

R E S O L U T I O N

WHEREAS, Cerrito Management is the owner of a 8.10-acre parcel of land known as Parcel 241, Tax Map 96 in Grid C-4, said property being in the 12th Election District of Prince George's County, Maryland, and being zoned R-18-C; and

WHEREAS, on October 17, 2004, Chesapeake Custom Homes filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04146 for Cerrito Property was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on January 13, 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 APPROVAL of the application with conditions; and

WHEREAS, on January 13, 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 APPROVED the Type I Tree Conservation Plan (TCPI/6/96), and further APPROVED Preliminary Plan of Subdivision 4-04146, Cerrito Property for Parcel A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. Remove notes regarding zoning code amendments that are not pending.
 - b. Include number of stories and provision of an elevator in a density note, allowing for 20 DUs per acre.
 - c. Indicate that mandatory dedication is being fulfilled with on-site private recreational facilities.
 - e. Show shallow well location.
 - f. Show location of SWM pond.
 - g. Show limits of *Landscape Manual* bufferyards.

- h. Add SWM concept plan number and approval date.
 - i. Remove parking note.
2. At the time of review of the DSP, a Type II tree conservation plan shall be approved.
 3. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan, #3123-2004-00, and any subsequent revisions.
 4. The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/6/96), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”
 5. The applicant, his successors, and/or assignees, shall provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.
 6. The applicant shall allocate appropriate and developable areas for the private recreational facilities on site on Parcel A. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.
 7. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for approval prior to the submission of final plats, for construction of recreational facilities on Parcel A. Upon approval by DRD, the RFA shall be recorded among the County Land Records.
 8. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to the issuance of building permits for the construction of recreational facilities on Parcel A.
 9. Prior to the issuance of building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association, if appropriate.
 10. The applicant shall provide standard sidewalks along both sides of all internal roads and along the subject site’s frontage of Bock Road in keeping with frontage improvements on adjacent sites, per the concurrence of DPW&T. At the time of detailed site plan, a sidewalk or trail connection may be considered to the adjacent public library site, which is immediately to the north of the subject site.

11. Prior to the issuance of grading permits, the applicant shall demonstrate that the abandoned well has been 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.
12. Prior to approval of the detailed site plan and/or any disturbance occurring on this property, the applicant shall submit a Phase I archeological investigation and, if determined to be needed by Planning Department staff, a Phase II and Phase III investigation. If necessary the DSP and final plat shall provide for the avoidance and preservation of the resources in place and/or shall include plat notes to provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.
13. At the time of final plat approval, the applicant shall dedicate right-of-way along Bock Road of 40 feet from the master plan right-of-way centerline. The applicant will be responsible for any frontage or roadway improvements along Bock Road as required by DPW&T.
14. Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction, and (c) have an agreed-upon timetable for construction with the State Highway Administration (SHA) and/or the Department of Public Works and Transportation (DPW&T):
 - (a) Modify the eastbound approach of MD 414 to create one left-turn lane, one through lane, and one right-turn lane.
 - (b) Widen the westbound approach of MD 414 to create one left-turn lane, two through lanes, and one right-turn lane.
 - (c) These improvements shall include any signal, signage, and pavement marking modifications and additions that are required by SHA and DPW&T at the intersection of MD 414 and Livingston.
15. Prior to the issuance of any building permits within the subject property, the applicant shall conduct a traffic signal study at the intersection of Livingston Road and Bock Road. If a traffic signal is deemed warranted by DPW&T, 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. The applicant will be responsible for any additional pavement markings and signage at the intersections.

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. Property is located on the north side of Bock Road, approximately 4,000 feet west of its intersection with Saint Barnabas Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-18C	R-18C
Use(s)	Vacant	Multifamily Dwellings
Acreage	8.10	8.10
Parcels	1	1
Dwelling Units:		
Multifamily	0	112 Dwelling units

4. **Environmental**—The Environmental Planning Section previously reviewed Preliminary Plan of Subdivision 4-96006 and Preliminary Plan of Subdivision 4-04004 for this site. A review of the available information indicates that there are no streams, wetlands, or floodplain on the property. The site eventually drains into Henson Creek in the Potomac River watershed. 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 nearby sources of traffic-generated noise. The proposed use is not expected to be a noise generator. There are no designated scenic or historic roads in the vicinity of this property. According to the *Prince George’s County Soil Survey*, the principal soils on the site are in the Beltsville series. According to available information, Marlboro clays are not found to occur in the vicinity of this property. This property is located in the Developed Tier as reflected in the adopted General Plan.

A forest stand delineation (FSD) was submitted. The FSD, based upon four sample points, indicates a single forest stand of 7.8 acres containing three specimen trees. The single forest stand is a pioneer woodland with a mix of very small deciduous trees with diameters ranging from 2.5 to 9 inches . Two of the specimen trees are indicated to be in poor condition and one is listed in fair condition. There are no priority woodlands, as defined by the *Prince George’s County Woodland Conservation and Tree Preservation Policy Document*, on the site. The FSD meets the requirements of the 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. The Type I Tree Conservation Plan, TCPI/59/02, has been reviewed. The plan proposes clearing all of the existing 7.80 acres of woodland. The worksheet correctly indicates the woodland conservation threshold as 1.62 acres and correctly calculates the woodland conservation requirement for this proposal as 4.79 acres. The plan proposes to meet this requirement by providing 4.79 acres of off-site mitigation.

The Environmental Planning Section notes that there are no priority woodland areas, as defined in the *Prince George's County Woodland Conservation and Tree Preservation Policy Document*, on the property or adjacent to the property. There are no adjacent areas of contiguous woodland that would provide opportunities for green infrastructure network. The use of off-site mitigation is an appropriate method to meet the intent of the Woodland Conservation Ordinance for this site.

According to the *Prince George's County Soil Survey*, the principal soils on the site are in the Beltsville series. Beltsville soils are in the C-hydric series, are highly erodible, and are subject to perched water tables and impeded drainage. This information is provided for the applicant's benefit. No further action is needed as it relates to this Preliminary Plan of Subdivision review. The Prince George's County Department of Environmental Resources may require a soils report during the permit process review.

The Prince George's Department of Environmental Resources has approved a stormwater management concept plan using on-site bioretention, CSD #3123-2004-00. The plan shows clearing and grading for an on-site pond. Because any future changes in the stormwater management design will not impact the TCP's limits of disturbance, no additional information is required.

Water and Sewer Categories

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 and the site will, therefore, be served by public systems.

5. **Community Planning**—The subject property is located within the limits of the 1981 Master Plan for Subregion VII, Planning Area 76B in the Oxon Hill Community. The master plan land use recommendation is for urban residential at up to 16.9 dwelling units per acre. The 2002 General Plan locates the property in the Developed Tier. One of the visions for the General Plan is to create a network of sustainable, transit-supporting, medium- to high-density neighborhoods. The proposed preliminary plan is consistent with the recommendations of the master plan and the General Plan.

The county's General Plan recommends Oxon Hill as a Regional Center—regionally marketed commercial and retail center and office and employment areas. Residential development at moderate to high densities is recommended with a minimum density target of 24 units per acre within the core area and a density range of 8 to 30 units per acre within the edge. The subject property is within the edge of the Oxon Hill Regional Center where high intensity and density are envisioned.

Policy concepts for the area have been developed. These concepts will be part of the draft master plan that will be published in spring 2005. The County Council is scheduled to take final action on the plan in spring 2006. The applicant should meet with the master plan team to be aware of long-term recommendations that may affect the site design of the subdivision. The R-18C zoning

of the property requires the review and approval of a detailed site plan, pursuant to Section 27-437(e) and in accordance with Part 3 Division 9 of the Zoning Ordinance. Staff does not recommend an alteration to the Order of Approvals set forth in Division 9.

6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the Department of Parks and Recreation recommends that the applicant provide private on-site recreational facilities to serve the residence of the development. The applicant should provide adequate, private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.

The applicant shall allocate appropriate and developable areas for the private recreational facilities on Parcel A. The private recreational facilities shall be reviewed by the Urban Design Review Section of DRD for adequacy and property siting, prior to approval of the detailed site plan by the Planning Board.

A site plan shall be submitted to the Development Review Division (DRD) of the Prince George's County Planning Department that complies with the standards outlined in the *Parks and Recreation Facilities Guidelines*.

It will be necessary to submit three original, executed recreational facilities agreements (RFAs) to DRD for their approval, three weeks prior to a submission of a final plat. Upon approval by DRD, the RFA shall be recorded among the land records of Prince George's County, Upper Marlboro, Maryland.

It will be necessary to submit to DRD a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by DRD, within at least two weeks prior to applying for building permits.

The developer, his successor and/or assignees shall satisfy the Planning Board that there are adequate provisions to assure retention and a future maintenance of the proposed recreational facilities.

7. **Trails**—There are no master plan trails issues identified in the adopted and approved Subregion VII Master Plan or the 1985 Equestrian Addendum to the adopted and approved Countywide Trails Plan. However, standard sidewalks are recommended along both sides of all internal roads due to the density of the proposed use for the subject application, and along the subject site's frontage of Bock Road in keeping with frontage improvements on adjacent sites, per the concurrence of DPW&T. At the time of detailed site plan, a sidewalk or trail connection may be considered to the adjacent public library site, which is immediately to the north of the subject site.

This is in keeping with recommendations at the recent Henson Creek-South Potomac Planning Charrette, which recommended more walkable communities and additional pedestrian connections in the Oxon Hill core area.

8. **Transportation**—The applicant submitted a traffic study dated June 3, 2004. 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*.

Growth Policy—Service Level Standards

The subject property is located within the Developed Tier, as defined in the 2002 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-

124(a)(6) of the Subdivision Ordinance, may be considered at signalized intersections 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 study and install the signal (or other less costly 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 counts taken during March 2004. With the development of the subject property, the traffic consultant concluded that two intersections included in the traffic study would operate at unacceptable levels of service. The traffic impact study that was prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

MD 414 (Oxon Hill Road)/Livingston Road (signalized)
Livingston Road/Bock Road (nonsignalized)
St. Barnabas Road/Bock Road (signalized)

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 414 (Oxon Hill Road)/Livingston Road	1,774	1,705	F	F
Livingston Road/Bock Road	153.1*	926.7*	--	--
St. Barnabas Road/Bock Road	1,289	1,079	C	B
*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.				

Staff notes that vehicle delay at the intersection of Livingston Road/Bock Road exceeds 50.0 seconds indicating inadequate traffic operations. The applicant's traffic consultant also calculated the critical lane volume and level of service for this intersection. This is not shown in the table above, because the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* require the use of Chapter 10 of the *Highway Capacity Manual* for unsignalized intersections.

Background developments included 475,000 square feet of office space and 42,000 square feet of retail space. The expected year of full build-out is the year 2006. Existing traffic volumes were also increased one percent for two years to account for regional traffic growth. 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, background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 414 (Oxon Hill Road)/Livingston Road	2,006	1,851	F	F
Livingston Road/Bock Road	219.6*	+999.9*	--	--
St. Barnabas Road/Bock Road	1,340	1,138	D	B
*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.				

Based on background traffic conditions, the intersection of MD 414 and Livingston Road operates at Level-of-Service (F) during the AM and PM peak hours, operating far above the critical lane volume of 1,600, the threshold for the Developed Tier. The intersection of

Livingston Road/Bock Road also exceeds the vehicle delay threshold of 50.0 seconds, which indicates inadequate traffic conditions.

The site is proposed for development as a residential subdivision, with 112 condominium dwelling units. These would be located on the north side of Bock Road, midway between Livingston Road and St. Barnabas Road. With site traffic, the following operating conditions were determined

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 414 (Oxon Hill Road)/Livingston Road	2,024 (140% of LOS D)	1,869 (129% of LOS D)	F	F
MD 414/Livingston Road (Improved)	1,715 (118% of LOS D)	1,784 (123% of LOS D)	F	F
Livingston Road/Bock Road	259.9*	+999.9*	--	--
Bock Road/Site Access Road	16.1*	23.7*	--	-
St. Barnabas Road/Bock Road	1,372	1,156	D	C
<p>*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.</p>				

Based on total traffic conditions, the applicant proposed physical improvements at the intersection of MD 414 (Oxon Hill Road) and Livingston Road; reducing the critical lane volume during the AM peak hour from LOS F/CLV (2,024) to LOS F/CLV (1,715) and the PM peak hour from LOS F/CLV (1,869) to LOS F/CLV (1,784). Under total traffic conditions, the unsignalized intersection of Livingston Road/Bock Road exceeds the vehicle delay threshold of 50.0 seconds.

Section 24-124 (a)(6) of the County Code authorizes the Planning Board to consider traffic mitigation procedures, identified in Transportation Facilities Mitigation Plans (TFMPs) to allow development to proceed. These mitigation procedures allow development to proceed in certain areas. The development can only occur if transportation improvements are proposed that result in an improvement in traffic conditions beyond what would have been expected if the development had not occurred. TFMPs can be used if the development is located in an area in which public water and sewer is available and is within ½ mile of a bus stop having 15 minute headways or better and load factors of 100 percent or less. The WMATA bus route has headways of 15 minutes or better during the AM peak period and load factors of 100 percent or less, therefore the site meets one of the geographic criteria to be considered for mitigation.

The applicant has proffered a TFMP on page 19 of the traffic impact study. To provide mitigation, the applicant proposes to modify the eastbound approach of MD 414 to create one left-turn lane, one through lane, and one right-turn lane. The eastbound approach on MD 414 is currently one left-turn lane, one through lane, and one through/right-turn lane. The applicant also proposes to widen the westbound approach of MD 414 to create one left-turn lane, two through lanes, and one right-turn lane. The westbound approach on MD 414 is currently one left-turn lane, one through lane, and one right-turn lane. The State Highway Administration concurs with the applicant's recommendations for intersection improvements at MD 414 and Livingston Road. These improvements result in a critical lane volume lower than 125percent of LOS D (1,813). Therefore, this TFMP meets the criteria in the Guidelines.

The applicant also acknowledges that a traffic signal warrant study is needed at the intersection of Livingston Road and Bock Road. If the traffic signal is warranted, the applicant will be responsible for the design and construction of the signal.

Site Plan Comments

The proposed condominium dwelling units would have vehicular access to Bock Road, a county-maintained street. The site plan shows a traffic circle, gate, and private internal streets. The entrance at Bock Road is 60 feet wide with two driveways (entrance and exit) and a median 20 feet wide. The applicant will be required to provide any necessary frontage improvements along Bock Road as required by DPW&T.

Master Plan Comments

The Subregion VII Master Plan (1981) lists Bock Road as a two to four lane collector roadway with an 80 foot right-of-way. Dedication of 40 feet of right-of-way from the master plan centerline of Bock Road will be required, as demonstrated on the preliminary plan. There are no other master plan roadways in the immediate vicinity of the proposed site.

Transportation Staff Conclusions and Recommendations

Based on the preceding findings, the subdivision meets the requirements of 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:

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	112 sfd	112 sfd	112 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	26.88	6.72	13.44
Actual Enrollment	36283	10786	16960
Completion Enrollment	268.56	67.50	135.60
Cumulative Enrollment	4.08	1.02	2.04
Total Enrollment	36582.52	10861.24	17111.08
State Rated Capacity	39607	10375	14191
Percent Capacity	92.36%	104.69%	120.58%

Source: Prince George's County Planning Department, M-NCPPC, December 2004

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 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 fire and rescue facilities and concluded the following:

Fire and Rescue

- a. The existing fire engine service at Oxon Hill Fire Station, Company 21, located at 7600 Livingston Road has a service travel time of 2.65 minutes, which is within the 3.25-minute travel time guideline.

- b. The existing ambulance service at Oxon Hill Fire Station, Company 21, located at 7600 Livingston Road has a service travel time of 2.65 minutes, which is within the 4.25-minute travel time guideline.
- c. The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 7.82 minutes, which is beyond the 7.25-minute travel time guideline. The nearest fire station, Oxon Hill Company 21, is located at 7600 Livingston Road, which is 2.65 minutes from the development. This facility would be within the recommended travel time for paramedic service if an operational decision to locate this service at that facility were made by the county.
- d. The existing ladder truck service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 12.06 minutes, which is beyond the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate. Since this is a matter of existing law, no condition is necessary

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 IV-Oxon Hill. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
- 12. **Health Department**—The Health Department has identified an existing shallow well partially filled with debris located approximately in the center of the property. Prior to the issuance of grading permits the applicant should demonstrate that the well has been 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.
- 13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan #3123-2004-00 has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

14. **Historic**—The Planning Board has identified that the possible existence of archeological resources on certain properties must be considered in the review of development applications and that potential means for preservation of these resources should be considered. Review of Historic Preservation office files indicates that there may be archeological resources of the antebellum period in the area of the subject site. The subject property is very close to a blacksmith shop shown on the 1861 Martenet map. Documentary and archeological investigation will be required to determine whether there exists physical evidence of slave dwellings or burials.

Prior to the submittal of the required detailed site plan or any grading or clearing on site, the applicant should submit a Phase I archeological investigation to Planning Department staff for review and concurrence, and if determined to be needed, a Phase II and Phase III investigation. The DSP and final plat, if necessary, should provide for the avoidance and preservation of the resources in place and appropriate plat notes should be required ensuring the mitigation of any adverse effect upon these resources if necessary. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.

15. **Density** - In the R-18C Zone, the allowable density for the construction of multifamily dwelling units, as proposed by the applicant at 20 dwelling units per acre, is only permitted if the building is more than 36 feet high (four or more stories) and has an elevator. In order to construct the density proposed, the applicant will be required to demonstrate, at the time of review of the required detailed site plan (DSP), conformance to these requirements. Staff would also note that based on review of the conceptual site plan submitted for informational purposes, the applicant appears to be proposing more lot coverage than would normally be allowed in the R-18C Zone for the construction of multifamily dwelling units. While these issues are not preliminary plan issues, staff would be remiss not to bring them to the attention of the applicant. Through the review of the required DSP, the applicant will be required to address these issues, which could result in a loss of density.

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 Vaughns, seconded by Commissioner Harley, with Commissioners Vaughns, Harley and Hewlett voting in favor of the motion, and with Commissioners Eley and Squire absent at its regular meeting held on Thursday, January 13, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of February 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk