

R E S O L U T I O N

WHEREAS, W.N. and P.J. Daisey is the owner of a 1.80-acre parcel of land known as Parcel 18, Tax Map 39, Grid A-1, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on January 14, 2003, W.N. and P.J. Daisey filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 2 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03001 for Daisey's Addition to Old Chapel 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 May 29, 2003, 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 May 29, 2003, 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 Plan of Subdivision 4-03001, Daisey's Addition to Old Chapel Estates for Lots 25 and 26 with the following conditions:

1. Prior to signature approval of the preliminary plan:
  - a. The applicant, his heirs, successors and/or assignees shall submit a waiver letter from the Department of Environmental Resources approving a single lot hookup to public water and sewer.
  - b. The preliminary plan shall be revised to show the correct water and sewer categories.
  - c. A note indicating that the City of Bowie has waived stormwater management requirements.
  - d. The plan shall be revised to show dedication of 40 feet from centerline along Old Chapel Road.

2. At the time of final plat, the applicant, his heirs, successors and/or assignees shall pay a fee-in-lieu of mandatory park dedication for Lot 25 only.
3. At the time of final plat approval, the applicant, his heirs, successors and/or assignees shall dedicate right-of-way along Old Chapel Road of 40 feet from the centerline.
4. The applicant, his heirs, successors and/or assignees shall provide a driveway to proposed Lot 25 with a turnaround capability in order to minimize the need for vehicles accessing this lot to back onto Old Chapel Road.
5. Prior to the issuance of any permits, the applicant, his heirs, successors and/or assignees shall obtain a Letter of Exemption from the Woodland Conservation Ordinance from the Environmental Planning Section.

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 west side of Old Chapel Road south of race Track Road and north of its intersection with Weiss Drive in the city of Bowie.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

Zone	EXISTING R-R	PROPOSED R-R
Use(s)	Single-family dwelling and accessory structures	Single-family dwellings and accessory structures
Acreage	1.80	1.80
Lots	1	2
Detached Dwelling Units	1	2

4. **Environmental**—A review of the information available indicates that this site does not contain streams, wetlands, 100-year floodplain, or steep and severe slopes. The site is located in the Patuxent River watershed. The predominant soil type found to occur on this property according to the *Prince George's County Soil Survey* is in the Sassafras series. This soil poses few difficulties for development. No Marlboro clay has been identified on this site. There are no

rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources- Natural Heritage Program. There are no historic or scenic roads affected by the proposal. There are no significant transportation-related noise impacts found to impact this property. The property is located in the Developing Tier according to the adopted General Plan.

This property is exempt from the provisions of the Prince George's County Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodland and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan will not be required. A Letter of Exemption from the Woodland Conservation Ordinance will need to be obtained from the Environmental Planning Section prior to issuance of grading permits.

There are no other environmental issues at this time.

5. **Community Planning**—The 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan recommends residential land use in the Low-Suburban density of up to 2.6 dwelling units per acre. The Bowie-Collington-Mitchellville and Vicinity Master Plan retained the R-R Zone on the property. The proposed single-family, detached residential preliminary subdivision in the R-R Zone conforms to recommendations of the master plan for Low-Suburban residential land use in this part of the Bowie-Collington community and is consistent with the General Plan.
6. **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 for Lot 25 only.
7. **Trails**—There are no master plan trails issues associated with this application.
8. **Transportation**—The proposed development would generate 1 AM and 1 PM peak-hour vehicle trip as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (April 1989).

The site is 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) C, 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.

The traffic generated by the proposed preliminary plan would impact the intersection of Old Chapel Road and Race Track Road.

The critical intersection is not programmed for improvement with 100 percent 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.

Staff has no recent counts at the critical intersection of Old Chapel Road and Race Track Road, which is an unsignalized intersection. Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. Given these facts, staff would therefore recommend that the Planning Board find that 1 AM and 1 PM peak hour trip will have a de minimus impact upon delay in the critical movements at the intersection of Old Chapel Road and Race Track Road.

Both lots will have access via existing Old Chapel Road. This is acceptable, but Old Chapel Road is a master plan collector facility. Due to the greater amount of traffic and the higher speeds, driveways accessing both lots should have a turnaround capability. This would minimize the need for vehicles accessing these lots to back onto Old Chapel Road. The existing residence has a driveway with this capability, and proposed Lot 25 should as well when it is developed.

Old Chapel Road is a master plan collector facility. The plan must be revised to indicate dedication of 40 feet from centerline along Old Chapel Road

Based on these findings, 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 conditions.

9. **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 CR-38-2002).

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	1 sfd	1 sfd	1 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.24	0.06	0.12
Actual Enrollment	5619	4886	9660
Completion Enrollment	276	197	393
Wait Enrollment	202	225	451
Cumulative Enrollment	13.44	17.70	35.40
Total Enrollment	6110.44	5325.76	10539.52
State Rated Capacity	5094	4638	8770
Percent Capacity	119.95%	114.83%	120.18%
Funded School	Bowie, Whitehall	N/a	Frederick Douglass addn.

Source: Prince George's County Planning Department, M-NCPPC, January 2003

These figures are correct on the day the referral memorandum was written. They are subject to change under the provisions of CB-40 and CR-23. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers that will be shown in the resolution are the ones that will apply to this project.

The affected elementary, middle, and high school clusters percent 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, in accordance with Section 24-122.02, this subdivision can be approved with conditions, including a six-year waiting period.

9. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
  - a. The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 3.60 minutes, which is within the 5.25-minute response time guideline.

- b. The existing ambulance service Bowie Fire Station, Company 39, has a service response time of 3.60 minutes, which is within the 6.25-minute response time guideline.
- c. The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 12.04 minutes, which is beyond the 7.25-minute response time guideline. The nearest fire station is Bowie, Company 39, which is 3.60 minutes from the development. This facility would be within the recommended travel time for paramedic service.

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*.

- 10. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. In accordance with Section 24-122.1 (c) of the Prince George's County Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Old Chapel Estates, Daisey's Addition development. This police facility will adequately serve the population generated by the proposed subdivision.
- 11. **Health Department**—The Health Department notes that if structures are to be demolished, raze permits are required. Any hazardous waste as a result of the demolition must be handled in a manner consistent with federal, state and county law. At this time, the applicant is not proposing to demolish any structure.
- 12. **Stormwater Management**—The property is in the City of Bowie. Stormwater management requirements have been waived because of the limited amount of.
- 13. **Cemeteries**¾ The applicant's engineer has certified that there are no known cemeteries on the site.
- 14. **Water and Sewer Category**¾ The preliminary plan incorrectly shows the property in Water and Sewer Category 3. The property is in Water and Sewer Category 5. Typically, a change in category from 5 to 4 is required prior to approval of a preliminary plan that includes a proposal to tie into public systems. However, the Department of Environmental Resources can and often does approve a waiver for a single hookup. In this case, DER staff has informed the Subdivision Section that such a waiver is to be approved in this case. Prior to signature approval of the preliminary plan, the applicant must submit the approval letter to the Subdivision Section for inclusion in the file. The preliminary plan must be revised to show the correct water and sewer categories. Final plats cannot be approved until the approval letter has been submitted.
- 15. **City of Bowie**¾ The City of Bowie City Council reviewed the application on May 5, 2003. The city's letter is included in the file. The city noted that the property owner has lived on the site for more than 30 years; that there are no APF issues; that based on the limited amount of disturbance, a waiver to the stormwater management regulations was issued. In addition, the city noted that the applicant filed for a variance for lot line encroachment. Since the City Council met on this

application, the plan has been revised to eliminate the need for the variances. The City Council recommends approval of the 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 Lowe, with Commissioners Eley, Lowe, Vaughns, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 29, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of June 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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