

Certificate of Adequacy

ADQ-2022-097

General Information

Project Name: Nezianya Subdivision
Case Number: ADQ-2022-097
Associated Preliminary Plan of Subdivision or Final Plat: 4-22072
Use Type: Residential
Dwelling Unit Type and Number: 2 single-family detached Gross Floor Area (nonresidential): N/A

Project Location

Project Location: On the north side of Sellman Road, approximately 1,000 feet east of its intersection with Weymouth Avenue
Lot/Parcel: Parcel 188 Tax Account: 0035428
Property Zone: RSF-95 Council District: 1
Planning Area: 61 Municipality: N/A
Election District: 1 Transportation Service Area: 2
Police District: VI School Cluster Area: 2

APPLICABILITY OF PUBLIC FACILITY ADEQUACY STANDARDS

Facility	Level of Service Required	Adequacy Met (Yes/No/NA)	Conditions of Adequacy Approval (Yes/No)
Transportation: Service Area 2	LOS "D" (Critical Lane Volume of 1301-1450)	Yes	Yes
Pedestrian and Bikeway	Public Facilities provided in accordance with Section 24-4506	N/A	No
Parks and Recreation (<i>Transit-Oriented/ Activity Center Zones and Employment Areas</i>)	2.5 acres per 1,000 residents	N/A	No
Parks and Recreation (<i>All Other Zones</i>)	15 acres per 1,000	Yes	No
Police—Residential Use	25 minutes for non-emergency calls; 10 minutes for emergency calls	Yes	No
Fire and Rescue—Residential Use	7 minutes travel time	Yes	No
Fire and Rescue—Non-Residential Use	5 minutes response time	N/A	No
Schools	<105% capacity or mitigation in accordance with Section 24-4510(c)	Yes	Yes

This Certificate of Adequacy is issued in accordance with Section 24-4503 of the Subdivision Regulations of Prince George's County, Maryland and in accordance with the analysis contained in the following memorandums attached hereto:

- *Special Projects Section (Ray to Diaz-Campbell, May 19, 2023)*
- *Department of Parks and Recreation (Thompson to Diaz-Campbell, May 2, 2023)*
- *Transportation Planning Section (Patrick to Diaz-Campbell, May 23, 2023)*

Based on the forgoing analysis, this Certificate of Adequacy is:

☐ Approved ☒ Approved with the conditions (indicated here):

☐ Denied

1. Total development within the subject property shall be limited to uses that would generate no more than 2 AM and 2 PM peak-hour vehicle trips.
2. Pursuant to Section 24-4510(c) of the Subdivision Regulations, the applicant and the applicant's heirs, successors and/or assignees shall pay the school facilities surcharge in accordance with the requirements of Section 10-192.01 of the Prince George's County Code, prior to approval of a building permit for a dwelling unit.

SIGNATURE



Planning Director

5-26-23

Date of Approval

This certificate of adequacy is valid for 12 years from the date of approval, subject to the additional expiration provisions of Section 24-4503(c).



Countywide Planning Division
Special Projects Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

May 19, 2023

MEMORANDUM

TO: Eddie Diaz Campbell, Planner III, Subdivision Section, DRD

FROM: *BR* Bobby Ray, AICP, Supervisor, Special Projects Section, CWPDP

SUBJECT: **4-22072 - Nezianya Property**

Project Summary:

The project proposes the creation of two parcels for the 4.06-acre property located at 3800 Sellman Road, Beltsville, 20705. This preliminary plan of subdivision (PPS) application was accepted for processing by the Planning Department on April 19, 2023.

PPS-4-22072

The following preliminary plan is being reviewed for public facility adequacy per the findings of Section 24-122.01. as follows:

- (a) The Planning Board may not approve a preliminary plan of subdivision if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" and "Guidelines for the Analysis of the Traffic Impact of Development Proposals." The Planning Board shall require adequate public facilities, as provided in this Section and in Division 4 of this Subtitle.

Water and Sewer:

Section 24-122.01(b)(1) of the prior Subdivision Regulations states that:

.... the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.

The 2018 Water and Sewer Plan placed this property in the Water and Sewer Category 3, "Community System". Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer. Additionally, the property is within Tier 1 of the Sustainable Growth Act. Tier 1 includes those properties served by public sewerage systems.

Capital Improvement Program (CIP):

The subject project is located in Planning Area 61 – "Fairland – Beltsville and Vicinity". The *2023-2028 Fiscal Year Approved CIP Budget* identifies one new construction project proposed for this area: "Beltsville Fire and EMS Station #831" (3.51.0009).

Conformance to the Master Plan:

This preliminary plan of subdivision was reviewed for conformance to the master plan in accordance with Section 24-121(a)(5) of the prior Subdivision Regulations. The 2010 Approved Subregion 1 Master Plan contains a Public Facilities Section (p. 69) in the Infrastructure Elements chapter. The primary vision of the Section is:

- Public facilities are provided in locations that serve and promote a livable community in the Subregion 1 area. Schools are at or below capacity and are conveniently located to foster learning. Police, fire and rescue services are located where response time is minimal and library services are located within easy access of all residents in the Subregion 1 area.

The proposed development will not impede achievement of any of the above-referenced goals. The analysis provided in this memo illustrates that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. Subject to mitigation, public schools also meet the test for adequacy. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, however, none of its recommendations affect the subject site.

Conclusion

At the writing of this referral the Special Projects Section finds that the applicable public facility standards and conformance with the area sector, is met pursuant to the prior Subdivision Regulations.

ADQ-2022-097

Certificate of Adequacy ADQ-2022-097 is being reviewed for public facility adequacy, per the findings of the current Subdivision Regulations Section 24-4500, as follows:

- (1) This Section establishes public facility adequacy standards. They are summarized in Table 24-4502: Summary of Public Facility Adequacy Standards. The standards are established in Sections 24-4504, Public Facility Adequacy-Generally, through Section 24-4510, Schools Adequacy, below.
- (2) An application listed in Section 24-4502(a) above shall not be approved until a certificate of adequacy or conditional certificate of adequacy is approved in accordance with the procedures and standards of this Section. No certificate of adequacy or conditional certificate of adequacy shall be approved unless and until it is reviewed and approved in conjunction with one of the applications or subdivision reviews identified in Section 24-4502(a) above and Section 24-4503(a).

Police Facility Adequacy:

Per Section 24-4508 of the current Subdivision Regulations, the Planning Board's test for police adequacy involves the following:

(A) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the *Public Safety Master Plan* for police stations in the vicinity of the area of the proposed subdivision; and

(B) A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.

The subject property is served by Police Division 6 - Beltsville located at 321 Sellman Road, Beltsville, MD 20704. Consistent with the provisions of Section 24-4508.A, correspondence was received from representatives of the Prince George's County Police Department dated May 18, 2023, that stated the Department "has an adequate amount of equipment for our current sworn officers".

Pursuant to Section 24-4508.B the subject police response times for the site meet the standard of 25 minutes for non-emergency calls and 10 minutes for emergency calls. The test is applied on the date the application is accepted or within the following three (3) monthly cycles. The times are based on a rolling average for the preceding 12 months. The application was accepted by the Planning Department on April 19, 2023.

Police Response Times (Section 24-4508.B) District VI

Reporting Cycle	Acceptance Date	Priority Calls	Non-Priority Calls
Acceptance Date	April 19, 2023	8:01 minutes	9:45 minutes

Fire and Rescue Adequacy:

Per Section 24-4509 of the current Subdivision Regulations, the Planning Board's test for fire and rescue adequacy involves the following:

(A) A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the *Public Safety Master Plan* for fire stations in the vicinity of the area where the subdivision is proposed to be located; and

(B) A statement by the Fire Chief that the response time for the first due fire and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.

The subject property is served by the Beltsville Fire and EMS Station #831 located at 4911 Prince Georges Avenue, Beltsville, MD 20705 as the first due station. Prince George's County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of April 27, 2023, the project site passes the 7-minute travel time test for residential development.

Schools:

This preliminary plan was reviewed for impact on school facilities in accordance with Section 24-4510 of the current Subdivision Regulations and CR-23-2001. The subject property is located within Cluster 2, as identified in the *Pupil Yield Factors & Public-School Clusters 2021 Update*. The project proposes to add 1 new single-family detached dwelling unit.

The adopted “level of service” standard is the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity, as adjusted by the School Regulations, of the affected elementary, middle, and high school clusters. Per the table below, the existing state rated capacity exceeds 105% at the middle and high school level.

Pursuant to Section 25-4510.c of the Subdivision Regulations:

When conditioned upon payment of the school’s facility surcharge, or when otherwise exempt from the school’s facility surcharge pursuant to Section 10-192.01, School Facilities Surcharge, of the County Code, the subdivision may be approved regardless of actual or projected school capacity.

Based on the information reviewed the subdivision does not meet any of the exemptions provided by Section 10-192.01 and is subject to payment of the school’s facility surcharge for the new single family detached dwelling unit.

Impact on Affected Public School Clusters

	Affected School Cluster		
	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Single-Family Detached Dwelling Units	1 Proposed	1 Proposed	1 Proposed
Pupil Yield Factor (PYF) – SFD	0.150	0.095	0.125
SFD x PYF=Future Enrollment	0.150	0.095	0.125
Adjusted Student Enrollment 9/30/21	20,788	9,108	9,271
Total Future Student Enrollment	20,788	9,108	9,271
State Rated Capacity	20,087	7,343	8,494
Percent Capacity	103%	124%	109%

Section 10-192.01 establishes school surcharges and an annual adjustment for inflation, unrelated to the provision of Subtitle 24. The current amount is \$9,741 per dwelling if a building is located between Interstate 495 and the District of Columbia; \$9,741 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 \$16,698 per dwelling for all other buildings. This project is outside of the I-495 Capital Beltway; thus, the surcharge fee is **\$16,698**. This fee is to be paid to Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) at the time of issuance of each building permit.

RECOMMENDED CONDITION

- Pursuant to Section 25-4510(c) of the Subdivision Regulations, at the time of issuance of each building permit, the applicable school facilities surcharge fee shall be paid to the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE). The fee shall equal \$16,698 per dwelling unit subject to any adjustments or exemptions consistent with the requirements of Section 10-192.01 of the Prince George's County Code.

CONCLUSION

Subject to the payment of the School Facilities Surcharge discussed above, the Special Projects Section finds that the applicable public facility standards and conformance with the area sector, is met pursuant to 24-4500 of the Subdivision Regulations.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

MEMORANDUM

DATE: May 2, 2023

TO: Eddie Diaz-Campbell, Planner II
Subdivision Section, Development Review Division, Planning Department

VIA: Sonja Ewing, Assistant Division Chief **SME**
Department of Parks and Recreation

FROM: Dominic Quattrocchi, Planning Supervisor **DAQ**
Ivy R. Thompson, AICP, Planner III **IRT**
Land Acquisition/Management & Development Review Section
Park Planning and Development Division, Department of Parks and Recreation

SUBJECT: **4-22072 Neziyanya Subdivision (Minor)**

The Department of Parks and Recreation (DPR) has reviewed and evaluated this Minor Preliminary Plan of Subdivision (PPS) application as it pertains to public parks and recreational facilities.

PROPOSAL

This application is for the development of two lots for single-family detached dwellings.

BACKGROUND

This 4.38-acre parcel, zoned Residential Single-Family (RSF-95), is at the southeast quadrant of the intersection of Sellman Road and Weymouth Avenue.

Master Plan Conformance

The property is subject to the 2010 *Approved Subregion 1 Master Plan and Sectional Map Amendment* (Subregion 1 Master Plan); *Plan Prince George's 2035 Approved General Plan*; the 2017 *Land Preservation, Parks and Recreation Plan for Prince George's County*, and *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*. Parks staff reviewed this preliminary plan of subdivision for conformance to the master plan per Sections 24-134 and 24-135 of the Subdivision Regulations. The proposed development has no impact on the master plan park and open space recommendations.

DISCUSSION:

Park and recreation amenities serving the subject property include the Chestnut Hills Park, located within 0.65 miles of the development, the park is improved with a full basketball court, picnic area and shelter, playground, and a waking loop trail. Beltsville Community Center, located 0.32 miles from the subject site, is improved with baseball & softball diamonds, football/soccer combination fields, community center, bocci, gymnasium, playground, natural trails, picnic area, computer labs, tennis courts and horseshoe.

The Little Paint Branch Trail is located along the property frontage of Sellman Road. The trail is located within public right of way or within a Public Use, Trail Construction and Maintenance

4-22072 Nezianya Subdivision (Minor)

Easement on the subject property recorded in the Land Records at Liber 40522 Folio 174. The final plat of this subdivision must reference the easement and show the limits of the easement on the property. The terms and conditions of the Easement Agreement remain in effect full force and shall be adhered to with any future development on the proposed lots.

Parks & Recreation Adequacy [Section 24-4507]

Staff analysis has determined that the project, as shown, will generate an additional 6 people in the local community.

Per 24-4507(b)(1)(B) of the Prince George's County Subdivision Regulations 15 acres of improved public parks per 1,000 residents is the adopted Level of Service standard for Parks and Recreation in Prince George's County. The draft 2022 Land Preservation, Parks, and Recreation Plan (LPPRP) shows that there are 35 acres of improved public parkland per 1,000 persons in the county.

Therefore, Parks staff finds the LOS adequate.

Separate from the evaluation of Parks & Recreation Adequacy, the Mandatory Dedication requirements must be met, as discussed below.

FINDINGS:

The prior Prince George's County Subdivision Regulations Section 24-134, which relate to the Mandatory Dedication of Parkland, provides for the dedication of land, the payment of a fee-in-lieu, and/or the provision of private onsite recreational facilities. In accordance with Section 24-134(a) (3) (B) of the Prince Georges County Subdivision Regulations Lots 1 & 2 of the subject subdivision are exempt from Mandatory Dedication of Parkland requirement because each lot is over an acre in size.

The site plan illustrates a proposed water and proposed sewer connection traversing Lot 1 to connect to the WSSC water and sewer mains on the adjacent Beltsville Community Center property, owned by M-NCPPC. A Right-of- Entry (ROE) Permit and an Easement are required for the two connections. The applicant should coordinate submission of the ROE permit with the Engineering Section of the Park Planning and Development Division of M-NCPPC DPR via email at roepermit@pgparks.com. Should the applicant desire to use or access Park Property for any other reason than as listed an easement may be required. The request for easements shall be coordinated with the Land Acquisition and Development Review Section of the M-NCPPC, DPR, Park Planning and Development Division. Please contact Mr. Paul Sun via email at Paul.Sun@pgparks.com.

RECOMMENDATION

The Park Planning & Development Division of DPR recommends the following condition for the Minor Preliminary Plan of Subdivision 4-22072 Nezianya:

1. Add a note on the Preliminary Plan stating that per Section 24-134(a) (3) (B) of the Prince Georges County Subdivision Regulations Lots 1 & 2 of the subject subdivision are exempt from Mandatory Dedication of Parkland requirement because they are over an acre in size.

cc: Alvin McNeal
Bridget Stesney



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

Countywide Planning Division
Transportation Planning Section

301-952-3680

May 23, 2023

MEMORANDUM

TO: Eddie Diaz-Campbell, Subdivision Section, Development Review Division

FROM: *BAP* Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA: *CSH* Crystal Saunders Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: **ADQ-2022-097, Nezianya Property**

Proposal

The referenced Certificate of Adequacy (ADQ) application is being reviewed in conjunction with the Preliminary Plan of Subdivision (PPS) application, 4-22072, which proposes the subdivision of land for two existing single-family homes on the north side of Sellman Road in Beltsville, MD. The Transportation Planning Section's review of the subject ADQ application was evaluated under Section 24-4500 of the current Subdivision Regulations, specifically Section 24-4505 for motor vehicle adequacy.

Criteria for Establishing Transportation Adequacy

The proposed development is subject to the Transportation Service Area (TSA) 2 adequacy requirements for the analysis of vehicular traffic.

Trip Generation

The PPS application considers the expansion of an existing one single-family house with one additional single-family house. As provided in Section 24-4505 of the subdivision regulations and 2022 *Transportation Review Guidelines Supplement*, transportation adequacy is based on the impact of all new trips generated by a site. As shown in the trip generation table below, the proposed subdivision will generate no more than five new peak-hour trips which is deemed de minimus per the 2022 *Transportation Review Guidelines Supplement* and therefore, meets the requirements of 24-4505 for motor vehicle adequacy. However, the total site generated trips to include the existing trips that are currently on the network as well as the proposed new trips associated with the PPS application will be used as the basis of the site's overall trip cap.

Trip Generation Summary									
	Land Use	Use Quantity	Metric	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Existing	Single Family Housing (Prince George's County Rates)	2	DU	0	2	2	2	0	2
Proposed	Single Family Housing (Prince George's County Rates)	0	DU	0	0	0	0	0	0
Total Trip				2			2		
Total Trip Cap Recommendation				2			2		

Analysis of Bicycle & Pedestrian Impacts

The subject property falls within the RSF-95 zoning district and Bicycle and Pedestrian Impact Statement (BPIS) is not required based on the "2022 *Transportation Review Guidelines Supplement*".

Conclusion

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, as required in accordance with Subtitle 24, if the application is approved with the following conditions:

1. Total development within the subject property shall be limited to uses that would generate no more than 2 AM and 2 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision (PPS), with a new determination of the adequacy of transportation facilities.