

R E S O L U T I O N

WHEREAS, A. Keene Bowie is the owner of a 3157-acre parcel of land known as Parcel 33, Tax Map 70, Grid E-3, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on October 4, 2000, Bishop Donald Meares filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 5 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-00054, Meares Estates, 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 December 21, 2000, 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, with conditions of the application with conditions; and

WHEREAS, on December 21, 2000, 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/38/00), and further APPROVED Preliminary Plat of Subdivision 4-00054, Meares Estates for 5 Lots and 1 Parcel with the following conditions:

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/38/00). 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 (TCP I/38/00), 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."

2. Prior to the issuance of building or grading permits, a Type II Tree Conservation Plan shall be approved.
3. The following note shall be placed on the plat:

"Conservation Easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

4. At the time of final plat, the applicant, his heirs, successors and/or assigns, shall dedicate right-of-way for the proposed service road, as shown on the preliminary plat.
5. Prior to Final Plat approval, the applicant must obtain approval from the Health Department of a site plan which locates, on each lot, the 10,000 square foot sewage disposal areas, all easements, the proposed house and driveway, all percolation tests and watertable observation holes, any existing or proposed wells and topography at two-foot contour intervals. The plan must be on a scale of at least 1 inch equals 50 feet.
6. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan, Concept # 8321843-2000-00.

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 south side of Central Avenue (MD 214), approximately 1,450 feet southeast of its intersection with US 301.
3. This site is subject to the provisions of the Woodland Conservation Ordinance because the site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required to satisfy the requirements of the Woodland Conservation Ordinance. Tree Conservation Plan, TCP I/38/00 has been reviewed. The plan proposes to clear no woodland on the site and meet the minimum requirement of 11.06 acres of woodland conservation in the form of on-site preservation. All priority woodlands on the site will be preserved. TCP I/38/00 is approved.

The site contains significant natural features, which are required to be protected under Section 24-130 of the Subdivision Regulations. The plan proposes no impact to streams, stream buffers, wetlands or wetland buffers. At time of final plat, a Conservation Easement shall be described by bearings and distances. The conservation easement shall contain all 100-year floodplain and stream buffers, except for approved variation requests, and be reviewed by the Environmental Planning Section prior to signature approval.

The soils, as shown on the preliminary plan, pose no special problems for development. Marlboro Clay is indicated on maps maintained by the Environmental Planning Section as occurring up to elevation 125. The house locations are well above the top of the

Marlboro Clay and should experience no problems with their foundations. Because there are no steep slopes, ground movement is not a potential problem.

There are no significant noise impacts associated with this property. There are no designated Historic or Scenic roads associated with this proposal.

The property is in Water and Sewer Category 6 and will be served by private systems.

4. The 1991 *Bowie-Collington-Mitchellville and Vicinity Master Plan* places the property in a Rural Living Area category. The concurrent Sectional Map Amendment rezoned this property from the O-S Zone to the R-A Zone, in fulfillment of the master plan recommendation. The proposed development conforms to the master plan land use recommendations and policies.
5. The proposed subdivision is exempt from the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations because the lots are greater than one acre in size.
6. There are no master plan trails issues associated with this proposal.
7. The State Highway Administration's *US 301 Access Control Study, March 1999*, recommends a service road south of MD 214, along the northern periphery of the subject property. Eventually, this service road will become the sole access to the property. In addition, this right-of-way is shown on the 1991 *Bowie-Collington-Mitchellville and Vicinity Master Plan*. The applicant should dedicate right-of-way as identified by staff for future upgrade to the MD 214/US 301 interchange as in accordance with the master plan recommendations. This right-of-way dedication is shown on the preliminary plat.

The proposed development of five residential lots would generate 4 AM and 5 PM peak hour vehicle trips as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*. The traffic generated by the proposed preliminary plan would impact the intersection of US 301 (northbound and southbound) with the service road south of the interchange. This intersection is programmed for improvement with 100% construction funding within the next six years in the current Prince George's County *Capital Improvement Program*.

The Prince George's County Planning Board, in the Guidelines, has defined level of service D (LOS D) as the lowest acceptable operating condition on the transportation system for signalized intersections and delay less than 50 seconds for unsignalized intersections. The affected intersection is currently operating at adequate levels-of-service under existing traffic conditions. The additional traffic to be generated by the subject application will still result in adequate level-of-service with or without the funded CIP improvements.

Given this, adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with the condition that the applicant

dedicate appropriate right-of-way along the property frontage for the provision of a service road along Central Avenue.

The applicant proposes to serve four of the five lots with a private easement in accordance with Section 24-128(b)(1) of the Subdivision Regulations. The easement will access the MD 214 service road. Lot 2 will have direct access to the service road. This arrangement satisfies the criteria and is acceptable to staff.

8. The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the Regulations to Analyze the Development Impact on Public School Facilities (revised July 2000) (CR-4-1998) and concluded that the proposed subdivision is exempt from APF test for schools because it is less than 36 dwelling units and not served by public water and sewer.
9. The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities.
 - a. The existing fire engine service at Bowie Fire Station, Company 43 located at 16400 Pointer Ridge Drive has a service response time of 1.78 minutes, which is within the 5.25 minutes response time guideline.
 - b. The existing ambulance service at Bowie Fire Station, Company 43 located at 16400 Pointer Ridge Drive has a service response time of 1.78 minutes, which is within the 6.25 minutes response time guideline.
 - c. The existing paramedic service at Bowie Fire Station, Company 43 located at 16400 Pointer Ridge Drive has a service response time of 1.78 minutes, which is within the 7.25 minutes response time guideline.

These findings are in conformance with the Adopted and Approved Public Safety Master Plan 1990 and the Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic service.

10. The proposed development is within the service area for Police District II- Bowie. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County police facilities will be adequate to serve the proposed Meares Estates development. This police facility will adequately serve the population generated by the proposed subdivision.
11. The Prince George's County Health Department is concerned that each lot be developed in a manner consistent with its regulations regarding wells and sewage disposal. Its referral is included with this report. To make this determination, the Health Department

will require that a site plan, at a scale of 1 inch equals 50 feet, be submitted prior to final plat approval designating all wells, easements, house and driveway locations, sewage disposal areas, Primary Management Areas, stormwater management systems and topography. This has been included as a condition of approval in the staff recommendation.

12. The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan, # 8321843-2000-00, 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.
13. The preliminary plat correctly includes the required public utility easement, both along the public street and within the private access easement. This easement will be included on the final plat.

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 Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, December 21, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of January 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:rmk