

R E S O L U T I O N

WHEREAS, John B. Padgett, Jr., et al is the owner of a 25.07-acre parcel of land known as Lots 1 and 2 (WWW38@62), Lot 3 (NLP 108@100) and, Parcels 75 and 76, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-80; and

WHEREAS, on December 2, 2004, Marrick Properties filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 50 lots and 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04183 for Surratt's Crossing 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 April 28, 2005, 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 DISAPPROVAL of the application; and

WHEREAS, on April 28, 2005, 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 DISAPPROVED the Type I Tree Conservation Plan (TCPI/96/04), and further DISAPPROVED Preliminary Plan of Subdivision 4-04183, Surratt's Crossing for Lots 1-50 and Parcel A due to inadequate fire, rescue and police services pursuant to 24-122.01(e)(2) of the Subdivision Regulations.

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, does not meet the legal requirements of Subtitles 24 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located in the northeast quadrant of the intersection of Brandywine Road and Surratts Road.

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)	Residential	Single-family residential
Acreage	25.07	25.07
Lots	3	50
Parcels	2	1
Dwelling Units:		
Detached	1 (to be razed)	50

4. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision for adequacy of fire and rescues services in accordance with Section 24 122.01(e)(1)(E) of the Subdivision Regulations.

The Prince George’s County Department of Fire and Rescue Services has determined that this preliminary plan is located in Fire Box number 11-05. The 12-month average response times are:

Engine: 8.10 minutes, which is above the required 6.00-minute response time in areas outside the Rural Tier.

Basic Life Support: 9.23 minutes, which is above the required 6.00-minute response time in areas outside the Rural Tier.

Advanced Life Support: 10.20 minutes, which is above the required 10.00-minute response time in areas outside the Rural Tier.

Pursuant to Section 24-122.01(e)(2) of the Subdivision Regulations: “If any of the required statements in this subsection are not provided that meet the criteria specified in this Section then the Planning Board may not approve the preliminary plan.” (CB-89-2004)

The Fire Chief reported that the current staff complement of the Fire Department is 97.97 percent, which is within the standard of CB-89-2004.

The Fire Chief has reported by letter, dated April 14, 2005 that the department has adequate equipment to meet the standards stated in CB-89-2004.

5. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in District V. The preliminary plan has been reviewed in accordance with Section 24-122.01 (e)(1)(D) of the Subdivision Regulations.

The Prince George’s County Police Department report that the average yearly response times for that District are, 38.72 minutes for non-emergency calls, which does not meet the standard of

25.00 minutes and 14.74 minutes for emergency calls, which does not meet the standard of 10.00 minutes for emergency calls.

Pursuant to Section 24-122.01(e)(2) of the Subdivision Regulations: "If any of the required statements in this subsection are not provided that meet the criteria specified in this Section then the Planning Board may not approve the preliminary plan." (CB-89-2004)

The Police Chief reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the Academy for a total of 1,345 personnel, which is within the standard of 1,278 officers.

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.

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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 Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 28, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of May 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator