

R E S O L U T I O N

WHEREAS, Housing Authority of Prince George=s County is the owner of a 11.01-acre parcel of land known as Lots 62, 63 and 64, Tax Map Grid 116, E-1, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-80; and

WHEREAS, on July 3, 2001, Foundation of Automotive and Construction Technology for Students filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 15 lots and 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-01057 for Charles G. Schultz Subdivision 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 October 11, 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 October 11, 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/21/01), and further APPROVED Preliminary Plan of Subdivision 4-01057, Charles G. Schultz Subdivision for Lots 142 and 155, Parcel A with the following conditions:

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/21/01). 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/21/01), 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 grading permits, a Type II Tree Conservation Plan shall be approved.
3. Prior to the issuance of a building permits, the applicant, his heirs, successors and/or

assigns shall pay an Adequate Public Facilities fee of \$1,920.00 per dwelling unit for the schools, 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 Stephen Decatur Middle and Surrattsville High Schools.

4. No building permits shall be issued beyond the fourth dwelling unit for this subdivision until the projected percentage of capacities at all the affected schools are less than or equal to 130 percent or four years have elapsed since date of the adoption of the resolution of the approval of this preliminary plat of subdivision, unless authorized by future legislation.
5. At the time of final plat, the applicant shall pay a fee-in-lieu of mandatory park dedication.
6. Development of this site shall be in conformance with the approved stormwater concept plan, Concept 14568-2001-00.

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 Friendship Road at its intersection with Johnsam Road in Clinton.
3. Environmental Issues - The site contains a small intermittent stream on the southern portion of the property. A small area of nontidal wetlands exists adjacent to this system. The stream has an associated 100-year floodplain. The site is relatively flat and is located in the Tinkers Creek watershed which is a tributary of the Potomac River. The soils found to occur on this property according to the Prince George's County Soil Survey include the Sassafras sandy loam, Galestown loamy sand, and Beltsville Matapeake and Mattapex silty loams. Of these soils, only the Beltsville and Mattapex soils are considered problematic for development due to their high erosion potential. A soils study may be required by the Department of Environmental Resources prior to the issuance of permits. No off-site noise impacts have been identified which would limit development of this property for this use. This site is located in sewer and water categories S-3 and W-3. No cemeteries or scenic and historic roads are affected by this application.

The site is subject to the provisions of the Woodland Conservation Ordinance because the site is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan Type I and Forest Stand Delineation are required at this time. A Forest Stand Delineation was submitted with this application and was found to address the requirements of the Woodland Conservation Ordinance. No further

information is required for the FSD.

Type II Tree Conservation Plan TCP II/72/01 included a portion of this property. It was approved in conjunction with a grading permit. Type I Tree Conservation Plan, TCP I/21/01, submitted with this application, will replace TCP II/72/01. This property has a 5.54 net tract area because 5.40 acres of floodplain exists on site. The TCP I Woodland Conservation Worksheet indicates that the minimum woodland conservation requirement for this site is 1.11 acres (20 percent of the net tract). An additional 1.29 acres are required due to removal of woodland below the threshold level and within the floodplain, for a total requirement of 2.40 acres. The preservation requirements of the Woodland Conservation Ordinance will be met with a total of 1.07 acres of on-site preservation/reforestation and 1.33 acres of off-site mitigation. Therefore, the Type I Tree Conservation Plan is recommended for approval.

Streams, stream buffer, wetlands, wetland buffer and 100-year floodplain exist on this site and are required to be protected under Section 24-130 of the Subdivision Regulations. The stream located on the site is an intermittent stream that is surrounded by a small area of nontidal wetlands. A field visit has verified that these features have been shown correctly on the preliminary plan and TCP I. The stream and nontidal wetlands will not be affected by this application as they are located a significant distance from the proposed lots and houses. The area of 100-year floodplain shall be recorded as a floodplain easement included on the final plat.

4. Community Planning - The 1993 *Subregion V Master Plan* recommends the property for residential land use at suburban densities. The 1993 Sectional Map Amendment retained the R-80 Zone at this location. The proposed subdivision for 14 single-family detached residential lots in the R-80 Zone is consistent with master plan recommendations for suburban residential land use in this community.
5. Parks and Recreation - The site is subject to the requirements of Section 24-134 of the Subdivision Regulations for mandatory park dedication. However, the size and location of land available for dedication is unsuitable for park purposes. Therefore, staff recommends a fee-in-lieu of park dedication be required
6. Trails - There are no master plan trails associated with this application.
7. Transportation - The transportation staff has determined that the intersection of Malcolm Road and Clinton Street, an unsignalized intersection, is to be considered the critical intersection for the subject property. Staff requested that the applicant submit weekday traffic counts at that intersection. In response, the applicant submitted traffic counts taken August 2001 at this location. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The existing operating conditions at the critical intersection, based on recent counts, are summarized using maximum vehicle delay in any use under the Highway Capacity Manual analysis procedure. Currently, the intersection of Malcolm Road and Clinton Street operates with a maximum delay of 12.9 seconds during the AM peak hour and a maximum delay of 11.8 seconds during the PM peak hour. The Prince George's County Planning Board, in the *Guidelines*, has defined the upper limit of LOS E (or a maximum vehicle delay of 50.0 seconds) as the lowest acceptable operating condition for unsignalized intersections on the transportation system. As a result, the Malcolm Road/Clinton Street intersection currently operates acceptably.

The traffic study did an analysis of approved background developments in the vicinity of the subject property. The transportation staff has utilized the following developments for the purpose of analyzing background conditions:

Alex. Square Bus. Pk.	80,000 square feet of warehouse 40,000 square feet of office
Schultz Subdivision	Approx 25 lots

The study assumes growth in through traffic to be 1.5 percent per year along Malcolm Road. The growth rate is not based on historical rates, but is applied since Malcolm Road is a major entrance to Andrews Air Force Base, and this growth rate attempts to represent long-term growth in base activities. There are no funded capital improvements in the area; major improvements to MD 5 have been completed in the last five years. Background traffic conditions (existing plus growth in through traffic plus traffic generated by background developments with funded improvements) would be maximum delays of 14.1 seconds and 13.1 seconds during the AM and PM peak hours respectively.

This subdivision proposes 14 residences. The development of the site under the proposed use would generate 12 total trips during the AM peak hour (3 in, 9 out), and 14 total trips during the PM peak hour (9 in, 5 out). The transportation staff believes that 50 percent of site traffic would be oriented northbound along MD 5, 20 percent southbound, 20 percent northeast along MD 223, and 10 percent to the west. With the site characteristics, total traffic conditions (background plus site traffic) would be a maximum vehicle delay of 14.3 seconds and 13.4 seconds during the AM and PM peak hours respectively at the critical intersection. Therefore, the transportation staff would conclude that the intersection of Malcolm Road and Clinton Street operates acceptably as an unsignalized intersection with the development of the subject property.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code. No transportation-related conditions are required. No further issues have been identified during the review of the subject property.

8. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the

subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 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).

Projected Impact on Affected Public Schools

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5-Year Projection	Adjusted Enrollment	Total Projected Enrollment	State Rated Capacity	Projected% Capacity
Francis T. Evan Elementary School	14 sfd	0.24	3.36	496	0	499.36	519	96.22%
Stephen Decatur Middle School	14 sfd	0.06	0.84	1076	0	1076.84	828	130.05%
Surrattsville High School	14 sfd	0.12	1.68	1383	0	1384.68	1265	109.46%

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

Because the affected Stephen Decatur Middle and Surrattsville High Schools projected percentage of capacities are greater than 105 percent, the Adequate Public Facilities fee is \$1,920.00 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.

Section 24-122.02(a)(4) states that if any affected school=s projected percentage of capacity exceeds 130 percent, no permits may be issued until (a) capacity exists below 130 percent in all affected schools; or (b) four years have elapsed since the time of the approval of the preliminary plan of subdivision.

The proposed 14 homes will yield 0.84 middle school students. The current five-year projection for Stephen Decatur Middle School is 129.95 percent of capacity. The addition of 0.84 students will take the projected capacity over 130 percent. However, six dwelling units could be constructed without bringing the capacity over 130 percent. With six dwelling units, the projected percentage of capacity will be 129.99.

The Planning Board recently approved a two lot subdivision, Sellner=s Farm, Preliminary Plan 4-01047, with the resolution adopted on September 6, 2001. This subdivision is not in the background analysis for schools. Therefore, since capacity exists for six dwelling units and two are taken by Sellner=s Farm, only four units may proceed without the four year wait.

9. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities and concludes that 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 following 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*.

- a. The existing fire engine service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service response time of 3.91 minutes, which is within the 5.25-minute response time guideline.
  - b. The existing ambulance service at Clinton Fire Station, Company 25, has a service response time of 3.91 minutes, which is within the 6.25-minute response time guideline.
  - c. The existing paramedic service at Clinton Fire Station, Company 25, has a service response time of 3.91 minutes, which is within the 7.25-minute response time guideline.
10. Police Facilities - The proposed development is within the service area for Police District V - Clinton. In accordance with Section 24-122.01(c) of the Subdivision Regulations of Prince George's County, the staff concludes that existing county police facilities will be adequate to serve the proposed Charles G. Schultz Subdivision development. This police facility will adequately serve the population generated by the proposed subdivision.
11. Health Department - The Health Department has reviewed the application and offered no comments.
12. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. The applicant proposes a stormwater management facility between the lots and the floodplain. A Stormwater Management Concept Plan, # 14568-2001-00, 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. Public Utility Easement - The required 10-foot-wide public utility easement is included along all streets on the preliminary plan. 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.

\* \* \* \* \*

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 Eley, with Commissioners Lowe, Eley,

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Brown and Hewlett voting in favor of the motion, and with Commissioner Scott absent, at its regular meeting held on Thursday, October 11, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of November 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JD:rmk