



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-07008

Application	General Data
<b>Project Name:</b> <b>SILVER VALLEY</b>  <b>Location:</b> North side of Vernon Way, between Silver Court and Oakland Way.  <b>Applicant/Address:</b> Laney, Jr., Nathaniel Richard 5009 Oakland Way Suitland, Maryland 20746  <b>Property Owner:</b> Nathaniel Laney, Jr.	Date Accepted: 5/10/07
	Planning Board Action Limit: 7/19/07
	Plan Acreage: 0.65
	Zone: R-80
	Lots: 2
	Parcels: 0
	Planning Area: 76A
	Tier: Developed
	Council District: 09
	Election District: 06
	Municipality: N/A
	200-Scale Base Map: 207SE05

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003) 2/20/07
	Sign(s) Posted on Site and Notice of Hearing Mailed: 7/19/07

Staff Recommendation		Staff Reviewer: Ivy R. Thompson	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-07008  
Silver Valley, Lots 27 and 28

OVERVIEW

The subject property is located on Tax Map 98, Grid A-1 and is known as Parcel 6. The property is approximately 0.65 acres, contains less than 10,000 square feet of woodland on-site, and is zoned R-80. The applicant is proposing to subdivide the property into two lots for the development of single-family detached dwellings in accordance with the conventional standards of the R-80 Zone. A single-family dwelling currently exists on Lot 28. The existing dwelling will remain and a new single-family dwelling will be constructed on the proposed lot. Approval of the subject preliminary plan of subdivision will result in one additional building lot on the undeveloped portion of property to the west of the existing dwelling. The minimum net lot area required in the R-80 Zone is 9,500 square feet. The two lots proposed are approximately 13,302 square feet and 14,954 square feet. Therefore, both of the proposed lots meet or exceed the minimum net lot area required in the R-80 Zone.

SETTING

The property is located on the north side of Vernon Way and between Silver Court and Oakland Way. The site is partially wooded. The subject site is surrounded by parcels and lots developed with single-family dwellings all zoned R-80. Direct lot access to the subject property is currently provided via Oakland Way. Proposed Lot 28 will maintain this access to Oakland Way, and Proposed Lot 27 will have direct access to Vernon Way.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-80	R-80
Use(s)	Detached Single-Family Dwelling	Detached Single-Family Dwelling
Acreage	0.65	0.65
Lots	0	2
Parcels	1	0
Dwelling Units:		
Detached	1	2
	(To Remain)	(I New)

2. **Environmental**—The site is characterized by terrain sloping toward the west of the subject property and drains into unnamed tributaries of the Henson Creek watershed. 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 this property. Current aerial photos indicate that the site is partially wooded. No historic or scenic roads are affected by this proposal. There are no roadways of arterial classification or greater that are in close proximity to the site so noise is not an issue. No species listed by the State of Maryland as rare, threatened, or endangered are known to occur in the vicinity. The Prince George's County Soils Survey indicates that the principal soils on the site are Croom and Matapeake. These soil types have moderate limitations when associated with steep slopes. According to available information, Marlboro clay does not occur on this property. This property is located in the Henson Creek watershed of the Potomac River basin and in the Developed Tier as reflected in the approved 2002 General Plan.

### **The Heights and Vicinity Planning Area 76A Conformance**

The subject property is located within Focus Area 1 of the Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity Planning Area 76A. There are no specific environmental recommendations or design standards that require review for conformance. The environmental requirements for woodland conservation, stormwater management and noise are addressed in the Environmental Review Section below.

### **Countywide Green Infrastructure Plan Conformance**

The site is not within the designated network of the *Countywide Green Infrastructure Plan*.

### **Environmental Review**

The preliminary plan application has a signed natural resources inventory (NRI/010/07), dated February 5, 2007, that was included with the application package. The preliminary plan shows all the required information correctly. This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the site is less than 40,000 square feet in area and it has no previously approved tree conservation plans. A Type I Tree Conservation Plan was not submitted and is not required. A standard letter of exemption from the Ordinance was issued by the Environmental Planning Section, Countywide Planning Division, on January 17, 2007. The letter of exemption should accompany all future applications for plans and permits. Copies of the Approved Stormwater Management Concept Approval Letter and the associated plan were not submitted with this application. An approved stormwater management concept letter and the associated plan are required to show compliance with the preliminary plan.

### **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 will therefore be served by public systems.

3. **Community Planning**—The property is located in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to high-density neighborhoods. This application for the creation of one additional lot is not inconsistent with the 2002 Approved General Plan Development Pattern policies for the Developed Tier that is suburban development. This application, which proposes a total of two single-family detached dwelling unit lots, conforms to the land use recommendations of the 2000 *Approved Master Plan and Sectional Map Amendment for the Heights and Vicinity (Planning Area 76A)*, which retained this property in the R-80 Zone.

4. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication as applicable from Lot 27 because the land available for dedication is unsuitable due to its size and location. Lot 28 is exempt because it has an existing house that will remain on the site.
5. **Trails**—There are no master plan trails issues identified in the Approved Heights Master Plan that impact the subject property. The site is within the ½ mile radius of the Branch Avenue Metro Station. The property currently includes no sidewalks along its frontages of Silver Court, Vernon Way or Oakland Way. However, where road frontage improvements have been made along these roads, sidewalks have been included. Due to the proximity to Metro and the goal of providing pedestrian access to mass transit, staff recommends the provision of standard sidewalks along all road frontages, unless modified by Department of Public Works and Transportation (DPW&T).
6. **Transportation**—The subject application involves two proposed lots, one of which is already improved with an existing house. The proposed subdivision would have a minimal impact on adjacent roadways. The proposed Lot 27 is recommended to have direct driveway access to existing Vernon Way, a residential street, with a 50-foot right-of-way. Any access from this lot to Silver Court would result in an impact to existing woods along this roadway. The proposed Lot 28, which is improved with an existing house, is served with an existing driveway that extends from Vernon Way to Oakland Way. The site is not within or adjacent to any master plan transportation facilities. All adjoining roadways are residential roadways, and the rights-of-way, as shown, are acceptable.

#### TRANSPORTATION STAFF FINDINGS

The proposed development of one net residence would generate 1 AM and 1 PM peak-hour vehicle trip as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The site is within the Developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 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 traffic controls) if deemed warranted by the appropriate operating agency.

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. Staff would therefore recommend that the Planning Board find that 1 AM and 1 PM peak-hour trip will have a de minimus impact on the nearby roadways and intersections.

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. No transportation-related conditions are recommended at this time.

- 7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact on 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	2 DU	2 DU	2 DU
Pupil Yield Factor	.24	.06	.12
Subdivision Enrollment	.48	.12	.24
Actual Enrollment	33,058	13,185	17,855
Completion Enrollment	215.76	52	104
Cumulative Enrollment	3.84	.96	1.92
Total Enrollment	33,278.08	13,238.08	17,961.16
State Rated Capacity	39,187	11,256	16,332
Percent Capacity	84.92%	117.60%	109.97%

Source: Prince George’s County Planning Department, M-NCPPC, January 2007

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

- 8. **Fire and Rescue**—The Historic Preservation & Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance. Public Facilities staff has determined that this preliminary plan is within the required 7-minute response time for the first due fire station Silver Hill Company #29, using the 7-Minute Travel Times and Fire Station Locations Map provided by the Prince George’s County Fire Department. Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the

provisions of Section 24-122.01(e)(1)(A, B) regarding sworn 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.

9. **Police Facilities**—The subject property is located in Police District IV. The response standard for 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 May 10, 2007.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency
Acceptance Date 5/10/07	4/06-4/07	10 minutes	18 minutes

The response time standards of 10 minutes for emergency calls and 25 minutes for nonemergency calls were met on May 25, 2007. The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005. Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police personnel staffing levels.

10. **Health Department**—The Health Department noted that a raze permit is required prior to the removal of any of the structures on site. A raze permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structure being razed. The applicant has indicated that the existing structure is to remain.
11. **Public Utilities Easement (PUE)**—A ten foot PUE is reflected on the plan.
12. **Archeology**—Phase I archeological survey is not recommended on the above-referenced 0.65-acre property located at 5009 Oakland Way in Temple Hills, Maryland. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. There are no known archeological sites or historic sites within a one-mile radius of the subject property. A house was built on the property between 1938 and 1965. It is unlikely that any archeological sites will be identified on this property.

Moreover, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

13. **Historic Preservation**—This subdivision has no effect on historic resources.

**RECOMMENDATION**

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, a copy of the Stormwater Management Concept Approval Letter and the associated plan shall be submitted, and the approval number and date shall be noted on the preliminary plan.

2. Development of this site shall be in conformance with the approved Stormwater Management Concept Plan and any subsequent revisions.
3. The applicant, his heirs, successors, and/or assignees shall provide standard sidewalks along the subject property's entire road frontages of Silver Court, Vernon Way, and Oakland Way, unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
4. Prior to approval of the final plat of subdivision the applicant, his heirs, successors and/or assignees shall pay a fee-in-lieu of parkland dedication for Lot 27.