

R E S O L U T I O N

WHEREAS, PDC Adnell, LLC is the owner of a .86-acre parcel of land known as Lot 1 & 2 and Parcel A, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on February 18, 2005, filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 2 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04203 for Adnell Property, Addition to (Cluster) 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 June 23, 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 June 23, 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 Preliminary Plan of Subdivision 4-04203, Adnell Property, Addition to (Cluster) due to inadequate fire, rescue and police services pursuant to Section 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, as modified, does not meet 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 site is located on the east side of Chestnut Avenue, approximately 200 feet north of Crutchfield Avenue. The site is undeveloped and sparsely vegetated. The surrounding properties are zoned R-R and are developing with single-family residences as part of the Adnell Cluster Subdivision.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	R-R	R-R (Cluster)
Uses	Vacant	Single-Family Residences Open Space
Acreage	0.86	0.86
Lots	0	2
Parcels	1	1
Outlots	0	0
Dwelling Units	0	2

4. **Fire and Rescue**—The Prince George’s County Council adopted CB-89-2004 on November 16, 2004, amending the test for adequate public facilities for preliminary plans and establishing a new test for public safety facilities based on average response times across a defined geographic area. The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision for adequacy of fire and rescue services in accordance with CB-89-2004, Section 24-122.01(c) through (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 19-04. The 12-month average response times are:

Engine: 4.36 minutes, which is within the required 6.00-minute response time in areas outside the Rural Tier.

Basic Life Support (Ambulance): 5.3 minutes, which is within the required 6.00-minute response time in areas outside the Rural Tier.

Advanced Life Support (Paramedic): 12.3 minutes, which is above the required 10.00-minute response time in areas outside the Rural Tier.

The Fire Chief reported that the current staff complement of the Fire Department is 95 percent, which is within the standard of CB-89-2004.

The Fire Chief has reported by letter, dated December 17, 2004, that the department has adequate equipment to meet the standards stated in CB-89-2004.

In accordance with Section 24-122.01(d) and Section 24-122.01(e)(B)(E) of the Subdivision Regulations, as modified by CB-89-2004, this application cannot be approved due to inadequacy of fire and rescue facilities.

5. **Police Facilities**—The Prince George’s County Council adopted CB-89-2004 on November 16, 2004, amending the test for adequate public facilities for preliminary plans and establishing a new test for public safety facilities based on average response times. The Prince George’s County Planning Department has determined that this preliminary plan is located in District II. The

Prince George's County Police Department report that the average yearly response times for that District are:

26.83 minutes for non emergency calls, which does not meet the standard of 25.00 minutes.

11.7 minutes for emergency calls, which does not meet the standard of 10.00 minutes.

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 90 percent of authorized strength (1,278 officers).

In accordance with Section 24-122.01(d) and Section 24-122.01(e)(B)(E) of the Subdivision Regulations, as modified by CB-89-2004, this application cannot be approved due to inadequacy of police facilities.

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 Vaughns, seconded by Commissioner Harley, with Commissioners Vaughns, Harley, Eley, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 23, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator