

R E S O L U T I O N

WHEREAS, Keith Griffin is the owner of a 2.0-acre parcel of land known as Parcel 98, located on Tax Map 63 in Grid B-3, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned R-80; and

WHEREAS, on December 15, 2003, Keith Griffin filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for five lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03127 for Page Court Subdivision 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 March 4, 2004, 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 March 4, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-03127, for Lots 1-5 with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. To revise the lot width at the front building line to be delineated where the lot is 75 feet wide, generally parallel to the front street line.
 - b. To remove the note regarding the timing for the removal of the shallow well on Lot 5
 - c. Renumber the lots as 1-5 not 3-7.
 - d. To provide the stormwater management approval number and date.
2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
3. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan.

4. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to grading permits or final plat approval.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located at the northern terminus of Page Court, north of Peach Walker Drive.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-80	R-80
Use(s)	Vacant	Residential
Acreage	2.0	2.0
Lots	0	5
Parcels	1	0
Dwelling Units:		
Detached	0	5

4. **Environmental**—A simplified Forest Stand Delineation (FSD) was submitted with this application. The FSD was reviewed and was found to address the requirements for an FSD. The site visit conducted on December 23, 2003, verified the presence of the bamboo thickets and the absence of woodland areas. Based on the simplified FSD and the site visit, there are no existing woodlands on this property. This property is exempt to the provisions of the Prince George's County Woodland Conservation Ordinance because the area of existing woodland is less than 10,000 square feet and there are no previously approved Tree Conservation Plans.

A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on the property. There are no roads or other transportation-related noise generators found in the vicinity of this property. The soils found to occur, according to the Prince George's County Soil Survey, include Monmouth fine sandy loams and Monmouth clay loam, which have no significant limitations that would affect on the development of this site. 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 in close

proximity to this property. This property is located in the Collington Branch watershed of the Patuxent River Basin.

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003.

5. **Community Planning**—The subject property is located within the limits of the Bowie-Collington-Mitchellville and vicinity master plan, Planning Area 71B, in the City of Bowie. The recommended land use is Suburban Residential. The 2002 General Plan locates the property in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities. The proposed preliminary plan is consistent with the recommendations of the master plan and the General Plan. The 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie–Collington–Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A and 74B* rezoned this property from the R-R Zone to the R-80 Zone.
6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the Department of Parks and Recreation recommends that the applicant pay a fee-in-lieu of the requirement of the mandatory dedication of parkland because land available for dedication is unsuitable because of size and location. Because the permissible density is between 4 to 7.5 dwelling units per acre, the required amount of dedication is 6,532 square feet and the property is not contiguous to existing parkland.
7. **Trails**—There are no master plan trail issues associated with this application.
8. **Transportation**—The proposed development would generate 4 AM and 5 PM peak-hour vehicle trips as determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposals” (revised September 2002). A traffic impact study was not required by the transportation staff based on the proposed number of trips generated by the proposed development.

The site is 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.

The traffic generated by the proposed preliminary plan would impact the intersection of US 301 and Mitchellville Road. The critical intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.

Staff reviewed a recent traffic count at the critical intersection. The intersection of US 301 and Mitchellville, which is signalized, currently operates at LOS B (CLV 1,074) during the AM peak hour and LOS D (CLV 1,310) during the PM peak hour. This is within acceptable standards for signalized intersections in the Developing Tier, LOS D, with a CLV of 1,450 or better.

Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. Given these facts, staff would, therefore, recommend that the Planning Board find that 4 AM and 5 PM peak-hour trips will have a de minimus impact upon the signalized intersection of US 301 and Mitchellville Road.

The site would be accessed by Page Court and Peach Walker Drive. This is adequate to serve the five proposed lots.

Based on these findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of 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:

Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	5 sfd	5 sfd	5 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	1.20	0.30	0.60
Actual Enrollment	6141	5131	10098
Completion Enrollment	198.24	217.62	398.97
Cumulative Enrollment	0	0	0
Total Enrollment	6340.44	5348.92	10497.57
State Rated Capacity	5858	4688	8770
Percent Capacity	108.24	114.10	119.70
Funded School	Bowie, Whitehall	N/A	N/A

Source: Prince George's County Planning Department, M-NCPPC, December 2003

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount 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 on 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.

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

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

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of public facilities and concluded the following.
 - a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive has a service travel time of 2.82 minutes, which is within the 5.25-minute travel time guideline.

- b. The existing ambulance service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive has a service travel time of 2.82 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive has a service travel time of 2.82 minutes, which is within the 7.25-minute travel time guideline.

The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic service.

The above findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

- 11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. The Planning Board’s current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Page Court Subdivision development.
- 12. **Health Department**—The Health Department notes that a concrete block structure appears to be located on an open shallow well and is partially filled with debris. This well should be cleaned out and properly backfilled and sealed by a licensed well driller or witnessed by a representative of the Health Department.
- 13. **Stormwater Management**—The City of Bowie has determined that on-site stormwater management is required. A Stormwater Management Concept Plan has been submitted but is not yet approved. To ensure that development of this site does not result in on-site or downstream flooding, this concept plan must be approved prior to signature approval of the preliminary plan. Development must be in accordance with this approved plan.
- 14. At the Planning Board hearing a representative from the City of Bowie presented the Bowie City Council recommended condition for the preliminary plan as follows:

“In order to minimize impacts on existing wildlife on the site, lot clearing should be prohibited during the bird nesting season (which generally occurs between March and June).”

At the hearing the applicant proffered to endeavor to minimize impacts on any existing wildlife habitat on the site. The Planning Board, not wanting to condition the times that development could occur on the property, agreed that the applicant’s proffer was sufficient to address the City of Bowie’s recommended condition.

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

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Vaughns, with Commissioners Harley, Vaughns, Squire, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, March 4, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of March 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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