLAIN BUFFER	▨ PROP. SPEED HUMP

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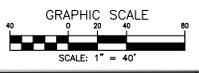
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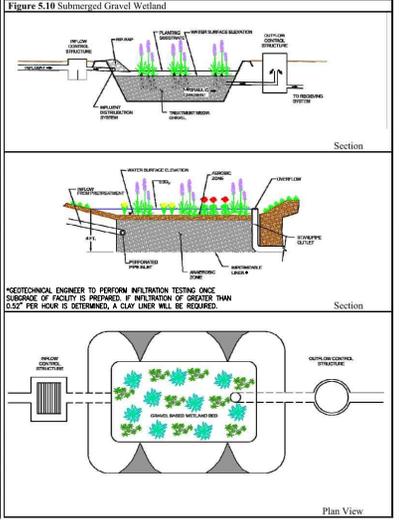
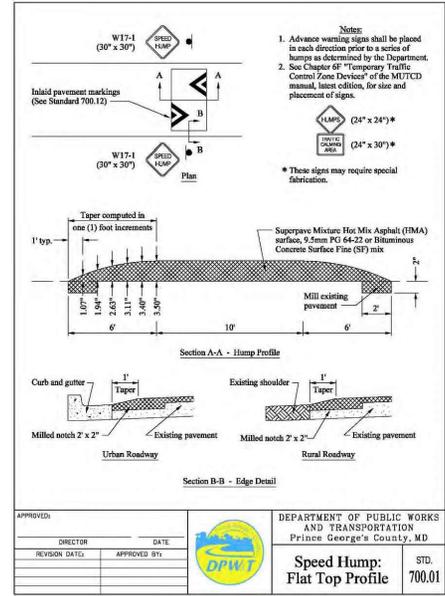
Site Development Concept Plan
 SECTION 3
KENWOOD VILLAGE
 15TH ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

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CLIENT: BPC INC. 1801 OLD GEORGETOWN ROAD 250 FLOORS ROCKVILLE, MD 20852	TAX MAP/WSSC: 2025001 DATE: MAR 2023 SCALE: AS SHOWN	SITE PLAN NO.: 25.04.25.04.02.01.01.01 DRAFT: CDW DATE: MAR 2023 SCALE: AS SHOWN	5 6
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 LICENSE NUMBER : 13192
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Site Development Concept Plan
 DETAIL SHEET
KENWOOD VILLAGE
 15TH ELECTION DISTRICT
 PRINCE GEORGE'S COUNTY, MARYLAND

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CLIENT: BEC INC. 1511 OLD GEORGETOWN ROAD 250 FLOORS ROCKVILLE, MD 20852	TAX MAP/ISSUE: 202509 PROJECT: CDW	SITE PLAN NO.: 25-04-20-04-00-01-01	SHEET: 6
DRAFT: CDW		DATE: MAR 2023	FILE NO.: 2022-1026-38-01

SCALE: AS SHOWN

1 - GENERAL COMMENTS

Status as of 05/11/2023 10:05 AM

Type: Department Review

State: DSD - Project Manager

Page: 2

Created by: Jonathan Madagu

On: 05/11/2023 10:05 AM

Type: Department Review

State: DSD - Project Manager

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.
2. Coordination with other buried utilities:
 - a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
 - b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
 - c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
 - d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
 - e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
 - f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
 - g. Upon completion of the site construction, utilities that are found to be located within WSSC's rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.
3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.
4. Unless otherwise noted: ALL extensions of WSSC's system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at <https://www.wsscwater.com/business--construction/developmentconstruction-services.html> for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

----- 0 Replies -----

2 - WATER AND SEWER

Status as of 05/11/2023 10:13 AM

Type: Department Review

State: DSD - Project Manager

Page: 2

Created by: Jonathan Madagu

On: 05/11/2023 10:13 AM

Type: Department Review
State: DSD - Project Manager

1). A proposed site development project was previously submitted to WSSC (DA7508Z23) and is conceptually approved. Contact Jonathan Madagu at (301) 206-8642 or Jonathan.Madagu@wsscwater.com for information. See attached approved LOF's and HPA sketch dated 12/19/2022.

2). Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Unit at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.

3). Show and label all existing nearby water and/or sewer service connections that may be impacted by the proposed development.

4). WSSC facilities/structures cannot be located with a public utility easement (PUE) however WSSC pipelines may cross over a PUE. Revise the plan to relocate any pipeline, valve, fire hydrant, meter vault and any other WSSC facilities/structures outside of the PUE.

----- 0 Replies -----



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GENERAL MANAGER
Carla A. Reid

December 19, 2022

BHC INC.
c/o Joe Zdrojewski
11611 Old Georgetown Road 2nd floor
Rockville, MD 20852

Re: Letter of Findings WSSC Project No. DA7508Z23, Kenwood Village

Dear Applicant:

A hydraulic planning analysis has been completed on the Kenwood Village project. The project has been conceptually approved. Please refer to the enclosed sketch along with the summary table and list of conditions included in this letter, which provide the results of our analysis.

HYDRAULIC SUMMARY TABLE	
Proposed Development: 124 SFDU'S	
200-ft Sheet: 203SE09	
SEWER	WATER
WRRF Service Area: Western Branch	Hydraulic Zone Prince George's High
Mini-Basin Number: 14-098	Pressure Zone: 317A
	High Grade: 355 feet
	Low Grade: 275 feet

The following is a list of conditions that apply to this project and must be met before a Systems Extension Permit (SEP) will be issued

MANDATORY REFERRAL PROCESS

This project may be subject to the Maryland-National Capital Park and Planning Commission's Mandatory Referral Program, depending on its planned water / sewer infrastructures and associated appurtenances. It is the Applicant's responsibility to contact the appropriate County's Department of Park and Planning for specific guidance and their standards for Mandatory Referral Review. During Phase 2 Design Review, WSSC must be notified, if the project is subject to the Mandatory Referral Process.

SANITARY SEWER CONDITIONS

REQUIRED SANITARY SEWER MAIN SIZES

Sewer shall be 8-inch diameter gravity sewer.

ENVIRONMENTAL IMPACTS

The proposed sewer main outfall will impact wetlands, stream buffers, 100-year flood plain, steep slopes, and possibly large trees. The alignment may need adjustment during the design stage.

WATER MAIN EXTENSION CONDITIONS

LARGE DIAMETER WATER MAINS IN THE VICINITY

There is a 16-inch diameter water main located in the vicinity of this project. WSSC records indicate that the pipe material is Pre-stressed Concrete Cylinder Pipe (PCCP).

Prior to submittal of Phase 2 System Integrity review, it is the applicant's responsibility to test pit the line and determine its exact horizontal and vertical location as well as to verify the type of pipe material. **The applicant's engineer is responsible for coordinating with WSSC for monitoring and inspecting test pits for this project.** Results of the test pit findings must be accurately depicted on ALL Phase 2 plan submittals and support documents.

Please refer to the latest WSSC Pipeline Design Manual, Part 3, Section 11, Loading Analysis, for additional general information and guidance.

DIRECT WATER SERVICE FROM EXISTING PCC WATER MAINS

Water service connections to Pre-stress Concrete Cylinder Pipes (PCCP) are not permitted. At minimum, two sections of a PCCP must be removed and replaced with a new material (DIP) prior to connecting to the main. For more details, see Part One, Section 7, page W-7.4, of the latest WSSC Pipeline Design Manual.

REQUIRED WATER MAIN SIZES

The diameters of the proposed mains, **8 inches**, as shown on the attached sketch.

ISOLATION VALVES

Provide enough isolation valves on new mains to provide redundancy. Isolation valves are required on existing public mains when a proposed main connects to an existing public main. See the sketch for preliminary locations of isolation valves. Keep valves *Open*. Numbers and exact location of valves will be determined during the Design phase.

EXCESSIVE WATER PRESSURE

Pressure reducing valve/regulator may be required. Static pressure may exceed 80 psi below an elevation of 170 feet.

OUTSIDE METERS

Any residential water service over 300 feet in length will require an outside meter.

COORDINATION WITH OTHER BURIED UTILITIES

Refer to the latest WSSC Pipeline Design Manual Pages G-1 and G-2 for utility coordination requirements. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC easement unless specifically approved by WSSC. Longitudinal occupancy of WSSC easements (by other utilities) is not permitted. Proposed utility crossings of WSSC pipelines or easements that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at the design plan review phase. Refer to the latest WSSC Pipeline Design Manual Part Three, Section 3. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including impacts to proposed street and building layouts.

SERVICE DEPENDENT ON OTHER CONSTRUCTION

Since this project will be built in separate parts, the following table provides information on which parts are dependent on the other parts being constructed and released for service:

Part	Dependencies
1	None
2	Part 1

IMPACTS DUE TO GRADING / PIPE LOADING CHANGES

Any grading, change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC easement requires **advance approval** by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street easement requires WSSC approval directly on the original GEP **prior to** approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation, or abandonment) of existing WSSC facilities is done at the sole expense of the applicant / builder / developer. For Relocations work associated with a Systems Extension Project or a Site Utility Project, contact the Development Services Division. Please arrange for this review before plan submittal. See WSSC Design Manual C-11.

MINIMIZE CONNECTION LENGTHS

The length of all connections should be minimized.

ENVIRONMENTAL CONDITIONS

The applicant must resolve all environmental issues directly with the Environmental reviewer. All outstanding environmental issues must be resolved prior to the Design Phase.

The next step in the process is Phase 2, Review for System Integrity. Contact Permit Services at 301-206-8650 or at www.wsscwater.com for more information on electronic submittal of System Integrity Review Packages. Should you wish to schedule a pre-design meeting, please contact Jonathan Madagu at (301) 206-8642 or Jonathan.madagu@wsscwater.com.

This Letter of Findings will expire if no “actions” are taken by the applicant over the 3-year period following the date of this letter. For definition of “actions”, see the latest Development Services Code, Section 405.1.1.

If you have any questions or concerns, please feel free to contact me at 301-206-8642 or [Jonathan.Madagu @wsscwater.com](mailto:Jonathan.Madagu@wsscwater.com).

Sincerely,

JMadagu

Jonathan Madagu

Project Manager

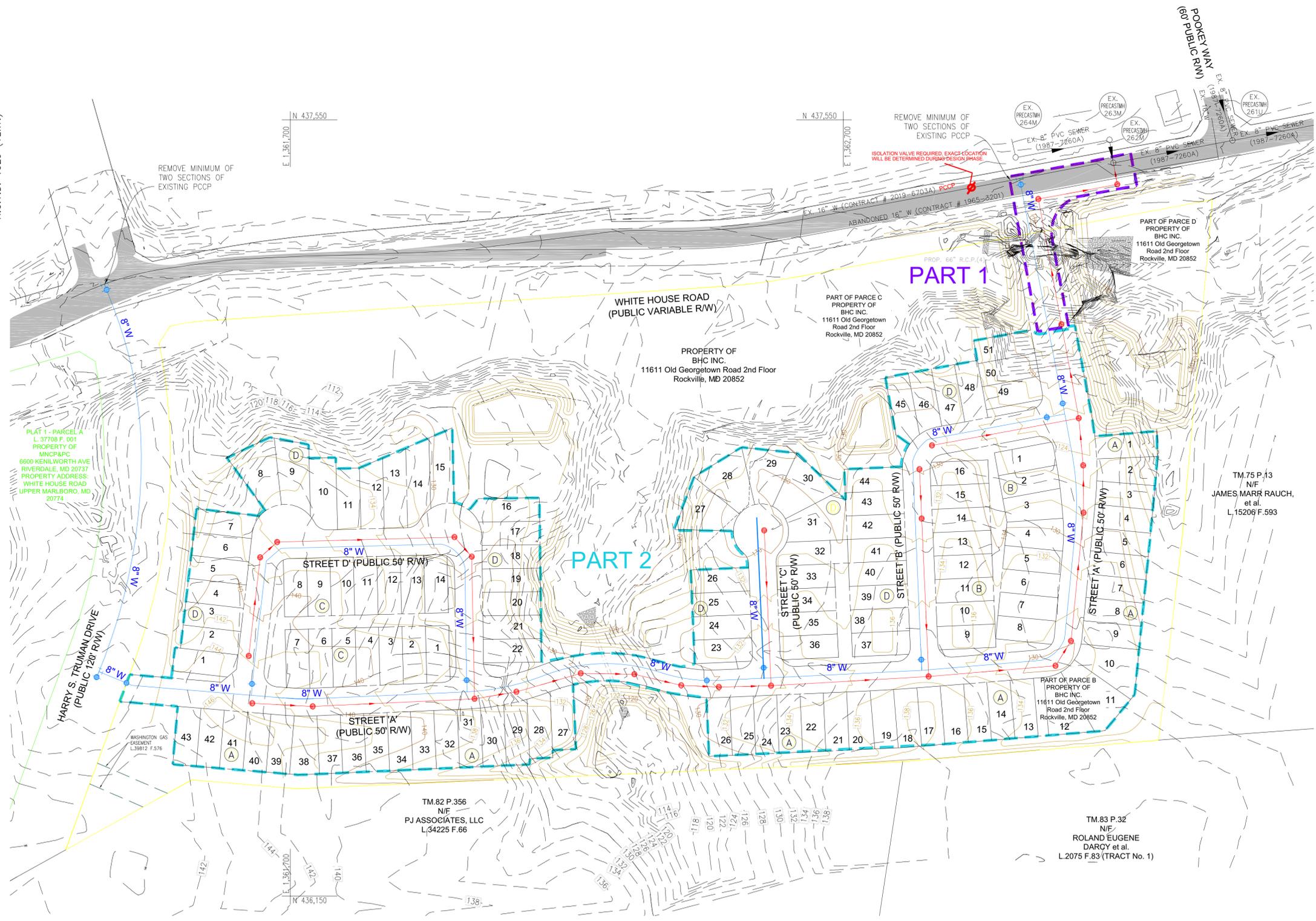
Development Services Division

Enclosure: sketch

cc: Jodi Gensley - Charles P. Johnson & Associates, Inc.
Mr. Fred Mejias (Fred.Mejias@wsscwater.com) - Development Section Manager
Ms. Shirley Branch (sbranch@co.pg.md.us) - Department of Permitting, Inspections & Enforcement (DPIE)

bcc: #DSGIntake
Accounting Division
Planning Division
DSD GIS Technician
Development Service

SCALE: 1" = 100'
 MD STATE PLANE DATUM
 N.A.D. 83/91 (HORZ.)
 N.G.V.D. 1929 (VERT.)



VICINITY MAP
 SCALE: 1" = 2,000'
 Prince George's County Map Page 5651 Grid H-2

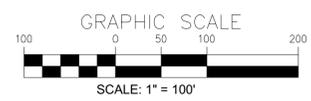
LEGEND

- APPLICANT'S PROPERTY
- MNCPPC, MARYLAND PARK SERVICE, NATIONAL PARK SERVICE, AND BOARD OF EDUCATION PROPERTY
- ADJACENT PROPERTIES
- EXISTING WATER MAINS (CONTRACT # & SIZE)
- EXISTING SEWER MAINS (CONTRACT # & SIZE)
- PROPOSED WATER MAINS
- PROPOSED SEWER MAINS
- PROPOSED LOW PRESSURE SEWER/ FORCE MAIN
- PROPOSED ON-SITE WATER & SITE UTILITY CONNECTIONS
- PROPOSED ON-SITE SEWER & SITE UTILITY CONNECTIONS
- EXISTING BUILDINGS
- PROPOSED BUILDINGS
- STREET NAME ROAD NAMES
- EXISTING PAVING
- ESMT
- PROPOSED 10' CONTOURS
- PROPOSED 2' CONTOURS
- EXISTING 10' CONTOURS
- EXISTING 2' CONTOURS
- PROPOSED HIGH/LOW POINT ELEVATIONS
- PART 1
- PART 2

ALL SEWER TO BE 8-INCH GRAVITY SEWER

APPROVED
J. Madaya
12/19/2022

DEVELOPMENT BY PARTS	
PART	Single Family Detached
1	WATER & SEWER ONLY
2	124
TOTAL =	124 124



SERVICE CATEGORIES	
W - 3	S - 3
HYDRAULIC GRADES	
HHG	355
LHG	275
PRESSURE ZONE	317A

WASHINGTON SUBURBAN SANITARY COMMISSION



ENGINEER: Contact: Jodi Gensley Email: wssc.permits@cpja.com
Charles P. Johnson & Associates, Inc.
 Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9398
 www.cpa.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

APPLICANT:
 NAME: BHC INC.
 CONTACT: Joe Zdrojewski
 ADDRESS: 11611 Old Georgetown Road 2nd Floor Rockville, MD 20852 (240) 388-7406
 PHONE: joez@midatlanticbuilders.com
 EMAIL:

WESTERN BRANCH BASIN / MINI BASIN 14-098

HYDRAULIC PLANNING ANALYSIS
 KENWOOD VILLAGE

CONTRACT DA7508Z23

200'S 203 SE 0303-01 Backup 408 of 408 11/02/2022

Additional Back-up

For

**CDP-0303-01
Kenwood Village**

APPLICANT'S PROPOSED REVISIONS TO CONDITIONS
KENWOOD VILLAGE
COMPREHENSIVE DESIGN PLAN CDP-0303-01
JULY 13, 2023

RECOMMENDATION

Based upon the preceding evaluation and analysis, the Urban Design Section recommends that the Planning Board adopt the findings of this report and APPROVE Comprehensive Design Plan CDP-0303-01 and Type 1 Tree Conservation Plan TCP1-017-04-03 for Kenwood Village, subject to the following conditions:

1. Prior to certificate approval of the comprehensive design plan (CDP), the following revisions shall be made, or information shall be provided:
 - a. Revise the site acreage in General Note 2, on the coversheet of the CDP, to conform with the approved basic plans.
 - b. Provide the 100-year floodplain acreage and net tract area acreage, on the coversheet of the CDP, to conform with the approved basic plans.
 - c. Provide a development regulations table on the coversheet of the CDP.
 - d. Provide ~~an area designated for a dog park and~~ dog waste stations at appropriate locations within the subject property. ~~The details of the dog park and dog waste stations will be evaluated with future applications. Further explore at specific design plan, the location and construction of a dog park.~~
 - e. Provide the approved Natural Resources Inventory Equivalency Letter, NRI-135-05-01.
2. The preliminary plan of subdivision application shall include the amount of right-of-way dedication, in accordance with the 2009 *Approved Countywide Master Plan of Transportation*.
3. Prior to acceptance of the preliminary plan of subdivision application, a statement of justification (SOJ) for the necessary primary management area (PMA) impacts shall be included in the application package. The SOJ shall address all proposed impacts on regulated environmental features. PMA impacts solely associated with the creation of lots will not be allowed.
- ~~4. The preliminary plan of subdivision application shall include a detailed soils study, demonstrating that the site is geologically suitable for the proposed development.~~
- ~~5. The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.~~
- ~~6.4.~~ All subsequent plan submittals for this property, including the preliminary plan of subdivision and the specific design plans, shall further minimize the extent and number of anticipated PMA impacts as each phase of the development process involves more detailed

information. Impacts solely associated with the creation of lots, are not allowed.

~~7. Road improvements shall be included at the time of preliminary plan of subdivision, and shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed upon timetable for construction with the appropriate operating agency.~~

8.5. The preliminary plan of subdivision application shall include a Phase I noise study addressing potential adverse noise impacts from existing and widened White House Road (A-36) along the northern property boundary.

9.6. At the time of preliminary plan of subdivision, adequate lot depth with respect to possible noise or visual impacts from adjacent White House Road shall be reviewed.

10.7. A copy of the approved stormwater management concept plan and approval letter shall be submitted ~~with no more than 40 days prior to the hearing on~~ the preliminary plan of subdivision application.

11.8. The applicant and the applicant's heirs, successors, and/or assignees, shall provide on-site recreational facilities, in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*, and be reviewed by the Development Review Division of the Prince George's County Planning Department, at the time of preliminary plan of subdivision and specific design plan.

12.9. During the review of the preliminary plan of subdivision, the appropriate point of transition from an 80-foot right-of-way to a 50-foot right-of-way, along the major internal street, shall be determined. The point of transition shall be consistent with typical practices and shall consider lotting patterns and the overall internal street network.

~~13.10. Prior to acceptance of the specific design plan, a geotechnical analysis shall be included in the application package report shall be provided to determine the suitability of the soils for the proposed development.~~

14.11. At the time of specific design plan, the shared-use path and the specifications and details for all master plan facilities, along the frontage of White House Road, shall be shown on the plan ~~unless modified by the appropriate agency with written correspondence.~~

15.12. At the time of specific design plan, the applicant shall submit the wording and location of an interpretive sign, detailing the findings of the archeological investigations conducted on the subject property.

16.13. At the time of specific design plan, the applicant shall provide the following general notes on the coversheet:

- a. During the construction phases of this project, noise should not be allowed to adversely impact activities on adjacent properties. Indicate intent to conform to the construction activity noise control requirements, as specified in Subtitle 19 of the Prince George's County Code.
- b. 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 the construction activity dust control requirements, as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

- c. There may be abandoned underground well and/or septic structures that may not have been backfilled, in an acceptable manner. Contact the Prince George's County Health Department, Environmental Engineering/Policy Program at (301) 883-7681 for guidance on how to backfill abandoned well and septic structures.

~~17.14.~~ At the time of specific design plan, the buffers and fencing required, pursuant to Condition 7 of Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01, shall be appropriately identified and labeled.

~~18.15.~~ Before approval of a specific design plan for the project, the following design issue shall be analyzed and provided for, to the extent feasible:

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

~~19.16.~~ Before approval of a specific design plan, the applicant shall add a note to the plans that screening in the buffer running on both sides of the stream parallel to White House Road shall be provided, by leaving the wetlands in a natural state, except for the proposed (and approved) crossing.

~~20.17.~~ Prior to specific design plan approval, the applicant shall include on the plans an-the location of a future eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.

~~21.18.~~ Crediting of woodland conservation shown on any property to be dedicated to, or is owned by, the Maryland-National Capital Park and Planning Commission is subject to written approval by the Prince George's County Department of Parks and Recreation, prior to certification of the Type 2 tree conservation plan which specifically states the location, acreage, and methodology of the woodland conservation credits.

~~22.19.~~ At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall be approved by the Environmental Planning Section and shall contain the delineated Patuxent River Primary Management Area, except areas of approved impacts. 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 the prior written consent of the Planning Director. The removal of hazardous trees, limbs, branches, or trunks is allowed."

~~23.20.~~ Before issuance of permits which impact wetlands, wetland buffers, streams, or Waters of the United States, the applicant shall submit to the Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

~~24.21.~~ Prior to issuance of the 47th building permit, the applicant shall install the required interpretive sign, detailing the findings of the archeological investigations.

~~25.22.~~ Standard sidewalks shall be indicated on both sides of all internal roads, if approved by the Department of Public Works and Transportation.

~~26.23.~~ The public vehicular access to the future master-planned neighborhood park shall be provided from Ritchie Marlboro Road. The access to the park from Kenwood Village shall be limited to pedestrian access only.

~~27.24.~~ Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property. If a trail connection is approved on the subject property pursuant to Condition 17 outside the public right of way, then prior to the approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall execute a Public Use Easement Agreement to the benefit of M-NCPPC to allow for the eventual construction of the trail connection. The Easement Agreement shall be recorded among the Land Records of Prince George's County, and the Liber/folio shall be shown on the final plat prior to recordation. The final plat shall reflect the location and extent of the easement.

~~28.25.~~ The applicant shall carry the proposed fee in-lieu, in the amount of \$70,000 in 2013 dollars. This fee is provided in lieu of grading the southern portion of the dedicated parkland, constructing a 10-foot-wide gravel maintenance access road, and preparing detailed construction drawings for improvements to the dedicated parkland.

~~26.~~ Prior to the first building permit, the following transportation improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, and (c) have an agreed-upon timetable for construction with the appropriate operating agency:

a. Reconstruction of westbound White House Road at Harry S. Truman Drive to have one through only lane and one right turn only lane.

b. Installation of an eastbound right turn only lane along White House Road at the site access.

Consideration

1. At the time of specific design plan review, the interface between the subject property and the farms to the south shall be reviewed in detail, with consideration of the Basic Plan fencing requirement, accommodation of applicable tree conservation requirements, and the request of property owners to the south for additional berming and screening.

July 11, 2023

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: James Hunt, Chief, Development Review Division *JPH*
Jeremy Hurlbutt, Acting Supervisor, Urban Design Section
Development Review Division

FROM: Andrew Shelly, Planner II, Urban Design Section *AS*
Development Review Division

SUBJECT: Planning Board Agenda July 13, 2023 – Staff Revisions to Technical Staff Report
Item 9 – Comprehensive Design Plan CDP-0303-01
Kenwood Village

This supplemental memorandum provides staff's revised findings (added text underlined, deleted text [~~striketrough~~]), and the following adjustments are recommended to the technical staff report dated June 29, 2023.

Proposed revisions to Finding 7:

7. **Zoning Map Amendments (Basic Plans) A-9802-C-01 and A-9803-C-01:** The District Council approved Basic Plans A-9802-C-01 and A-9803-C-01 on February 27, 2023, for development of up to 124 single-family detached dwelling units in the prior R-S Zone. Both approved basic plans were subject to the same 16 conditions and 4 considerations. The conditions that are relevant to the review of this CDP are provided, as follows:
 13. **The Applicant(s) shall submit a detailed soils study to demonstrate the site is geographically suitable for the proposed development, for approval by the Prince George's Soil Conservation District and the Environmental Planning Section, prior to the Specific Design Plan approval.**

The applicant shall demonstrate conformance to this condition, at the time of SDP acceptance, ~~[when a revised geotechnical report will be required.]~~ A prior geotechnical report was submitted with the prior SDP, and was found to be geographically suitable for the proposed development. The condition has been revised and included herein to state that “prior to acceptance of the specific design plan, a geotechnical report shall be provided to determine the suitability of the soils for the proposed development.”

- 14. At the time of review of the Preliminary Plan of Subdivision, the Applicant(s) shall allocate developable areas to provide adequate on-site recreational facilities.**

The provided CDP demonstrates two recreational facility areas, with one in each development envelope. A condition has been included herein, requiring the applicant to provide dog waste stations at appropriate locations within the subject property. The applicant shall also be required to further explore, at the time of SDP, the construction and location of a dog park. ~~[an area for a dog park and dog waste stations within the site, which will be further evaluated with future applications.]~~

Proposed revisions to Finding 9:

- 9. Comprehensive Design Plan CDP-0303:** The District Council affirmed the Planning Board’s approval of CDP-0303 (PGCPB Resolution No. 05-65) on October 17, 2005, with 37 conditions and two considerations. CDP-0303 proposed development of 84 single-family detached dwelling units. Exhibit D, provided by the applicant in the SOJ and incorporated herein for reference, examines the conditions from CDP-0303. Staff find that the conditions of the subject approval entirely supersede those contained in CDP-0303.

- 4. The preliminary plan of subdivision application shall include a detailed soils study demonstrating that the site is geologically suitable for the proposed development.**

This condition was met with the previously approved PPS. There are no areas proposed for development under this application that had not been included in prior approvals. Therefore, staff find this condition is no longer applicable and should be removed. ~~[However, amended Basic Plans A-9802-C-01 and A-9803-C-01 require that a detailed soils study be submitted with the CDP. Therefore, staff still find the condition applicable, as included herein.]~~

- 7. The preliminary plan of subdivision application shall include a wetland study showing the streams and wetlands on this site.**

A wetland study was provided with PPS 4-06159. As part of the approved natural resources inventory (NRI-001-2023), an updated wetland study, which satisfies this condition, was submitted. Staff find this condition has been satisfied and may be removed. ~~[An updated wetland study shall be submitted with future development applications. Staff find that this condition should then be carried forward, as written, and included herein.]~~

- 11. A copy of the approved stormwater management concept plan and approval letter shall be submitted with the preliminary plan of subdivision application.**

This condition was previously satisfied with approval of the prior PPS. However, an updated approved SWM concept plan and letter shall be submitted no later than 40 days prior to the hearing of the PPS. ~~[with the new PPS and subsequent SDP.]~~ Staff find that this condition shall be carried forward, as revised ~~[written]~~, and included herein.

- 27. Prior to specific design plan approval, the applicant shall include on the plans an eight-foot-wide, asphalt trail connection from the subject site to the property line for eventual connection to the proposed master plan trail along the Chesapeake Beach Railroad right-of-way, with the concurrence of the Department of Parks and Recreation.**

Staff find that this condition remains applicable, as ~~[written, and included herein.]~~ M-NCPPC is conducting studies and acquiring right-of-way, in support of this master plan facility. The condition has been revised herein, stating that the plans will include the location of a future 8-foot-wide asphalt trail connection, since it has yet to be constructed as of the writing of this technical staff report.

- 36. Trailhead facilities for Chesapeake Beach Railroad Trail at this location are not to be provided until the master-planned trail is under construction on adjacent property.**

As referenced above, regarding Condition 27, staff anticipates that the facility will be constructed in the future. ~~However, staff find that Condition 36 should be revised to state that if a trail connection is approved on the subject property outside the public right-of-way, then prior to the approval of the final plat, the applicant and the applicant's heirs, successors, and/or assignees shall execute a public use easement agreement. This public use agreement shall be to the benefit of the Maryland-National Capital Park and Planning Commission (M-NCPPC), to allow for the eventual construction of the trail connection to the Chesapeake Beach Railroad right-of-way. The easement agreement shall be recorded among the Prince George's County Land Records, with the Liber/folio shown on the final plat, prior to recordation. The final plat shall then reflect the location and extent of the easement. This condition allows for a timeline to be established to dedicate the land needed for the proposed trail connection, if it is approved on the subject property, via a public use easement agreement.~~ ~~[and that the condition still applies, as written, and included herein. This condition may be further explored during the review of a new PPS.]~~

Proposed revisions to Finding 13:

- 13. Referral Comments:** This application was referred to the following agencies and divisions. The referral comments are summarized, as follows:

- b. **Transportation Planning**—In a revised memorandum dated June 29, 2023 (Yang to Shelly), incorporated herein by reference, the Transportation Planning Section provided a comprehensive review of the application's conformance with the

requirements of previous approvals, the prior Zoning Ordinance, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the TIS dated October 13, 2022, summarized as follows:

The Transportation Planning Section concludes that the development will not be an unreasonable burden on available public facilities, as required by Section 27-521, if the application is approved with four conditions included herein. These include providing the amount of right-of-way dedication, in accordance with the MPOT, on the PPS, and [road improvements at the time of PPS. In addition, the applicant shall demonstrate] demonstrating the shared-use path and the specifications and details for all master plan facilities, along the frontage of White House Road, on the SDP, unless modified by the appropriate operating agency with written correspondence. Prior to the approval of the first building permit, the Transportation Planning Section recommends two roadway improvements based on the review of the provided traffic impact analysis. The first roadway improvement is the reconstruction of westbound White House Road at Harry S Truman Drive to have one through only lane and one right turn lane. The second roadway improvement is the installation of an eastbound right turn only lane along White House Road, at the site access. Prior to the approval of the first building permit, both transportation improvements shall have full financial assurances, been permitted for construction through the operating agency's access permit process, and have an agreed upon timeline for construction with the appropriate operating agency. The Transportation Planning Section also recommended the continuance of Condition 28 of the prior CDP, which has been included herein.

- c. **Environmental Planning**—In a memorandum dated June 23, 2023 (Rea to Shelly) incorporated herein by reference, the Environmental Planning Section provided a review of this CDP application, which is summarized herein. A proposed condition has been included herein, requiring the applicant to provide the approved Natural Resources Inventory Equivalency Letter, NRI-135-05-01, prior to certification of the proposed CDP. In addition, conditions have been provided regarding subsequent future applications. Conditions 4 through 8, in the Environmental Planning memorandum, recommend the continuance of certain CDP conditions and have been analyzed within Finding 9.

Soils

The predominant soils found on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Collington-Wist complex, Widewater, and Issue soils, frequently flooded. Unsafe soils containing Marlboro or Christiana clays have not been identified on this property. A condition has been included herein, requiring the applicant to submit a geotechnical report to determine the suitability of the soils for the proposed development, prior to acceptance of the SDP.