

R E S O L U T I O N

WHEREAS, Hester M. Sellner is the owner of a 3.70-acre parcel of land known as Lot 10, Plat Book NLP 191 @ 60, Lots 2 through 4, Plat Book WWW 61 @ 96, on Tax Map 106, in Grid D-2. Said property being in the 12th Election District of Prince George's County, Maryland, and being zoned R-80; and

WHEREAS, on , February 27, 2001, Hester M. Sellner filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 12 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01018, Sellner 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 April 26, 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 April 26, 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 Preliminary Plat of Subdivision 4-01018, Sellner Estates, for Lots 11-22 with the following conditions:

1. Prior to the approval of the final plat of subdivision, the applicant, his successors and/or assigns shall pay a fee-in-lieu of parkland dedication for Lots 11 thru 22.
2. Prior to the issuance of a building permit, the applicant, the applicant=s heirs, successors, and/or assigns shall provide the installation of one AShare the Road with a Bike@ sign in accordance with state requirements, and upon state approval, along Allentown Road. If the state declines the sign, this condition shall be void.
3. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan #8331220-2000-01.
4. Prior to the approval of building permits for Lots 11 thru 14 the applicant, his heirs, successors and/or assigns shall provide evidence of the abandonment of the existing 20-foot WSSC right-of-way, recorded in Liber 3454, Folio 797, which crosses Lots 13 and 14.

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 north side of Allentown Road approximately 195 feet southwest of Temple Hill Road.
3. Environmental - This site is not subject to the provisions of the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodland and does not have a previously approved Tree Conservation Plan. The Letter of Exemption as submitted is acceptable. No other significant environmental impacts have been identified or associated with the site.

There are no streams, wetlands or 100-year floodplain associated with the site. The site is relatively flat and contains slopes that drain into unnamed tributaries within the Henson Creek Watershed. There are no rare/threatened/endangered species located in the vicinity of this property. The predominant soil types on-site are Galestown and Woodstown. These soil types generally exhibit slight limitations to development due to impeded drainage, seasonally high water table, and steep slopes. A soils study may be required by the Department of Environmental Resources at the time of permit review by that agency.

There are no noise issues associated with this use, nor are Historic or Scenic roads affected by this proposal. Based on the Airport Land Use Compatibility and Safety Study, it is noted that this property is located outside the reach of any adverse impacts from the Washington Executive Airport or the Potomac Air Field. The property is in water and sewer service categories 3 and 3.

Currently an existing 20-foot WSSC right-of-way, recorded in Liber 3454, Folio 797, crosses proposed Lots 13 and 14. The location of this easement would restrict the development potential of Lot 14. The easement should be relocated prior to building permits to provide for an adequate building area on Lot 14.

4. Community Planning - The proposed residential subdivision, located in Allentown Community, is in conformance with the policies of the 1981 *Subregion VII Master Plan*. The Land Use Recommendation contained in the master plan for this property is Suburban Residential, which is comparable with the R-80 zoning of the property. The applicant is proposing development in conformance with the R-80 zoning designation of the property. 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 the payment of a

fee-in-lieu of the dedication of parkland because the land available for dedication is unsuitable due to its size and location.

6. Trails - The Equestrian Addendum to the Adopted and Approved Countywide Trails Plan recommends that Allentown Road (MD 337) be designated as a Class III bikeway with appropriate signage. Because Allentown Road is a state right-of-way, the applicant should provide the installation of one AShare the Road with a Bike@ sign in accordance with state requirements. However, prior to the Planning Board conditioning the placement of the signs, SHA should have the opportunity to review the proposed locations to ensure they are acceptable. The developer would purchase the signs from the state and install them in accordance with the state's *Manual on Uniform Traffic Control Devices* dealing with the section on bicycle facilities. A note should be placed on the final record plat that installation will take place prior to the issuance of the first building permit.
7. Transportation - The application is a preliminary plat of subdivision of existing Lot 10 into 12 single-family dwelling unit lots. Therefore, there are 11 newly created lots that would generate 8 AM and 10 PM peak-hour vehicle trips as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The traffic generated by the proposed preliminary plan would impact the intersection of Allentown Road and Temple Hills Road. 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*. CIP # FD669091 describes the project as the widening of the intersection on all four approaches.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined level-of-service D (LOS D) as the lowest acceptable operating condition on the transportation system. Based on an October 5, 2000, traffic count, staff did an analysis of the affected intersection and determined the following results:

EXISTING CONDITIONS		
Intersection	AM - CLV/LOS	PM - CLV/LOS
Allentown Road/Temple Hills Road	1441/D	1462/E

With the inclusion of the funded improvements and the site-generated traffic, the intersection was reanalyzed and the following results were determined:

TOTAL CONDITIONS with improvements		
Intersection	AM - CLV/LOS	PM - CLV/LOS
Allentown Road/Temple Hills Road	902/A	1158/C

Adequate access roads will exist as required by Section 24-124 of the Prince George=s County Code.

8. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concludes the following:

Finding

Projected Impact on Affected Public Schools

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5- Year Enrollment	Adjusted Enrollment	Total Projected Enrollment	State Rated Capacity	Projected % Capacity
Avalon Elementary School	12 sfd	0.24	2.88	398	0	400.88	439	91.32%
Thurgood Marshall Middle School	12 sfd	0.06	0.72	757	0	757.72	1022	74.14%
Crossland High School	12 sfd	0.12	1.44	1475	0	1476.44	2061	71.64%

Source: Prince George=s County Planning Department, M-NCPPC, January 2001

Since the affected schools= projected percentage of capacities are not greater than 105%, an Adequate Public Facilities fee is not required. However, the School Facilities Surcharge Fee is required at the time of building permit.

9. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Allentown Road Fire Station, Company 32, located at 8709 Allentown. Road has a service response time of 4.20 minutes, which is within the 5.25-minute response time guideline.
 - b. The existing ambulance service at Allentown Road Fire Station, Company 32,

located at 8709 Allentown Road has a service response time of 4.20 minutes, which is within the 6.25-minute response time guideline.

- c. The existing paramedic service at Silver Hill Fire Station, Company 29, located at 3900 Silver Hill Road has a service response time of 8.66 minutes, which is beyond the 7.25-minute response time guideline.
- d. The existing paramedic service located at Silver Hill Fire Station, Company 29, is beyond the recommended response time guideline. The nearest fire station, Company 32, is located at 8709 Allentown Road, which is 4.20 minutes from the development. This facility would be within the recommended response time for paramedic service.

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*.

- 10. Police Facilities - The proposed development is within the service area for District IV-Oxon Hill. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county's police facilities will be adequate to serve the proposed Sellner Estates development. This police facility will also adequately serve the population generated by the proposed subdivision.
- 11. Health Department - The Health Department has reviewed the proposed preliminary plat and has no comment.
- 12. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan, #8331220-2000-01, has been approved that requires the payment of a fee-in-lieu of providing on-site attenuation measures. This approval ensures that development of this site does will 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.

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File No. 4-01018
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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 Eley, seconded by Commissioner Lowe, with Commissioners Eley, Lowe, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 26, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of May 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk