

C O R R E C T E D R E S O L U T I O N

WHEREAS, *[Evauna] Evalina S. Mitchel is the owner of a 40.12-acre parcel of land known as Woodmore at Oak Creek, part of Parcel 12, Tax Map 69, Grid E-3 said property being in the 7th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on September 24, 2002, Woodmore at Oak Creek II filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 20 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-02084, Woodmore at Oak Creek II for Capital Christian 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 23, 2002, 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 23, 2002, 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/38/01-01), and further APPROVED Preliminary Plan of Subdivision 4-02084, Woodmore at Oak Creek II, for Lots 1-20 with the following conditions:

1. A note shall be placed on the permit grading plan stipulating that the grading will begin at the west site of the site and progress to the east. If the grading work takes more than one day's time, the work shall be phased to allow for the natural migration of wildlife to the existing woodland to the east.
2. Prior to the commencement of grading, temporary plastic snow fencing shall be installed along the subject property's entire frontage along Church Road. This wildlife protection method shall be noted on the permit grading plan.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

3. If acceptable to the controlling jurisdiction, the appropriate public agency (Prince George's County Department of Public Works and Transportation or the City of Bowie) shall analyze the four-way intersection of proposed Road A and Jennings Mill Drive to determine whether four-way stop signs should be installed prior to said roads being open to vehicular traffic.
4. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River Primary Management Area except for approved impacts. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed.”
5. A planting plan and schedule for the 30-foot-wide landscape bufferyard shown on the preliminary plan and TCPI shall be shown on TCPII and approved as part of that plan. The planting plan shall be consistent with note #3 under “Site Specific Tree Conservation Notes.”
6. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/38/01-01). 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/38/01-01), 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.”
7. Prior to the issuance of grading permits, a Type II tree conservation plan shall be approved. In addition to the normal requirements, the TCPII shall provide a specific management plan for hazard reduction and regeneration of the woodland preservation areas that were previously harvested.
8. Before completion of the road construction phase, the applicant, his heirs, successors and/or assignees shall provide six-foot-wide striped bicycle lanes along the property=s frontage on Church Road. Appropriate signage and pavement markings shall also be provided.
9. If deemed appropriate by the controlling jurisdiction, a sidewalk shall be provided along at least one side of Court “A.”
10. No building permits shall be issued for this subdivision until the capacity at all the affected school clusters are less than or equal to 105 percent or six years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or

part of a school to advance capacity.

11. Development of the subject property shall be consistent with the stormwater management concept plan approved by the Department of Environmental Resources (CSD# 35029-2001-00).
12. The approval of Preliminary Plan 4-02084 shall in no way invalidate any conditions associated with the approval of Preliminary Plan 4-01100.
13. At the time of final plat approval, the applicant shall dedicate right-of-way along Church Road as shown on the submitted plan. Improvements within the dedicated right-of-way shall be determined by DPW&T.
14. Prior to signature approval of the preliminary plan, the plan shall be revised to adjust Lot 6, Block C (currently 1.55 acres) and Lot 7, Block C (currently 2.79 acres) so as to create two lots that meet or exceed all minimum zoning standards and are both over two acres in size.
15. Prior to approval of the final plat of subdivision, all abandoned wells must be backfilled and sealed in accordance with Code of Maryland Regulations (COMAR) 26.04.04.
16. Prior to approval of the final plat of subdivision, the applicant shall submit to the Division of Environmental Health a schedule for the abandonment of existing residences on-site in relationship to the grading of the property. Evidence that this schedule was accepted and approved by the Division of Environmental Health shall be provided to the Development Review Division prior to the approval of the final plat of subdivision.
17. For all structures that must obtain a raze permit from the Department of Environmental Resources, any hazardous materials in these structures must be removed prior to the razing of the structures. Once removed, these materials must be properly discarded or labeled and stored in an appropriate manner.

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 east side of Church Road, approximately 1,500 feet south of its intersection with Central Avenue.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

| | EXISTING | PROPOSED |
|-------------------------|------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|
| Zone | R-A | R-A |
| Use(s) | Vacant | Single-Family Dwellings |
| Acreage | 40.12 (which includes 29.58 acres from preliminary plan 4-01100) | 40.12 (which includes 29.58 acres from preliminary plan 4-01100) |
| Lots | 13 per approved preliminary plan 4-01100 | 7 additional lots for a plan (4-02084) total of 20 lots and an overall project total of 64 lots |
| Outlots | 1 | 0 |
| Detached Dwelling Units | 1 | 20 |

2. **Environmental Issues and Impacts to the Primary Management Area (PMA)**—The Environmental Planning Section previously reviewed this property in conjunction with Preliminary Plan of Subdivision 4-01100, which was approved.

A review of the available information indicated that streams, wetlands, and the associated buffers for these features are found to occur on the property. There are no 100-year floodplains found to occur on the property. No existing adverse noise impacts from off-site sources have been identified that would limit development of this property. The soils found to occur on this site according to the Prince George’s County Soil Survey include Adelphia fine sandy loam, Collington fine sandy loam, Monmouth clay loam, Sandy land steep, Shrewsbury fine sandy loam, and Westphalia fine sandy loam. The limitations associated with these soils include impeded drainage, high water tables, slow permeability, and steep slopes. The sewer and water service categories are S-4 and W-4. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. Church Road is a designated scenic and historic road located along the western property boundary. The property is located in the Collington Branch watershed of the Patuxent River basin and in the Developing Tier as reflected in the adopted General Plan.

The Detailed Forest Stand Delineation (FSD) submitted with Preliminary Plan of Subdivision 4-01100 was reviewed and found to generally address the requirements for an FSD in accordance with the Prince George’s County Woodland Conservation and Tree Preservation Technical Manual.

This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because there is a previously approved Type I Tree Conservation Plan, TCPI/38/01, for the area included in this application. The TCPI has been found to address the requirements of the Prince George’s County Woodland Conservation Ordinance for this application and the overall property that was included in Preliminary Plan of Subdivision 4-01100. The project known as Woodmore at Oak Creek includes 134.01 acres of land, which has a Woodland Conservation Threshold (WCT) of 21.34 percent, or 28.6 acres, because the area of existing woodland is less than the normal 50 percent WCT. In addition, there is a 4.38-acre replacement requirement for clearing existing woodlands on the property. The requirements for this property

are being satisfied by 24.22 acres of on-site preservation in priority retention areas and 9.3 acres of on-site afforestation.

The soils found on this property have some limitations including impeded drainage, seasonally high water tables, and slopes, which may affect the development of the property. The presence of a high water table will have the most significant impact for the development of the property. No further information is required at this time. The above comment is provided for the applicant's benefit, because additional information on the soil characteristics and potential site engineering requirements will need to be provided to the Department of Environmental Resources during the review of building permits.

Streams and wetlands are found to occur on this property. Because this property is located in the Patuxent River watershed, these features and their associated buffers compose the Patuxent River Primary Management Area (PMA). The wetland report has been reviewed and was found to meet the requirements. The PMA has been accurately reflected on the preliminary plan of subdivision and TCPI/38/01-01.

The Stormwater Concept Plan and TCPI/38/01-01 propose impacts to the PMA. The standard of review for PMA impacts is contained in Section 24-130(b)(5) of the Subdivision Ordinance: "Where a property is partially or totally within the Patuxent River Watershed, the plat shall demonstrate adequate protection to assure that the Primary Management Area Preservation Area is *preserved in a natural state to the fullest extent possible.*"

The full extent of the PMA has been shown on the preliminary plan and the TCPI. The plans as submitted propose two PMA impacts, both of which were previously identified and found to have been minimized in conjunction with Preliminary Plan of Subdivision 4-01100. This application has further minimized the extent of the proposed impacts by revising the lot layout to protect the PMA. The proposed impacts include road improvements along the east side of the existing Church Road and impacts for previously approved Jennings Mill Road. These impacts are necessary for the safe and efficient flow of traffic for this application and previous approvals that will be using these same roads. The Environmental Planning Section supports the proposed PMA impacts as reflected on the plans.

Church Road is a designated Scenic and Historic Road, which will be a four-lane collector with an open median of varying width as determined by DPW&T and an ultimate right-of-way of 90 feet maximum. A 20- to 30-foot-wide hedgerow is located along Church Road for the entire property frontage. The area behind the hedgerow consists mostly of agricultural fields, with the exception of a small area that is existing woodland. The proposed road widening will remove the existing hedgerow, leaving behind the open agricultural fields and/or residential lots. Because the hedgerow is the feature that identifies the character of this area, and it can be recreated on-site, the hedgerow should be re-created after the road is widened.

The preliminary plan of subdivision and the TCPI show a 30-foot-wide landscape bufferyard along the property frontage with Church Road. Woodland conservation areas may be substituted for the required landscape buffer, if they exist in the area. A note has been added to the plans that

identifies the area and states: “30 foot-wide landscape buffer to be planted to mimic, at maturity, the plant number, species, and spacing characteristics of the existing hedgerow.”

5. **Community Planning**—The 2002 General Plan places this property in the Developing Tier. The *Bowie-Collington-Mitchellville and Vicinity Master Plan* (1991), Planning area 74A, Community IX, recommends large lot development for the site. The *Bowie-Collington-Mitchellville and Vicinity Sectional Map Amendment* (1991) placed/retained the property in the R-A Zone. This subdivision plan is proposing to use the varying lot size development technique in the R-A Zone. This development technique is consistent with the implementation concept for “large lot” development recommended in the *Bowie- Collington- Mitchellville & Vicinity Master Plan* and is consistent with the General Plan.
6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Prince George=s County Subdivision Regulations, the above referenced subdivision is exempt from mandatory dedication requirements because all of the proposed lots are greater than one acre.
7. **Trails**—The *Adopted and Approved Bowie-Collington-Mitchellville & Vicinity Master Plan* recommends a trail/bikeway along the subject property=s portion of Church Road. In keeping with the goal of preserving the rural qualities of Church Road and based on discussions with the Department of Public Works and Transportation (DPW&T), Church Road will be constructed as an open-section roadway with six-foot-wide, asphalt shoulders along the entire frontage of the subject property. These shoulders will serve as the master plan trail facility and accommodate bicycle traffic. Standard sidewalks are recommended along at least one side of Court “A” to safely facilitate internal pedestrian movementt
6. **Transportation**—The Transportation Planning Section reviewed the subject application. The subject property consists of approximately 40.12 acres of land in the R-A Zone.

The applicant has not prepared a traffic impact study nor was one required by the transportation staff given the limited amount of development being requested. The subdivision actually incorporates a portion of a recent preliminary plan, 4-01100, for Woodmore at Oak Creek with an adjacent outparcel. Thirteen lots from the recent preliminary plan are being resubdivided by the current plan, so there is actually a net gain of seven lots. Also, Preliminary Plan 4-01100 did include review of a traffic study. All information in that study is still pertinent, and so staff used that study as the basis for the findings in the subject case. Therefore, the findings and recommendations outlined below are based upon a review of those 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*.

Growth Policy—Service Level Standards

The subject property is located within the Developing Tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized intersections: The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

The traffic study for preliminary plan 4-01100 examined the site impact at three intersections in the area:

MD 214/Church Road (signalized)
MD 214/site entrance (unsignalized)
Church Road/Oak Grove Road (unsignalized)

The transportation staff fully reviewed the traffic study at the time that the previous subdivision was reviewed. The existing conditions at the study intersections are summarized below:

| EXISTING TRAFFIC CONDITIONS | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------|------------------------------------|----|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| MD 214 and Church Road | 1,176 | 925 | C | A |
| Church Road and site entrance (Jennings Mill) | future | | | |
| Church Road and Oak Grove Road | 16.4* | 11.9* | -- | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. | | | | |

The traffic study reviewed approved development in the area. Background development for the subject property includes Preliminary Plan 4-01100. Staff would also recall that an assumption was made for Oak Creek Club of 50 percent of development in consideration of statements made by the attorney for that applicant that the entire development would be completed in 10 to 15 years, or in the year 2012 at the earliest. Background conditions are summarized below:

| BACKGROUND TRAFFIC CONDITIONS | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------|------------------------------------|----|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| MD 214 and Church Road | 1,442 | 1,243 | D | C |
| Church Road and site entrance (Jennings Mill) | 14.0* | 14.8* | -- | -- |
| Church Road and Oak Grove Road | 40.3* | 31.8* | -- | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. | | | | |

The site is proposed for development as a residential subdivision. The site is proposed to be developed with 20 single family detached residences. Of these lots, 13 were included in background as a part of Preliminary Plan 4-01100, so a net of seven lots is proposed. For the net development, the site trip generation would be 5 AM peak-hour trips (1 in, 4 out) and 6 PM peak-hour trips (4 in, 2 out). Using the same site trip distribution as was used for 4-01100 in the traffic study, we obtain the following results under total traffic:

| TOTAL TRAFFIC CONDITIONS | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------|------------------------------------|----|
| Intersection | Critical Lane Volume (AM & PM) | | Level of Service (LOS, AM & PM) | |
| MD 214 and Church Road | 1,446 | 1,245 | D | C |
| Church Road and site entrance (Jennings Mill) | 14.8* | 15.3* | -- | -- |
| Church Road and Oak Grove Road | 40.9* | 32.7* | -- | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. | | | | |

Under the analysis performed, no inadequacy was identified at the three intersections within the study area.

Church Road, C-48 on the *Bowie-Collington Master Plan*, is a planned rural collector within a 100-foot right-of-way. Its alignment on the preliminary plan is substantially in conformance to the alignment shown on the master plan.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concluded that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with a condition pertaining to appropriate dedication and improvements along Church Road.

8. **Schools**—The Historic Preservation 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 *Adequate Public Facilities Regulations for Schools* (CR-23-2001) and concluded the following. These findings are subject to change in accordance with the provisions of CR-23-2001 and CR-38-2002.

The following table considers the impact of 20 dwelling units. As previously cited, 13 of those 20 lots were evaluated as part of Preliminary Plan 4-01100 and are actually part of a recorded schools facilities agreement. Because all of the affected school clusters are greater than 105 percent capacity, this change in the number of dwelling units has no material effect on the recommended condition for a wait.

Impact on Affected Public School Clusters

| Affected School Clusters # | Elementary School Cluster 3 | Middle School Cluster 2 | High School Cluster 2 |
|----------------------------|-----------------------------|-------------------------|--------------------------|
| Dwelling Units | 7 sfd | 7 sfd | 7 sfd |
| Pupil Yield Factor | 0.24 | 0.06 | 0.12 |
| Subdivision Enrollment | 1.68 | .42 | .84 |
| Actual Enrollment | 5619 | 4896 | 9660 |
| Completion Enrollment | 276 | 197 | 393 |
| Wait Enrollment | 202 | 225 | 451 |
| Cumulative Enrollment | 0 | .84 | 1.68 |
| Total Enrollment | 6098.68 | 5319.26 | 10506.52 |
| State Rated Capacity | 5094 | 4638 | 8770 |
| Percent Capacity | 119.72% | 114.69% | 119.80% |
| Funded School | Bowie, Whitehall | N/A | Frederick Douglass addn. |

Source: Prince George's County Planning Department, M-NCPPC, July 2002

The affected elementary, middle, and high school cluster capacities are greater than 105 percent. Bowie and Whitehall are the funded schools in the affected elementary school cluster. There is no

funded school in the affected middle school cluster. The Frederick Douglass addition is the funded school in the affected high school cluster. Therefore, this subdivision can be approved with a six-year waiting period in accordance with Section 24-122.02.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section reviewed the subdivision plans for adequacy of public facilities and concluded the following.
 - a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 5.36 minutes, which is beyond the 5.25-minute response time guideline.
 - b. The existing ambulance service at Bowie Fire Station, Company 43, has a service response time of 6.10 minutes, which is within the 6.25-minute response time guideline.
 - c. The existing paramedic service at Bowie Fire Station, Company 43, has a service response time of 6.10 minutes, which is within the 7.25-minute response time guideline.

These 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*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department requires that all residential structures be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George=s County laws. Since this is a requirement of law, no condition is necessary.

11. **Police Facilities**—The proposed development is within the service area for District II–Bowie. In accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Woodmore At Oak Creek II development. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Division of Environmental Health reviewed the subject application and offered a number of comments primarily relating to the existing structures and well and septic systems on the property that need to be removed. Other comments pertaining to the division of property were addressed as part of the review process.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, approved Stormwater Management Concept Plan CSD# 35029-2001-00.
14. **Public Utility Easement**—The proposed preliminary plan depicts the required ten-foot-wide public utility easement. This easement will need to be included on the final plat.
15. **Varying Lot Sizes**—The applicant is proposing the continued use of varying lot sizes as permitted by the Prince George=s County Zoning Ordinance. Unlike the provision for the use of lot size averaging (R-55, R-80, R-R and R-E Zones), the use of varying lot sizes in the R-A and O-S Zones does not require specific findings for approval. Only the minimum standards outlined

in the Zoning Ordinance must be met.

Section 27-442(b) (Table I) of the Zoning Ordinance sets the minimum standards for varying lot sizes. In the R-A Zone, the creation of varying lot sizes is permitted as long as the total tract being subdivided is at least 25 acres in size. Given the connection to previously approved Preliminary Plan 4-01100, a total tract area of 134.01 acres will be used. Further, at least 60 percent of the lots created using varying lot sizes must meet or exceed the minimum lot size in the zone—two acres in the R-A Zone. This requirement is proposed to be met with the submitted preliminary plan. Of the 64 (57 + 7) lots, 38 are a minimum of two acres each in this subdivision. This, however, calculates to 59.38 percent of the total number of lots. In discussion with the applicant, it was agreed that Lot 6, Block C (currently 1.55 acres) could be adjusted with Lot 7, Block C (currently 2.79 acres) to create two lots that meet or exceed all minimum zoning standards and are over two acres in size. With this adjustment, 39 of the 64 lots (or 60.94 percent) would be at least two acres in size.

The Zoning Ordinance allows one 1-acre lot for every 25 acres of land in the tract. With 134 acres of land in the R-A tract, a maximum of five 1-acre lots is permitted. The remaining lots are required to exceed 50,000 square feet. The submitted preliminary plan includes four lots between one acre and 50,000 square feet in size, with the remaining 18 lots (after the adjustment noted above) exceeding 50,000 square feet. This arrangement meets the minimum standards set forth in Section 27-442(b) (Table I) of the Zoning Ordinance for the use of varying lot sizes.

14. **City of Bowie**—On December 2, 2002, the Bowie City Council reviewed the subject preliminary plan for Woodmore at Oak Creek II. Their review concluded with a recommendation for approval of the application with seven conditions.

Bowie Condition One pertaining to school APF is similar to Condition 10 as recommended.

Bowie Condition Two requests that grading of the site be performed in a west to east progression. This condition was incorporated into the staff recommendation.

Bowie Condition Three requests that wildlife corridors consistent with the woodland conservation areas be preserved. This request is consistent with the woodland conservation plan that is recommended for approval.

Bowie Condition Four requests temporary wildlife fencing along Church Road. This condition was incorporated into the staff recommendation.

Bowie Condition Five requests the extension of a sidewalk on at least one side of proposed Court “A” and is consistent with staff condition 9.

Bowie Condition Six seeks acknowledgement that all the conditions of Preliminary Plan 4-01100 remain in full force and effect and is consistent with staff condition 12.

Bowie Condition Seven is similar to a previous recommendation for Preliminary Plan 4-01100 regarding improvements at the intersection of Road A and Jennings Mill Drive. The current recommendation, however, differs in that instead of actual improvements (four-way stop signs), only a study is proposed. As noted in the previous case, the actual use of any traffic safety devices will be determined by the controlling jurisdiction. Because this condition does not limit the future operational control of this intersection, it has been incorporated into the staff recommendation.

17. Approximately 29.58 acres of the total site area of this application was previously devoted to 13 of the 57 lots approved with preliminary plan 4-01100. As discussed in Finding 8, a school facilities agreement has already been recorded for these lots. Because a school facilities agreement has been recorded creating a unique circumstance for this property, the approval of the subject application will not invalidate Preliminary Plan 4-01100. At the option of the applicant, the final plat for the acreage included in both applications may either reflect the lot layout depicted on Preliminary Plan 4-01100 or the layout depicted on this application.

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 Eley, seconded by Commissioner Scott, with Commissioners Eley, Scott, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, January 23, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of February 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk