

R E S O L U T I O N

WHEREAS, John O. and Rixie B. Dennison is the owner of a 18.26-acre parcel of land known as Dennison Property, Parcel 45, Tax Map 125, Grid C-2 said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-80; and

WHEREAS, on August 23, 2001, Danner Development filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 45 lots and 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01068 for Dennison Property 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 November 15, 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 November 15, 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 4-01068, Dennison Property for Lots 1-23, Block A; Lots 1-22, Block B and Parcel A with the following conditions:

1. Prior to approval of the Final Plat of Subdivision, the applicant, his heirs, successors and or assigns shall pay a fee-in-lieu of parkland dedication.
2. At the time of grading permits the applicant, his heirs, successors and/or assigns, shall relocate the existing shed from Lot 23 to Parcel 72. The applicant shall provide written evidence from the property owner of Parcel 72 that it has been relocated in a satisfactory state, prior to the approval of building permits
3. Prior to grading permits, the applicant shall provide evidence to the Health Department that the septic system has been pumped out by a licenced scavenger and either removed or backfilled in place.
4. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns, shall pay an Adequate Public Facilities fee of \$4,080.00 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 Waldon Woods Elementary, Stephen Decatur Middle, and Surrattsville High Schools.

5. No permits shall be issued 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 plan of subdivision.
6. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan #13784-2001-00.
7. Prior to signature approval, the preliminary plan shall be revised:
 - a. To locate all existing structures and indicate their disposition;
 - b. To note that the existing shed located on proposed Lot 23 is to be relocated to Parcel 72;
8. The final plat shall note that all permit plans provide for standard sidewalks to be constructed in accordance with DPW&T standards along both sides of all internal streets unless otherwise deemed appropriate by DPW&T.
9. The applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$420 to the Department of Public Works and Transportation prior to the approval of the first building permit for the placement of Class III bikeway signage along Brandywine Road and Thrift Road. If road improvements are required along these roads, wide (seven to ten feet) asphalt shoulders are recommended.
10. Prior to approval of the final plat of subdivision, a Detailed Site Plan (DSP) shall be approved by the Planning Board's designee. The DSP shall include but not be limited to the review of the following:
 - a. Landscape plans for the stormwater management pond to ensure compatible views from Brandywine Road and all abutting properties. The DSP shall ensure that the SWM pond is an enhancement of the quality of the proposed development;
 - b. Architectural elevations for compatibility with the surrounding community while ensuring a high quality of development. Special attention shall be paid to those lots where the rear of the dwelling is facing a roadway and the rear and/or sides of adjoining dwellings.

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 has frontage on Thrift Road to the west and Brandywine Road to the east. Millikin Drive stubs into the southern property line.
3. Detailed Site Plan - The Subdivision Regulations include the encouragement of creative residential subdivision design that accomplishes a more efficient, attractive, and environmentally sensitive plan in order to preserve the integrity and beauty of the county.

The subject property is located in a highly visible location with approximately 1,670 linear feet of frontage on existing collector roadways: Brandywine Road and Thrift Road.

The property is located within a well-established developed area. Existing single-family dwelling units are located to the south, west, and east. The applicant has proposed lots that would orient the rears of dwellings to the street. The rears of the dwellings on these lots would then be oriented to the fronts of lots facing both Brandywine Road and Thrift Road. The required stormwater management facility is proposed abutting Brandywine Road on a parcel that is in excess of 1.6 acres. The stormwater management facility will be highly visible from that roadway. The site is essentially void of trees, with no woodland on the property. Any development on this property could be visible from the surrounding properties.

Due to these concerns, staff believes that further evaluation of the development proposal prior to final plat is appropriate through the review and approval of a Detailed Site Plan (DSP). Section 27-270 of the Zoning Ordinance has established an order of approvals of development. Compliance with the order of approvals should be followed. Further evaluation of actual improvements on the individual lots through the DSP process could result in an alteration of the lotting pattern or a loss of lots. Evaluation of the DSP is necessary prior to the final plat of subdivision for the property.

4. Environmental - This site is not subject to the provisions of the Woodland Conservation Ordinance. While the entire site is more than 40,000 square feet in size, it contains less than 10,000 square feet of woodland. A Tree Conservation Plan is not required.

The 18.26 acre property is between Thrift Road and Brandywine Road about 1,500 feet south of their intersection. There is no woodland on the property. No Historic or Scenic roads are affected by this proposal. There are no streams, wetlands, or floodplain on the property. There are no significant nearby noise sources. The proposed use is not expected to be a noise generator. No species listed by the State of Maryland as rare, threatened, or endangered are known in the general region. The property is in water and sewer categories W-3 and S-3. The soils information included in the review package indicates that the principal soils on the site are in the Beltsville, Ochlockonee, Leonardtown, and Galestown soils series.

5. Community Planning - The subject property is located within the limits of the 1993 *Subregion V Master Plan and SMA* in Planning Area 81A in the Clinton Community.

The Master Plan recommendation for the property is for a suburban residential land use. The applicant's proposal for 45 single-family detached residential lots in the R-80 Zone is consistent with master plan recommendations for suburban residential land use in this community. There are no master plan issues associated with this application.

6. Parks and Recreation - In accordance with Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division recommends that a payment of a fee-in-lieu of parkland dedication be required because the land available for dedication is unsuitable due to its size and location.
7. Trails - The Adopted and Approved Subregion V Master Plan recommends that Brandywine Road and Thrift Road be designated as Class III bikeways with appropriate signage. Because Brandywine Road and Thrift Road are county rights-of-ways, the applicant, and the applicant's heirs, successors, and/or assigns, should provide a financial contribution to the Department of Public Works and Transportation for the placement of this signage. This will allow for the placement of one Ashare the road@ sign along each roadway. If road improvements are required along these roads, seven- to ten-foot-wide asphalt shoulders are recommended.

Due to the proximity of the subdivision to the Walden Woods Elementary School, standard sidewalks should be constructed along all the internal streets in the subdivision to provide safe pedestrian movement through the neighborhood for children walking to school.

8. Transportation - The property is located between Thrift Road and Brandywine Road and north of Parkview Lane. The applicant proposes to subdivide the property into 45 residential lots and one parcel.

The *Guidelines for the Analysis of the Traffic Impacts of Development Proposals* does not require a traffic study for developments that generate fewer than 50 peak-hour trips. Therefore, no traffic study was requested nor was one prepared by the applicant. Instead, at the Subdivision Review Committee meeting held on Friday, September 14, 2001, staff suggested several engineering modifications and requested that the applicant provide recent AM and PM peak period traffic counts for the intersection of Brandywine Road and Surratts Road. The findings and recommendations outlined below are based upon a review of the revised Preliminary Plan, the submitted traffic counts and the review of relevant materials and analyses conducted by the staff of the Transportation Planning Section and in accordance with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The proposed subdivision would generate 34 AM (7 in, 27 out) and 41 PM (27 in, 14 out) peak-hour vehicle trips using the *Guidelines*-recommended trip generation rates. The traffic generated by the proposed subdivision would impact the signalized intersection of Brandywine Road with Surratts Road. This intersection is programmed for improvement with 100 percent construction funding within the next six years in the current 2002-2007

Prince George=s County Capital Improvement Program. CIP # FD669001 describes the project as upgrading Surratts Road to a collector-type roadway from Beverly Avenue to Brandywine Road with Afull intersection improvements at Brandywine Road.@

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, the *Guidelines* also define LOS D as having a critical lane volume (CLV) that is less than 1,450 vehicles during the AM or PM peak hour. Based on an October 2, 2001, submitted traffic count, staff did an analysis of the affected intersection and determined that the intersection of Brandywine Road with Surratts Road was operating at LOS E (CLV -1510) and LOS D (CLV - 1417) during the AM and PM peak hours, respectively. With the inclusion of appropriate turning lanes on each of the intersection approaches, as part of the fully funded and programmed improvements for this intersection, the intersection was analyzed and was found to be operating at an acceptable level of service (LOS B) (CLV-1014) during the AM peak hour and acceptable level of service (LOS D)(CLV1313) during the PM peak hour. The analysis also indicated that this intersection would continue to operate at acceptable levels of service during both AM and PM peak hours with the addition of the site- generated traffic.

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed Dennison Property Preliminary Plan of subdivision as required under Section 24-124 of the Prince George's County Subdivision Regulations.

9. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concluded the following:

Finding

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 |
|--------------------------------|--------------|--------------------|-------------------------|-------------------|---------------------|----------------------------|----------------------|----------------------|
| Waldon Woods Elementary School | 48 sfd | 0.24 | 11.52 | 685 | 0 | 696.52 | 663 | 105.06% |
| Stephen Decatur Middle School | 48 sfd | 0.06 | 2.88 | 1076 | 0 | 1078.88 | 828 | 130.30% |
| Surrattsville High School | 48 sfd | 0.12 | 5.76 | 1383 | 0 | 1388.76 | 1265 | 109.78% |

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

Since the affected Waldon Woods Elementary, Stephen Decatur Middle, and Surrattsville High Schools= projected percentage of capacities are greater than 105 percent, the Adequate Public Facilities fee is \$4,080.00 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 (4) years have elapsed since the time of the approval of the preliminary plan of subdivision.

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 Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service response time of 2.85 minutes, which is within the 5.25-minute response time guideline.
 - b. The existing ambulance service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service response time of 2.85 minutes , which is within the 6.25-minute response time guideline.
 - c. The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service response time of 2.85 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 Police Station. 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 Dennison Property development and the population generated by the proposed subdivision.
12. Health Department - The Health Department has evaluated the site and notes that the existing dwelling on site is vacant. At the time the dwelling is razed and the existing septic system is no longer in use, it must be pumped out by a licenced scavenger and

either removed or backfilled in place.

13. 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, #13784-2001-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Proposed Parcel A, which contains the stormwater management pond, will be conveyed to the Department of Environmental Resources for monitoring and maintenance. 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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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, Scott, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 15, 2001, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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