

R E S O L U T I O N

WHEREAS, HALFPAP is the owner of a 32.85-acre parcel of land known as Parcel 275, said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on March 20, 2001, Steve and Joanne Valentine filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 11 lots and 2 outlots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01024 for The Reserve, Section II 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 July 19, 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 July 19, 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 the Type I Tree Conservation Plan (TCPI/42/00), and further APPROVED Preliminary Plat of Subdivision 4-01024, The Reserve, Section II for Lots 1-11 and Outlots A and B with the following conditions:

1. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall provide a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Croom Station Road, a designated Class III Bikeway. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit.
2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan #8329129-2000-00.
3. The final plat of subdivision shall contain the following notes:
 - a. Any well located down gradient to on-site sewage disposal systems or other sources of pollution must be grouted to the second confining layer.
 - b. Grading permits shall demonstrate that any sewage disposal system within 30 feet of areas of the property that are to be graded must be protected with silt

- fence or other fencing. The fencing shall be placed two feet offset of the sewage disposal areas that could be impacted by grading.
- c. Conservation and scenic easements described on the final plat of subdivision are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted.
 - d. The private ingress and egress easement serving Lots 1, 2, 9, and 10, is authorized pursuant to Section 24-128(b)(1) of the Subdivision Regulations.
 - e. Lots 10 and 11 are denied direct vehicular access to MD 301.
 - f. Demonstrate 30 feet of dedication for public use from the center line of both Chew Road and Croom Station Road.
4. Prior to signature approval the preliminary plan of subdivision shall be revised:
- a. To clearly label Outlot A, abutting Lot 123 to the west.
 - b. To clearly label the residue of Parcel 275, abutting Lot 1 to the south. The plan shall indicate that it is currently under the same ownership of Lot 1.
 - c. To clearly label the 65 dBA line.
5. Prior to the approval of the final plat of subdivision, a scenic easement shall be described by bearings and distances on the plan. The easement shall contain a minimum of 35 feet of woodland outside the Public Utility Easements, and shall be reviewed and approved by the Environmental Planning Section.
6. Prior to the approval of the final plat of subdivision, a conservation easement shall be described by bearings and distance on the plan. The location of the easement shall be reviewed and approved by the Environmental Planning Section.
7. The applicant, his heirs, successors and/or assigns shall rename the subdivision, to ensure that it shall not be named The Reserve at anytime in the development process and thereafter.

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 generally located in the east central portion of the country, south of US 4 and north of US 301, in Upper Marlboro.
3. Environmental - This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size 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. A Forest Stand Delineation, including text and maps, and a Tree Conservation Plan, TCP I/42/00, were submitted for review. The Forest Stand Delineation has been reviewed and was found to satisfy the requirements of the Woodland Conservation Ordinance. The Tree Conservation Plan, TCP I/42/00, proposes to meet all woodland conservation on site. Staff recommends approval of TCP I/42/00.

The site contains significant natural features, which are required to be protected under Section 24-130 of the Subdivision Regulations. The Patuxent River Primary Management Area Preservation Area is defined in Section 24-101(b)(10) of the Subdivision Regulations and should be clearly labeled on the preliminary plan.

There is a stream, with associated nontidal wetlands, running roughly north to south in the center of the site. The plan correctly indicates a minimum 50-foot stream buffer and the wetlands delineation has been previously examined in the field and determined to be correct. The 25-foot wetland buffers are correctly shown. All areas having slopes of 25 percent or greater abutting or adjoining the perennial stream and nontidal wetlands have been shown and are proposed to be protected. No areas having highly erodible soils on slopes of 15 percent or greater abut or adjoin the perennial stream or streamside wetlands.

At the time of approval of the final plat of subdivision, a conservation easement should be described by bearings and distances. The conservation easement should contain all 100-year floodplain, stream buffers, wetlands and wetland buffers. The conservation easement area location on the final plat of subdivision should be reviewed by the Environmental Planning Section prior to approval.

US 301 functions as a 4-lane expressway with an average daily traffic of approximately 40,000 vehicles and is a significant nearby noise source. A noise study was accepted for review on May 9, 2001. The noise study, projecting traffic levels ten years into the future, indicates that all of the proposed dwelling units, as shown on the preliminary plan, will be beyond the 65dBA(Ldn) contour.

Lots 10 and 11 are impacted by the 65dBA line. However, both lots have ample square footage outside the 65 dBA line to construct a dwelling. Staff would suggest that the applicant and/or future property owners take into consideration the location of the dwellings as they relate to US 301 and the 65 dBA line.

Chew Road and Croom Station Road are designated Historic/Scenic Roads. The most

significant visual impact would be the proposed removal of woodland for the development of Lots 1-8. At the time of approval of the final plat of subdivision, a minimum 35-foot wide scenic easement should be shown and described by bearings and distances. The easement should contain 35 feet of woodland outside of the Public Utility Easements and should be reviewed by the Environmental Planning Section.

No rare/threatened/endangered species are known to occur in the project vicinity. The soils map provided with the preliminary plan indicates the presence of highly erodible soils associated with steep and severe slopes in the proposed development area. A soils study may be required by the DER prior to the approval of grading or building permit.

4. Community Planning - The subject property is within the 1993 Subregion VI Study Area Master Plan in Planning Area 82, in Queensland. The master plan land use recommendation is for rural agricultural uses. The proposed development is consistent with that recommendation. There are no master plan issues associated with this application.
5. Parks and Recreation - Pursuant to Section 24-134(a)(3)(B) of the Subdivision Regulations, all the proposed lots in the subdivision are exempt from the mandatory dedication of parkland requirement because the lots are in a one-family zone and have a net lot area greater than one acre.
6. Trails - The Adopted and Approved Subregion VI Master Plan recommends that Croom Station Road be designated as a Class III bikeway with appropriate signage. Because Croom Station Road is a county right-of-way, the applicant should provide a financial contribution to the Department of Public Works and Transportation for the placement of Class III bikeway signage. If road improvements are required along Croom Station Road, minimum four-foot-wide shoulders are recommended to accommodate this bikeway.
7. Transportation - The application is a preliminary plat of subdivision for a residential development consisting of 11 single-family dwelling units. The proposed development would generate eight (8) AM and ten (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 unsignalized intersection of Croom Station Road and Chew Road. The intersection is not programmed for improvement with 100% construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.

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 for signalized intersections and a delay of 50 seconds or less for unsignalized intersections. While staff does not have current turning counts for the subject intersection, the relatively low traffic volumes along both Croom

Station Road and Chew Road suggest that the 50 second delay threshold of acceptability would not be surpassed.

The subject property would generate a total of ten (10) trips during the evening peak hour. It is staff's opinion that no more than five trips would pass through the intersection of Chew Road and Croom Station Road, while the remaining five trips would be dispersed through the intersections of Chew Road at US 301 and Croom Station Road at US 301. Consequently, staff concludes that the traffic from subject application would have only a marginal impact on the critical intersection if the application is approved.

Staff concludes that adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations if the application is approved.

The preliminary plan proposed the dedication of 30 feet from the center line along both Croom Station Road and Chew Road. Both areas of dedication are acceptable to staff. The amount of dedication proposed on the preliminary plan are consistent with the right-of-way requirement shown in the *US 301 Access Control Study From MD 5 At T.B. To US 50* by the State Highway Administration in March 1999.

8. State Highway Administration - The proposed dedication area identified along northbound US 301 is consistent with the Prince George's County Master Plan of Highways. Based on the evaluation of the proposed preliminary plan, the SHA right-of-way needs for the future upgrade of US 301 is provided.

The *Subregion VI Master Plan*, as well as the State Highway Administration's (SHA) *US 301 Access Control Study From MD 5 at TB to US 50*, shows the existing US 301/Chew Road at-grade intersection being replaced with an overpass. Specifically, Chew Road is proposed to be the overpass. The approximate touchdown point of the proposed overpass approaches the proposed right-of-way line at a distance of 200 feet from the existing US 301 centerline. The touchdown point is within the dedicated 300-foot right-of-way. The approximate touchdown point, measured at 450 feet from the proposed subdivision entrance/exist drive, would provide adequate stopping sight distance. This assumes the proposed bridge would tie into the existing roadway at the same grade at this location and accommodates a design speed up to 45-50-mph. Modifications to the existing roadway grade in the design phase may affect the desirable sight distance. More detailed engineering would be required in the design phase to better evaluate the vertical profile. At this time the proposed preliminary plat illustrates an acceptable sight distance.

9. 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 concluded that the proposed subdivision is exempt from an APF test for schools because it is less than 36 dwelling units and is not served by public water and sewer.

10. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following:
- a. The existing fire engine service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service response time of 4.46 minutes, which is within the 5.25-minute response time guideline.
 - b. The existing ambulance service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service response time of 4.46 minutes, which is within the 6.25-minute response time guideline.
 - c. The existing paramedic service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service response time of 4.46 minutes, which is within the 7.25-minute response time guideline.
 - d. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and 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*.

11. Police Facilities - The proposed development is within the service area for District V-Clinton. In accordance with Section 24-122.01(c) of the Subdivision Regulations, staff concludes that the existing county police facilities will be adequate to serve the proposed development. This police facility will adequately serve the population generated by the proposed subdivision.
12. Health Department - The development of this subdivision is projected to utilize individual sewage disposal systems and individual water supply systems. Each of the proposed lots has sufficient percolation tests to accommodate a 10,000 square foot or larger sewage disposal area. In order to accommodate the sewage disposal areas, several lot lines have been altered as proposed in the revised preliminary plan received May 10, 2001. Based on the Health Department's evaluation of the revised plan, further minor alterations are necessary to the proposed lot lines.
13. 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, #8329129-2000-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development should 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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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, Scott and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, July 19, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of September 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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