

R E S O L U T I O N

WHEREAS, Taylor Estates Property, LTD. is the owner of a 4.30-acre residue parcel of land found in Plat Book VJ 182@42, Tax Map 14, Grid A-4, said property being in the 1st Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on October 25, 2000, Taylor Estates Properties, LTD filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 7 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-00059, Taylor 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 January 4, 2001, 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 January 4, 2001, 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 Type I Tree Conservation Plan (TCPI/43/94), and further APPROVED Preliminary Plat of Subdivision 4-00059, Taylor Estates with the following conditions:

1. Prior to signature approval the preliminary plat shall be revised to reflect the approval number for the stormwater concept plan.
2. Development of this site shall be in conformance with the approved stormwater concept plan or its revisions, Concept #958000040.
3. With the submission of the Final Plat of Subdivision, the applicant, his heirs, successors and/or assigns shall make payment of a fee-in-lieu of park dedication.
4. The applicant=s heirs, successors, and/or assigns shall provide a financial contribution of \$210 to DPW&T for the placement of Class III bikeway signage along Odell Road prior to building permits.
5. Prior to the issuance of a building permits, the applicant, his heirs, successors and/or assigns shall pay an Adequate Public Facilities fee of \$720.00 per dwelling unit for the middle school, unless fully offset by a school facility surcharge payment. Any amount

not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at Martin Luther King Jr. Middle School.

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 Odell Road, east of Ellington Drive in Beltsville.
3. Environmental - This site is subject to the provisions of the Woodland Conservation Ordinance because the site is larger than 40,000 square feet and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required and one was submitted and approved as part of 4-94085, and resubmitted in conjunction with Preliminary Plan 4-98027, known as TCPI/43/94.

The Tree Conservation Plan (TCPI/43/94) which covers Lots 1-7 and the subject application (Lots 8-14) indicates a woodland conservation threshold for this site of 1.80 acres (20 percent of the net tract) plus an additional 1.32 acres due to the removal of woodland, for a total requirement of 3.12 acres. The applicant has proposed to meet the requirement with 3.72 acres of on-site woodland preservation, which exceeds the requirement.

No streams, nontidal wetlands or 100-year floodplains have been identified on the property. This site is located in the Beaverdam Creek watershed, which is a tributary of the Anacostia River. No steep or severe slopes have been identified. Two soil types have been identified on this site: Galestown-Evesboro (GeB) and Christiana Silt Loam (CeB2). The Galestown soils pose few limitations to development. Christiana soils are known to have unstable characteristics. The Department of Environmental Resources (DER) may require a soils report prior to the issuance of permits, to address the stability of the Christiana soils. No rare, threatened or endangered species or scenic or historic roads are associated with this site.

On the east this property abuts federal property. The property on the south side of Odell Road, facing this site, is also in federal ownership. Both are listed as under the control of the Department of Health, Education and Welfare, now the Departments of Education and the Department of Health and Human Services. These properties are contiguous with the Beltsville Agricultural Research Center and provide a linkage to the ANorthern Greenway, @ identified in the Maryland Greenways Atlas.

The property is in Water and Sewer Category 3 and will be served by public systems.

4. Community Planning - The 1990 *Master Plan for Subregion I* land use recommendation

for this property is residential at low-suburban density. The proposal is consistent with that recommendation.

There are no master plan issues associated with this application.

5. Parks and Recreation - In accordance with Section 24-134(a) of the Subdivision Regulations the Park Planning and Development Division recommends that a fee-in-lieu for dedication of parkland be required because the land available for dedication is unsuitable due to size and location.
6. Trails - The *Adopted and Approved Subregion I Master Plan* recommends that Odell Road be designated as a Class II bikeway with appropriate signage.
7. Transportation - The proposed development would generate 5 AM and 6 PM peak hour vehicle trips as determined using the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The traffic generated by the proposed subdivision would impact the unsignalized intersection of Muirkirk Road and Odell Road.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has stated that any turning movement in an unsignalized intersection having excessive delay exceeding 45.0 seconds is deficient. The intersection of Muirkirk Road and Odell Road, when analyzed under the unsignalized intersection procedures with total future traffic as developed using the *Guidelines*, was found to be operating with positive reserve capacities in all turning movements in both peak hours.

The property is not adjacent to any master plan rights-of-way. Appropriate dedication of 30 feet from the existing center line of Odell Road is shown on the plan.

The Transportation Planning Section believe that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if this application is approved.

8. Schools - Growth Policy and Public Facilities Planning 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) concluded the following:

### **Finding**

#### Projected Impact on Affected Public Schools

	D.U. by	Pupil	Development	5-Year	Adjusted	Total Projected	State Rated	Projected%
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Affected School Name	Type	Yield Factor	Pupil Yield	Projection	Enrollment	Enrollment	Capacity	Capacity
Montpelier Elementary School	7 sfd	0.22	1.54	597	0	598.54	713	83.95%
Martin Luther King, Jr. Middle School	7 sfd	0.08	0.56	927	0	927.56	842	110.16%
High Point High School	7 sfd	0.13	0.91	2263	0	2263.91	2385	94.92%

Source: Prince George's County Planning Department, M-NCPPC, July 2000

Since the affected Martin Luther King Jr. Middle School projected percentage of capacity is greater than 105 percent, the Adequate Public Facilities fee is \$960.00 per dwelling unit. The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines.

9. Fire and Rescue - Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of fire and rescue facilities in accordance with Section 24-122.01 of the Subdivision Regulations and concluded the following:
  - a. The existing fire engine service at Beltsville Fire Station, Company 31, located at 4911 Prince George=s Avenue, has a service response time of 6.81 minutes, which is beyond the 5.25-minute response time guideline.
  - b. The existing ambulance service at Beltsville Fire Station, Company 31, located at 4911 Prince George=s Avenue, has a service response time of 6.81 minutes which is beyond the 6.25-minute response time guideline.
  - c. The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service response time of 8.62 minutes, which is beyond the 7.25-minute response time guideline.

The above 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*. In order to alleviate the negative impact on fire and rescue services, the Fire Department recommends that all residential structures be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws.

10. Police Facilities - The proposed development is within the service area for District VI-Beltsville. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations, the staff concludes that the existing county's police facilities will be

adequate to serve the proposed Taylor Estates development. This police facility will adequately serve the population generated by the proposed subdivision.

11. Health Department - The Health Department has identified that an existing WSSC pumping station, located adjacent to Lot 8, produces odors comprising of methane and other irritable gases and may therefore impact the residence on Lot 8.
12. 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, # 8003770-2000-00, 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.

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 Brown, seconded by Commissioner Lowe, with Commissioners Brown, Lowe, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 4, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 25th day of January 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:WC:rmk