

R E S O L U T I O N

WHEREAS, PDC Campfire, Inc. is the owner of a 1.34-acre parcel of land known as Tax Map 25 in Grid D-4, shown as Parcels 130 and 171, said property being in the 21st Election District of Prince George's County, Maryland, and being zoned M-U-I; and

WHEREAS, on September 28, 2006, PDC Campfire, Inc. filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-06097 for College Park 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 February 22, 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 February 22, 2007, 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/99/04), and further APPROVED Preliminary Plan of Subdivision 4-06097, College Park, for Lot 1 with the following conditions:

1. A detailed site plan (DSP) shall be approved by the Planning Board and the District Council if modifications to the permitted density in the M-U-I Zone are proposed in accordance with Division 9, Part 3 of the Zoning Ordinance.
2. Development must be in accordance with the approved stormwater management concept plan (42740-2004-00) and any subsequent revisions.
3. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/99/04). The following notes shall be placed on the final plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/99/04), 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 Ordinance. This property is subject to the notification

provisions of CB-60-2005.” Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department.”

4. 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 within prescribed noise corridors have been designed to reduce interior noise levels to 45dBA (Ldn) or less.
5. All outdoor activity areas within the 65 dBA (Ldn) noise contour shall be provided with noise mitigation to be evaluated at time of Detailed Site Plan.
6. At time of Detailed Site Plan review, the method of Stormwater Management proposed shall be shown on all plans.
7. In conformance with the Approved College Park US 1 Corridor Sector Plan, the applicant and the applicant's heirs, successors, and/or assigns shall provide the following:
  - a. Provide a standard sidewalk along the subject sites entire frontage of Branchville Road, unless modified by the City of College Park.
  - b. Provide a standard sidewalk along the subject sites frontage of 48<sup>th</sup> Avenue, unless modified by the City of College Park.
8. The ten-foot public utility easement (PUE) may be removed from the final plat in the event that the affected utilities waive their right to a ten-foot PUE parallel and contiguous to all public rights-of-way prior to the approval of the final plat.
9. Prior to the approval 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.
10. Prior to the submission of final plats, the applicant, his heirs, successors and/or assignees shall submit three (3) original recreational facilities agreements (RFA) to DRD for construction of recreational facilities on homeowners land, for approval. Upon approval by DRD, the RFAs shall be recorded among the County Land Records and the liber and folio number on the final plat.
11. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of recreational facilities on homeowners land, prior to the issuance of building permits.
12. The applicant shall allocate appropriate and developable areas for the private recreational facilities. The private recreational facilities shall be reviewed by the Urban Design Section of DRD for adequacy and property siting in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*, at the time of detailed site plan.

13. Total development of the subject property shall be limited to uses which generate no more than 61 AM and 72 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require an additional Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.
14. The submitted plan shall be revised to show additional ten feet dedication along the 30-foot-wide easement located along the western property boundary in order to create a 40-foot-wide right-of-way.
15. Prior to the issuance of any building permit for the subject property, the applicant shall submit an acceptable traffic signal warrant study to SHA and, if necessary, DPW&T and the City of College Park for a signal at the intersection of Greenbelt Road and 48<sup>th</sup> Avenue. 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 SHA. If a signal is deemed warranted by the responsible agency 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 the appropriate permitting agency. This condition shall be waived upon a positive determination in writing by SHA that adequate recent studies regarding signal warrants have been done by the applicant or any other party, and that a signal is not warranted by SHA.
16. Provision of sidewalks along Branchville Road between US 1 and 48<sup>th</sup> Avenue, and along the proposed roadway to be constructed within the ingress/egress easement located along the western property boundary unless modified by the City of College Park.

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 on the northwest corner of Branchville Road and 48<sup>th</sup> Avenue in the City of College Park. The single-family residence that existed on this site has been recently removed. The site adjoins single-family residences in the R-55 Zone to the east, southeast, and south. To the west are commercial uses in the M-U-I Zone oriented to US 1. The site is bounded to the north by the ramp from University Boulevard (MD 193) to 48<sup>th</sup> Avenue, which is used to gain access to northbound US 1.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	M-U-I	M-U-I
Use(s)	Vacant	180 multifamily dwelling units

		15,770 s.f. retail commercial
Acreage	1.34	1.34
Lots	0	1
Parcels	2	0
Public Safety Mitigation Fee		No

4. **Environmental**—The subject property is located in the northwest quadrant of Branchville Road and 48<sup>th</sup> Avenue, approximately 220 feet south of University Boulevard/Greenbelt Road (MD 193). Greenbelt Road is an arterial roadway generally regulated for noise. The site is characterized by terrain sloping toward the east and drains into unnamed tributaries of the Indian Creek watershed in the Anacostia River basin. A review of the available information indicates there are minor areas of severe slopes, and steep slopes associated with the site. There are no streams, wetlands, 100-year floodplain, high erodible soils or Marlboro clays found to occur on the site. The soil series found to occur on the site, according to the Prince George’s County Soil Survey, is Sunnyside Urban Complex. This soil series generally exhibits slight to moderate limitations to development when it occurs on steep slopes. According to information obtained from the Maryland Department of Natural Resources Wildlife and Natural Heritage Program, 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 adjacent to this property. This property is located in the Developed Tier as reflected in the 2002 General Plan. The site does not contain regulated areas, evaluation areas, or any network gaps identified in the Countywide Green Infrastructure Plan.

**Environmental Issues Addressed in the College Park US 1 Corridor Sector Plan**

**Design Standards - Trees and Plantings**

- C. **“Afforestation shall be accomplished through the provision of shade and ornamental trees. Tree cover shall be provided for a minimum of 10 percent of the gross site area and shall be measured by the amount of cover provided by a tree species in 10 years. Street trees planted along abutting rights-of-way may be counted toward meeting this standard. Exceptions to this standard shall be granted on redevelopment sites where provision of 10 percent tree cover is not feasible due to existing buildings and site features.”**

The plan does not show the required planting to meet the 10 percent afforestation requirement; however, the TCPI has been revised to add the following note: “The 10 percent afforestation requirement shall be shown on a Detailed Site Plan and associated TCPII. This requirement can be met through the provision of ornamental and shade trees on-site or within the adjacent right-of-way.” No additional information is required at this time as it relates to the 10% afforestation requirement.

**Natural Resources Inventory**

The preliminary plan application has a signed Natural Resources Inventory (NRI/003/06), dated February 13, 2006 that was included with the application package. The TCPI and the preliminary plan show all the required information correctly.

### **Woodland Conservation**

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 in size and it contains more than 10,000 square feet of existing woodland. The Type I Tree Conservation Plan, (TCPI/99/04), has been reviewed and was found to satisfy the requirements of the Woodland Conservation Ordinance.

The woodland conservation threshold for the site is 0.20 acre based on a net tract area of 1.34 acres. An additional 0.34 acre of woodland conservation is required due to the removal of woodlands, for a total woodland conservation requirement of 0.54 acre. The plan shows the requirement being met with 0.54 acre of off-site mitigation on another property at a location to be identified later.

### **Noise**

Noise impacts from Greenbelt Road (MD 193) are a concern. Based on the Environmental Planning Section noise model, the 65 DbA Ldn noise contour is located approximately 456 feet from the centerline of MD193. The subject property is located approximately 220 feet south of the centerline of MD193. In order to reduce interior noise levels to 45DbA Ldn or less, the building shells should be required to be constructed with special material.

The plans, as submitted, show the required unmitigated 65 DbA Ldn noise contour at 450 feet from the centerline of the roadway compared to the Environmental Planning Section noise model, predicted contour of 456 feet from the centerline of MD 193. A note on the TCPI plan also reflect that building shells of structures within prescribed noise corridors will be designed to reduce interior noise levels to 45 DbA (Ldn) or less.

The preliminary plan shows a pool and garden area to the northeast of the proposed building. The building will provide some noise mitigation for these areas; however, for areas not protected, additional noise mitigation measures may be required to justify the use of outdoor activities.

### **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. The property will be served by public systems.

5. **Community Planning**—The subject property is located in Planning PA 66 /Subarea 4c (Central Gateway Mixed-Use Area). It is subject to the recommendations of the 2002 *Approved College*

*Park US 1 Corridor Sector Plan and Sectional Map Amendment* which recommends retail commercial and multifamily residential uses for the site.

The 2002 General Plan places the site in the Developed Tier, and is in a designated Corridor (Baltimore Avenue US 1). The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium to high-density neighborhoods. The vision for corridors is mixed residential and nonresidential uses at moderate to high-densities and intensities, with a strong emphasis on transit-oriented development. This development should occur at local centers and other appropriate nodes within one-quarter mile of major intersections or transit stops along the corridor. The applicant's proposal is in conformance with these recommendations.

The density level of the proposed development greatly exceeds the density level allowed by right in the M-U-I Zone. The proposed residential density on the site is approximately 134 dwelling units per acre. The M-U-I Zone allows a maximum density level of 48 dwelling units per acre (See Section 27-546.18(a)(4) of the Zoning Ordinance). Though this density may be modified as per Section 27-546.18(b) through the detailed site plan process, one of the land use and urban design goals of the College Park US 1 Sector Plan states: "Balance the need for land assembly and redevelopment with sensitivity to impacts upon existing businesses and adjacent neighborhoods." (See p. 23.) Increasing the allowable density level on this site by a factor of 2.8 will have a profound impact upon the adjacent single-family residential neighborhood. Staff also believes that the proposed 15,770 square feet of retail/commercial uses on this lot is insufficient justification to allow an increase in residential density to the level proposed by the applicant.

It should be noted that the applicant has previously submitted a development proposal for this site (see 4-04178) and that this application reduced the number of residential units from 400 to 300, (now 180 units) while increasing the proposed commercial square footage to 15,770 square feet from 3,000 square feet. However, the current proposal still greatly exceeds the density envisioned by the sector plan and permitted in the M-U-I Zone.

The proposed site is adjacent to single-family detached residential development located across both Branchville Road and 48<sup>th</sup> Avenue. The master plan states that the vision for Area 4 "is a mix of uses with an emphasis on new residential development if adequate land can be assembled to provide amenities necessary for high-quality development. Comprehensive redevelopment of certain areas is encouraged along with the protection of adjacent single-family areas." (See p. 40.) The plan recommends land assembly with compact and vertical mixed-use development for condominiums, multifamily apartments with ground floor retail, office, or hotel for Subarea 4c. (See p. 41.) Whether the site is large enough to allow for the intensity of vertical development necessary to achieve the programmed 180 dwelling units while also preserving the character of the adjacent single-family areas is questionable. Finally, the Development District Standards for Subarea 4c set a maximum building height of eight stories (in general; additional stories may be approved, if market and design considerations justify additional height). (See p. 201.) The applicant now proposes an eight-story building, down from sixteen. Compatibility issues are of significant concern with the proposed development, and must be addressed at the time of Detailed Site Plan.

6. **Parks**—In accordance with Section 24-135(b) of the Prince George’s County Subdivision Regulations the Park Planning and Development Division of the Department of Parks and Recreation recommends the applicant provide private recreational facilities suitable for active and passive recreation for this subdivision in accordance with the standards outlines in the Parks and Recreation Facilities Guidelines.
7. **Trails**—The subject application is adjacent to Branchville Road to the south and 48<sup>th</sup> Avenue to the west. Neither road is designated as a master plan trail or bikeway in the Adopted and Approved College Park US 1 Corridor Sector Plan.

### **Sidewalk Connectivity**

Both 48<sup>th</sup> Avenue and Branchville Road are open section with no sidewalks in the immediate vicinity of the subject site. The sector plan recognized the importance of a continuous network of sidewalks to encourage walking as a convenient and safe mode of transportation for some trips. The Sector Plan recommends sidewalks along both sides of all roads (Sector Plan, page 63). Staff recommends the provision of sidewalks along the subject site’s frontages of both Branchville Road and 48<sup>th</sup> Avenue.

8. **Transportation**—The transportation staff determined that a traffic study detailing weekday analyses was needed. In response, the applicant submitted a traffic study dated June 2006 that was well in advance of this application, prepared in support of previously submitted, but eventually withdrawn, preliminary plan of subdivision (4-06004). Based on comments provided upon review of the initial study, an updated study was submitted and referred for comment to the State Highway Administration (SHA) and the county Department of Public Works and Transportation (DPW&T). The study was also referred to the City of College Park, and the city will provide comments directly to the Planning Board. 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 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 general plan for Prince George’s County. The subject property is also located within the area of the College Park US 1 Corridor Sector Plan. 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, is the standard within the developed tier for all intersections that are not along US 1. The US 1 Sector Plan requires Average Level-of-Service E for all signalized intersections along each predefined segments of US 1.

**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.

**Analysis of Traffic Impacts**

The traffic study for this site examined the site impact at five intersections:

- US 1/Greenbelt Road/ Metzerott Road (signalized)
- US 1/Berywyn Road (signalized)
- US 1/Navahoe Street (signalized)
- US 1/Lakeland Road (signalized)
- US 1/Paint Branch Parkway/ Campus Drive (signalized)
- Greenbelt Road / 48<sup>th</sup> Avenue (unsignalized)

The existing conditions for the peak period at the study intersections are summarized below:

<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
US 1 and Greenbelt Road/ Metzerott Road	1,218	1,662	C	F
US 1 and Berwyn Road	1,223	1,131	C	B
US 1 and Navahoe Street	1,041	1,073	B	B
US 1 and Lakeland Road	823	1,019	A	B
US 1 and Paint Branch Parkway/ Campus Drive	939	1,333	A	D
<b>US 1 corridor Average</b>	<b>1,049</b>	<b>1,244</b>	<b>B</b>	<b>C</b>
Greenbelt Road / 48 <sup>th</sup> Avenue	19.5*	34.2*	--	--
<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>				

The area of background development includes seven properties in the vicinity of the subject property. Background conditions also assume through traffic growth of 1.0 percent annually along US 1. There are no programmed improvements in the County Capital Improvement Program (CIP) or the State Consolidation Transportation Program (CTP). Background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
US 1 and Greenbelt Road/ Metzertott Road	1,535	2,108	E	F
US 1 and Berwyn Road	1,537	1,480	E	E
US 1 and Navahoe Street	1,222	1,288	C	C
US 1 and Lakeland Road	998	1,231	A	C
US 1 and Paint Branch Parkway/ Campus Drive	1,043	1,586	B	E
<b>US 1 corridor Average</b>	<b>1,267</b>	<b>1,539</b>	<b>C</b>	<b>E</b>
Greenbelt Road / 48 <sup>th</sup> Avenue	21.4*	56.8*	--	--
<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>				

The site is proposed for development as a residential subdivision. The applicant now proffers a maximum of 180 apartment units and approximately 15,770 square feet of related commercial uses. The submitted study assumed no new trips for the proposed retail uses. The site trip generation for the proposed 180 units would be 61 AM peak hour trips (12 in, 49 out) and 72 PM peak hour trips (47 in, 25 out). With the trip distribution and assignment as assumed in the traffic study, the following results are obtained under total traffic:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (AM & PM)	
US 1 and Greenbelt Road / Metzert Road	1,564	2,128	E	F
US 1 and Berwyn Road	1,548	1,149	E	E
US 1 and Navahoe Street	1,233	1,299	C	C
US 1 and Lakeland Road	1,009	1,242	B	C
US 1 and Paint Branch Parkway/ Campus Drive	1,052	1,596	B	E
<b>US 1 corridor Average</b>	<b>1,278</b>	<b>1,551</b>	<b>C</b>	<b>E</b>
Greenbelt Road / 48 <sup>th</sup> Avenue	27.9*	72.2*	--	--
*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.				

It is important to note that the calculated CLV's and average corridor CLV, under total projected traffic are better than the values reported by previous development projects in the area. Daily traffic along US 1 varies as much as 20 percent. This is probably the main reason for the reported difference in CLV values. Based on concerns raised by the SHA, the revised study includes a queuing analysis of the eastbound MD 193 off-ramp during the PM peak hour, and an operational analysis as well as queuing analysis for the intersection of 48<sup>th</sup> Avenue with MD 430 using the *Synchro-Sim* traffic simulation software. This detailed operational analysis revealed that the projected queue along southbound 48<sup>th</sup> Avenue at MD 430 does not extend beyond the Branchville Avenue intersection, but may extend to this intersection.

The traffic study identifies an inadequacy at the unsignalized intersection of Greenbelt Road / 48<sup>th</sup> Avenue. In response, 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. While the study does not include traffic signal warrant analysis for this intersection, the applicant has opined that based on just the review of the projected traffic volumes, a signal will, most likely, not be warranted at this intersection.

In their referral, SHA did not comment upon this issue. Given that conditions are ever-changing within the US 1 corridor, it is recommended that a new warrant study be conducted prior to a building permit for review by SHA, DPW&T and the City of College Park. The applicant will be responsible for installation of the signal if deemed warranted.

While SHA comments have been summarized during the discussion of the various improvements, it should be noted that DPW&T had no additional comments on the study.

### **Plan Comments**

It appears that existing right-of-way along the 30 foot-wide ingress/egress easement owned by the City of College Park to the rear of the site is not sufficient to serve as the main access to the proposed development. The US 1 Sector Plan includes an illustrative concept. It shows a divided-access roadway with streetscape and sidewalk located within this easement. This would become the main access for the subject property and to any future redevelopment of the area bounded by US 1 and 48<sup>th</sup> Avenue. As a result, staff recommends the plan be revised to show an additional ten feet dedication along this easement, so the provision of a landscaped access roadway, as envisioned by the US 1 Sector Plan, would be possible.

The existing easement, Branchville Road, is planned as a primary roadway and the plan shows a total dedication of 35 feet from the existing centerline, which is acceptable. 48<sup>th</sup> Avenue is a divided roadway with 100 feet in total rights-of-way, as shown on the plan.

### **Transportation Staff Conclusions**

Based on the preceding findings, the Transportation Planning Section 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 conditions consistent with the above findings.

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

### **Commercial**

The proposed retail section of this application is exempt from the review for schools because it is a commercial use.

**Residential**

Impact on Affected Public School Clusters

Affected School Clusters	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	180 mfd	180 mfd	180 mfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	43.2	10.8	21.6
Actual Enrollment	35,388	11,453	16,879
Completion Enrollment	218	52	105
Cumulative Enrollment	102	25.50	51
Total Enrollment	35,751.2	11,541.3	17,056
State Rated Capacity	39,187	11,272	15,314
Percent Capacity	91.23	102.38	111.37

Source: Prince George's County Planning Department, M-NCPPC, December 2005

These figures were correct on the day this referral was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

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. 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 staff finds that this project meets the policies for review of 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 have

reviewed this subdivision for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(B)(E) of the Zoning Ordinance.

**Residential**

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 Branchville, Company 11, using the seven-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.

**Commercial**

The existing fire engine service at Branchville Fire Station, Company 11 located at 4905 Branchville Road, has a service travel time of 0.58 minutes, which is within the 3.25-minutes travel time guideline.

The existing paramedic service at College Park Fire Station, Company 12, located at 8115 Baltimore Avenue, has a service travel time of 1.40 minutes, which is within the 7.25-minutes travel time guideline.

The existing ladder truck service at College Park Fire Station, Company 12, located at 8115 Baltimore Avenue, has a service travel time of 1.40 minutes, which is within the 4.25-minutes travel time guideline

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

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

- 11. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District I. 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 September 28, 2006.

<b>Reporting Cycle</b>	<b>Date</b>	<b>Emergency Calls</b>	<b>Nonemergency</b>
Acceptance Date	08/05/05-08/05/06	10.00	17.00

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency

calls were met on August 5, 2006. The Police Chief has reported the department has adequate equipment to meet the standards stated in CB-56-2005. 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.

### **Commercial**

The approved 2002 General Plan addresses the provision of public facilities that will be needed to serve existing and future developments. The plan includes planning guidelines for police and they are:

Station space per capita: 141 square feet per 1,000 county residents.

The police facilities test is performed on a countywide basis in accordance with the policies of the Planning Board. There are 267,660 square feet of space in all of the facilities used by the Prince George's County Police and the latest population estimate is 825,520. Using the 141 square feet per 1000 residents, it calculates to 116,398 square feet of space for police. The current amount of space, 267,660 square feet, is above the guideline.

12. **Health Department**—The Health Department reviewed the application and has no comments to offer.
13. **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, 42740-2004-00, was approved February 22, 2005. Development must be in accordance with this approved plan.
14. **Historic Preservation**—The probability of archeological sites within the subject site is low. Thus, a Phase I archeological survey is not recommended by staff. However, the applicant should be aware that Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties including archeological sites. This review is required when federal monies, federal properties or federal permits are required for a project. Section 106 review may require further archeological study.
15. **Public Utility Easement**—The preliminary plan does not show the required ten-foot-wide public utility easement along 48<sup>th</sup> Avenue and Branchville Road on Lot 1. This arrangement may only be permitted at the time of final plat if the affected utilities waive their right to a 10-foot PUE parallel and contiguous to all public rights-of-way prior to approval of the final plat.
16. **City of College Park**—The City of College Park has met with the developer on numerous occasions and discussed various aspects of the proposal. The city will be presenting their recommendation at the Planning Board hearing.
17. **Effect of Approval**— This application has been evaluated for purposes of adequacy of public

facilities as a development scenario of 180 multifamily dwelling units and 15,770 square feet of retail commercial. Approval of this application in no way ensures that level of development nor constitutes an entitlement to that effect. As previously discussed, in order for the applicant to reach that density a detailed site plan will be required. At the time of detailed site plan review, additional assessments will be made as to the appropriate level of development for the site which may result in a decrease in dwelling units and/or retail square footage.

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 Clark, seconded by Commissioner Vaughns, with Commissioners Clark, Vaughns, Eley, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, February 22, 2007, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5<sup>th</sup> day of April 2007.

R. Bruce Crawford  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

RBC:FJG:TL:bjs