

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

WHEREAS, Mary E. and Nancy A. Engleman are the owners of a 53.06-acre parcel of land known as Parcels 53 and 216, Tax Map 92, Grid E-2, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on April 4, 2003, Mary E. and Nancy A. Engleman, filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 86 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03025 for Race Track Road Cluster 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 September 11, 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 September 11, 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 the Type I Tree Conservation Plan (TCPI/28/03), and further APPROVED Preliminary Plan of Subdivision 4-03025, Race Track Road Cluster for Lots 1-17, Block A; Lots 1-69, Block B and Parcels A-E with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
  - a. To remove General Note 20.
  - b. To revise the first General Note 21 to indicate who approved the SWM concept plan.
  - c. To renumber the General Notes.
  - d. To revise the second General Note 21 to indicate who approved the floodplain study.
  - e. To provide a note that the Berwyn Road and Gun Club is located on Parcel 141 to the southwest.

- f. To provide a note that direct access to Race Track Road is denied from abutting lots.
  - g. To provide a note that the property was developed utilizing the optional design approach of Cluster Development in accordance with Section 24-137 of the Subdivision Regulations.
  - h. To clarify the extent of Parcels C and D.
  - i. To provide a table of each parcel, the acreage and to whom it is to be dedicated.
  - j. To add the block to the lot reduction table.
  - k. To revise Cluster Development Data note 23 to add that raze permits are required prior to the removal of the structures.
  - l. To label the WB&A Trail.
  - m. To provide dimensions on all lot lines.
  - n. To dimension the required lot width at the front building line where the setback is greater than the front building line.
  - o. To provide a note that internal trail connections will be provided to Block B as required by a DSP review.
  - p. To provide the use of abutting properties.
  - q. To provide a note that the master plan transportation facility, A-58, traverses the property and indicate the Planning Board recommendation on the disposition of that facility.
- 2. At the time of review of the DSP, a Type II Tree Conservation Plan shall be approved.
  - 3. Development of this property shall conform to the approved Stormwater Management Concept Plan #36055-2002-00.
  - 4. Prior to building permits the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
  - 5. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) 13.54  $\pm$  acres of cluster open space land (Parcels A, B, C and D). Land to be conveyed shall be subject to the following:

- a. Conveyance shall take place prior to the issuance of building permits.
  - b. A copy of the unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.
  - c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
  - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
  - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with the approved detailed site plan. This shall include, but not be limited to, the location of sediment control measures; tree removal, temporary or permanent stormwater management facilities, utility placement and storm drain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements, required by the approval process.
  - f. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
  - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
  - h. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
6. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for approval prior to the submission of final plats, for construction of recreational facilities on homeowners land and the trail connection at the M-NCPPC WB&A Trail. Upon approval by the DRD and the Department of Parks and Recreation, the RFA shall be recorded among the county Land Records.
  7. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to building permits for the construction of recreational facilities on homeowners land and the trail connection at the M-NCPPC WB&A Trail on M-NCPPC land.

8. At the time of final plat the applicant, his heirs, successors and or assignees shall dedicate to The Maryland-National Capitol Park and Planning Commission 2.15 acres, (Parcel E). Lands to be dedicated shall be subject to the following:
  - a. An original, special warranty deed for the property to be conveyed (signed by the Assessment Supervisor, Washington Suburban Sanitary Commission) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
  - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges, prior to and subsequent to final plat.
  - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits that include such property.
  - d. The land to be conveyed shall not be disturbed or filled in any way without the prior, written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for permits.
  - e. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to the issuance of grading permits.
  - f. All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance prior to final plat approval.
  - g. No stormwater management facilities, or tree conservation or utility easements shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
  - h. The applicant, his successors and/or assigns shall submit a letter to the Subdivision Section, DRD, prior to final plat indicating that the Department of Parks and Recreation

has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance.

9. The applicant, his heirs, successors and/or assignees shall provide standard sidewalks along both sides of internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
10. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees 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 Race Track Road, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of Public Works and Transportation declines the signage, this condition shall be void.
11. Prior to the issuance of grading permits the applicant shall submit a manifest demonstrating that the fuel storage tank located on the property has been properly disposed of by a licensed waste company and reclamation of any contaminated soils has occurred under the direction of the Health Department.
12. Prior to the approval of final plats, a detailed site plan shall be approved which addresses but is not limited to the following issues:
  - a. To include feeder trail connections from the two cul-de-sacs which extend into the site from the northwest (Block B) to the existing trail system on-site. The open space windows that contain the trail connections shall be no less than 30 feet wide.
  - b. Where possible, corner lots should have a wider lot frontage that will allow equal building setbacks on each street while keeping a private and usable rear yard.
  - c. Where possible, lots located at the street end of a T-intersection should have their lot side lines centered on the street end and also have greater depth to allow variation of the building line along the street both to reduce glare from car lights and to create visual interest.
13. At the time of final plat approval, the applicant shall dedicate a right-of-way along Race Track Road of 40 feet from the centerline of pavement. At that time, staff will ensure that the centerline shown on the submitted plan is consistent with the existing centerline of pavement as well as the centerline shown on applicable county right-of-way plats.
14. The applicant shall provide frontage improvements according to county standards along Race Track Road. These should include acceleration and deceleration lanes at the site entrance and any necessary improvements to improve traffic safety. This will include improvements, if necessary, at all three entrances to ensure adequate sight distance, per DPW&T guidelines and recommendations.

15. The final plat of subdivision shall indicate that direct vehicular access to Race Track Road is denied abutting lots.
16. Prior to signature approval of the Type I Tree Conservation Plan, TCPI/28/03 shall be revised as follows:
  - a. Clearly show the proposed limit of disturbance.
  - b. Show split-rail fencing along the perimeter of the reforestation areas on lots 5-9, Block A and lots 9-13, Block B in order to protect the proposed reforestation on the lots.
  - c. Provide notes related to the farm dump removal and show the limits of the proposed disturbed area. If the areas are reforested at stocking levels that meet the requirements of the Woodland Conservation Ordinance they may be counted toward meeting the requirements.
  - d. Eliminate from the calculations of woodland preserved the isolated areas of woodlands (less than 10,000 square feet in size) that are proposed to be used to meet the Woodland Conservation Ordinance requirements.
  - e. Revise the TCPI to make whatever changes are necessary to reflect conformance with other conditions of approval.
  - f. Revise the TCPI notes to show the correct mitigation fee of \$1.50.
  - g. Revise the TCPI to remove the soils and forest stand boundary information.
  - h. Have the revised plan signed and dated by the qualified professional who prepared the plan.
17. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/28/03). 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 (TCPI/28/03), 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."
18. Prior to issuance of building permits for Lots 5-9, Block A and Lots 9-13, Block B, the required reforestation shall be completed, or evidence shall be provided that there is a written contract for the work to be completed in the next planting season. The permanent fencing to separate the reforestation areas shall be in place prior to occupancy of the subject lots.

19. A farm dump removal plan shall be submitted as part of the Detailed Site Plan submission package. It shall show access for the removal of the existing debris and will delineate clearly the area to be disturbed. The plan shall include the methods and equipment to be used. The removal of the material from the site shall be done in a manner that causes the least amount of disturbance to the existing vegetation to be preserved. Most of the removal will need to be done by hand. The limits of disturbance for the plan shall be reflected on the TCPII. The farm dump removal plan shall be implemented during the first phase of grading the site and shall be completed prior to issuance of the first building permit.
20. The signed JD shall be submitted as part of the Detailed Site Plan. If the JD shows the wetland on Lot 41 to be Waters of the U.S. and connected to Horsepen Branch it will be considered part of the PMA. In this event the preliminary plan and TCPI will need to be revised to show the new PMA limit and Lot 41 shall be deleted, and the road shall be designed to minimize the impact to this part of the PMA.
21. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Area preservation area, except for areas of approved impacts, and shall be reviewed by the Environmental Planning Section prior to certificate approval. In addition, the following notes 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 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.”

“Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC, Planning Department.”

“The property bordering this development to the southwest is used for the purpose of a rifle range. As such, persons who reside in this development may hear and notice the noise from the firing of rifles and pistols on the adjacent property.”
22. At the time of review of the Detailed Site Plan the Environmental Planning Section shall ensure that the sanitary sewer extensions are located in a manner to ensure the least amount disturbance is proposed for the installation of sanitary sewer and trail connections within the PMA, as determined by the Environmental Planning Section and approved by the Planning Board.
23. As part of the initial Detailed Site Plan submittal, Phase I and II noise studies shall be submitted for review to address the noise issues associated with the adjacent gun club.

24. At the time of review of the DSP the stormwater management facility located on Parcel A shall be relocated if necessary to accommodate the outfall on site and to ensure no adverse impacts to the existing well located on the abutting property to the south (Parcel 58).
26. The applicant shall provide clear notice in the sales office at all times of the proximity of this property to the Berwyn Road and Gun Club.
27. The applicant shall install or pay for the installation of traffic calming rumble strips on Race Track Road at the property's frontage if approved by Department of Public Works and Transportation.

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 subject property is located on the south side of Race Track Road, north of the City of Bowie.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Residential	Residential
Acreage	53.06	53.06
Lots	0	86
Parcels	1	5
Dwelling Units:		
Detached	1	86

4. **Cluster Development**—Section 24-137 of the Subdivision Regulations establishes that the purpose of cluster development is to permit a procedure for development that will result in improved living environments; promote more economical subdivision layout; encourage a variety of designs of dwellings; encourage ingenuity and originality in total subdivision layout and individual site and building design; encourage compatibility with historic resources; preserve open space to serve recreational, scenic, and public service purposes; and other purposes related thereto, within the densities established for the cluster net tract area. Staff has evaluated a conventional layout and has

found that the use of a cluster design could result in an improved living environment for the residents.

The cluster regulations state that a cluster shall, through creative design, provide for a total environment better than what would normally be achieved under standard regulations. It is staff's position that the proposed layout does meet this requirement with minor modifications that may occur during the review of the detailed site plan (DSP) phase of the development process if this preliminary plan is approved.

**Cluster Development Data as proposed by the applicant:**

Zone:	R-R
Gross Tract Area:	53.06 Acres
Area of Slopes Greater Than 25%, outside floodplain:	2.81 Acres
Area Within the Existing 100-Year Floodplain:	4.97 Acres
Cluster Net Tract Area:	45.28 Acres
Number of Lots Permitted at 2du/acre:	98
Number of Lots Proposed:	86
Number of Flag Lots Proposed:	0
Minimum Lot Size Permitted:	10,000 SF
Minimum Lot Size Proposed:	10,000 SF
Cluster Open Space Required:	11.53 Acres
2/3 of the Required Cluster Open Space to be Outside the 100-Year Floodplain and Storm-Water Management Facilities:	7.69 Acres
Cluster Open Space Provided Outside the 100-Year Floodplain and SWM Facilities:	13.90 Acres
Total Cluster Open Space:	15.69 Acres
Open Space to be conveyed to the home-owners association (HOA):	13.54 Acres

Open Space to be conveyed to M-NCPPC:	2.15 Acres
Recreation Facilities:	Mandatory dedication of parkland & private recreational facilities
Slopes Exceeding 25% in grade:	2.81 Acres
Area of Steep Slopes to be disturbed:	0.70 Acre (24.9%)
Area of NonTidal Wetlands:	0.34 Acre

Modifications in Dimensional Standards permitted in Cluster

	Standard in Zone	Allowed	Proposed
27-442(c) Net Lot Coverage	25%	30%	30%
27-442(c) Lot Width at Building Line	80'	75'	75'
Lot Frontage Along Street Line	70'	50'	50'
Lot Frontage Along Cul-de-sac	60'	50'	50'

5. **Cluster Findings**—In general, the design for the proposed cluster subdivision meets and exceeds the purposes and criteria for approval of cluster developments in the R-R Zone found in Subtitles 27-Zoning and 24-Subdivision of the Prince George's County Code. The following findings are required in accordance with Section 24-137 of the subdivision regulations:

- a. **Individual lots, streets, buildings and parking areas will be designed and situated in conformance with the provisions for woodland conservation and tree preservation set forth in Subtitle 24 of the Prince George's County Code, and in order to minimize alteration of the historic resources or natural site features to be preserved.**

**Comment:** The preliminary plan has been significantly altered since the original submittal to accommodate and reduce impacts to the environmental features on the site. Use of the cluster design technique rather than the conventional subdivision layout has resulted in reduced environmental impacts. While the redesign has not resulted in a loss of lots, it has resulted in a significant reduction in the impacts to the environmental features and the preservation of a greater number of existing trees on the property.

The Environmental Planning Section is recommending approval of the TCPI with modification and conditions to further evaluate impacts to environmental features at the

time of review of the DSP without necessitating a loss of lots relating to this issue.

- b. Cluster open space intended for a recreational or public use, conservation purposes, or as a buffer for a historic resource is appropriate, given its size, shape, topography and location, and is suitable for the particular purposes it is to serve on the site.**

**Comment:** The open space provided is intended for woodland preservation and PMA protection and passive recreational facilities. It envelops the PMA and other natural resources such as woodland conservation on-site while providing an appropriate opportunity for recreation. The open space corridors are proposed to be utilized for a better overall environment for the residents and for the private homeowners trail system, providing a connection to the WB&A Trail to the south

- c. Cluster open space will include irreplaceable natural features located on the tract (such as, but not limited to, stream beds, significant stands of trees, steep slopes, individual trees of significant size, and rock outcroppings).**

**Comment:** This open space includes the irreplaceable natural features of the site: trees, 100-year floodplain, and steep and severe slopes associated with the Primary Management Area (PMA). The PMA is proposed to be preserved to the fullest extent possible with the development proposed and as discussed further in the environmental planning section of this report.

- d. Cluster open space intended for recreational or public use will be easily accessible to pedestrians; and the means of access will meet the needs of the physically handicapped and elderly.**

**Comment:** The site is currently improved with a dwelling and accessory structures being utilized for keeping horses. The site currently has a well-established trail system associated with the recreational use of horses within the environmental areas. The plan proposes to utilize the existing trail system and incorporate additional trails to provide for pedestrian access to the WB&A Trail system to the south. The applicant has incorporated the existing trail system into the overall design of the community to serve as an amenity for the residents. The trail system should be easily accessible to all of the residents of this community.

However, the proposed preliminary plan does not provide an internal trail connection from the two cul-de-sacs along Race Track Road to the northwest. The Planning Board has determined that the required recreational trail system should be easily accessible to all of the residents of the community. At the time of DSP the plan should be revised to include feeder trail connections from the two cul-de-sacs that extend into the site from the northwest (Block B) to the existing trail system on-site. This revision may result in the loss of one or two of the 86 lots currently proposed on the preliminary plan. The Planning Board has determined that appropriate siting and access to the internal trail

facility can be accomplished through the review of the DSP when more detailed grading and development plans are submitted. Adequate land area exists and ample lot sizes have been proposed to accommodate the feeder trails if required.

- e. **Cluster open space intended for scenic value will achieve this purpose through the retention of irreplaceable natural features described above; or where such natural features do not exist, such techniques as berms planted with trees and the use of landscaping material may be required to eliminate visual monotony of the landscape.**

**Comment:** There will be no visual monotony of this landscape. The Planning Board finds, based upon the evidence that slopes, 100-year floodplain and wetlands are preserved to the extent practicable, many of which are visible from the internal road systems and lots proposed. There are significant vistas associated with this property. Several natural ridges exist on this site, running northeast to southwest between two significant environmental features. The proposed development provides a greater scenic and recreational value for the residents than what could be achieved utilizing conventional development techniques.

The applicant will be required to provide buffers along Race Track Road where the rears of dwellings are oriented toward the street in accordance with Section 4.6 of the *Landscape Manual*. Section 4.6 requires a 35-foot-wide landscape strip along the rears of those lots identified through the DSP process to be subject to this requirement. Through the DSP process appropriate plant materials will be identified both in species and size as well as the possible use of appropriate fencing if deemed warranted along Race Track Road.

- f. **Diversity and originality of lot layout and individual building design, orientation, and location will achieve the best possible relationship between development and the land.**

**Comment:** The lot layout has resulted in careful consideration of the natural environment and features of the site to provide the best possible relationship between the development and the land. Further diversity and originality can be accomplished through the review of the DSP when evaluating dwelling unit orientation and architecture.

- g. **Individual lots, buildings, parking areas, and streets will be arranged, designed, situated, and oriented so as to harmoniously relate to surrounding properties, to improve the view from dwellings, and to lessen the area devoted to motor vehicle access and circulation.**

**Comment:** The applicant has proposed an appropriate relationship between the internal public streets and the land. The preliminary plan proposes to align the primary internal public street access with Patuxent Riding Lane Road to the northeast across Race Track Road from the main entrance. However, concerns were raised during the review of the application relating to the existing curvature of Race Track Road along the property's

frontage and ensuring that appropriate site distances are provided for the residents of this development and the county at large utilizing Race Track Road.

The Department of Public Works and Transportation (DPW&T) has indicated that improvements along the property's frontage will be required in conformance with the county's Road Code requirements for adequate sight distances along the entire street frontage. DPW&T has advised staff that the City of Bowie has requested that those improvements include the provision of "rumble strips" within the right-of-way of Race Track Road to address existing and anticipated sight distance issues and the speed of the vehicles along the property's frontage. At the Planning Board hearing the applicant stated that they had met with DPW&T at which time DPW&T indicated the improvements necessary to address the curvature and site distance concerns. The applicant prepared an exhibit, that was presented at the Planning Board hearing which detailed the improvement which may be required by DPW&T at the time of street construction permits. The Planning Board found that improvement to Racetrack Road, approved by DPW&T will address safety concerns.

- h. Individual lots, buildings, parking areas, and streets will be so situated and oriented as to avoid the adverse effects of shadows, noise, and traffic on, and afford privacy to, the residents of this site.**

**Comment:** Lots relate to one another in a typical fashion with backs to backs and sides to sides, ensuring the best relationship between outdoor activities on adjacent lots. The provision of additional feeder trails from Block B will be evaluated at the time of review of the DSP to ensure the privacy of the residences adjoining the proposed recreational trail system. In areas where rear yards are oriented toward Race Track Road, Section 4.6 of the *Landscape Manual* requirements will ensure appropriate buffers and privacy.

- i. Not more than one-fourth (1/4) of any of the land having slopes greater than twenty five percent (25%) will be removed or altered, and then only when the slopes are isolated, small, or otherwise occur as insignificant knolls, so that the design of the development or cluster open space will not be adversely affected.**

**Comment:** Less than 25 percent of the land area having steep slopes is proposed for disturbance.

- j. Appropriate landscape screening techniques will be employed at each entrance to the subdivision and along adjoining existing streets, so as to assure the compatibility of the appearance of the cluster subdivision with that of surrounding existing and planned residential development not approved for cluster development, and to provide an attractive appearance from streets. Individual lots shall also be appropriately landscaped in such a manner as to provide an attractive appearance.**

**Comment:** The preliminary plan allows for this at the entrance. Specifics of the

landscaping plan will be determined at the detailed site plan stage.

6. **Environmental**— This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the property is greater than 40,000 square feet gross tract area, there are more than 10,000 square feet of existing woodland, and more than 5,000 square feet of woodland clearing is proposed. The revised TCPI, date stamped as received by the Environmental Planning Section on August 18, 2003, has been reviewed. The 53.06 acre property has a 20 percent or 9.77 acre Woodland Conservation Threshold, and a 4.77 acre replacement requirement for a total requirement of 14.63 acres. The TCP shows that the requirement will be satisfied by 9.85 acres of on-site preservation in priority retention areas, 1.4 acres of on-site reforestation and 3.38 acres of off-site mitigation.

The plan provides areas of reforestation on Lots 5-9, Block A and Lots 9-13, Block B. This is an area of substantial grading that will remove the existing vegetation in the area and encumber the rears of the subject lots with a substantial area of reforestation that cannot be removed in the future. This area needs to be clearly demarcated from the areas of disturbance, prior to the purchase of the subject properties, and throughout the property's ownership. Permanent fencing of this area and placing it in a conservation easement are required in order to assure that the reforestation of this large area is permanent.

Several isolated areas of woodland preservation (less than 10,000 square feet in size) are proposed on Lot 63 in Block A and Lots 15, 16 and 17 in Block B. These areas serve minor ecological value and their long-term protection cannot be ensured. As a cluster subdivision, the proposed overall design should result in a better environment that would result from a traditional design. These areas contribute little and should not be counted toward meeting the requirements. If these areas are proposed to be preserved, they cannot be counted toward meeting the requirements; however, they will not need to be counted as woodland cleared. The plan and the worksheet should be revised to reflect this change.

The TCPI proposes areas of woodland preservation on Parcel C. This area contains substantial amounts of trash and downed trees that the Health Department has required to be removed. In order for this area to be counted towards meeting the woodland conservation requirements for the site, a farm dump removal plan will need to be prepared and submitted to the Environmental Planning Section for review. This plan should be submitted as part of the Detailed Site Plan application package and should be in conformance with the TCPII submitted. TCPI/28/03 is recommended for approval subject to the conditions.

The timing of the reforestation areas proposed is critical to the long-term success of the area. The reforestation should be planted in the spring or fall and must be completed prior to the occupancy of the subject properties. If the timing is such that there is a need to occupy the subject lots, some form of assurance that the work has been contracted for must be required.

Section 24-101(b)(10) defines the Patuxent River Primary Management Area (PMA) as including streams, a 50-foot stream buffer, the 100-year floodplain, adjacent wetlands, a 25-foot wetland

buffer, adjacent slopes in excess of 25 percent and adjacent slopes between 15 and 25 percent with highly erodible soils (soils having a K-factor greater than 0.35). The preliminary plan shows the various components and the ultimate limit of the PMA.

A wetlands study was submitted with an earlier submission and staff was not in agreement with the designation of an isolated wetland located on Lot 41. To verify that this wetland is isolated and not connected to Horsepen Branch and therefore not part of the PMA, staff requested that the Jurisdictional Determination (JD), signed by the Army Corps of Engineers, be submitted for review. The signed JD was not submitted with the revised plans.

The proposed impacts shown in the August 13, 2003 letter from the applicant have been evaluated. All of the environmental features are within the Patuxent River watershed, and as such are elements that are to be preserved “. . .to the fullest extent possible.” Two of the impacts shown in the stream system are recommended for approval with the Preliminary Plan: impacts for the sanitary sewer line and for the installation of the trail. Impacts for the construction of the stormwater management pond and associated grading are not recommended for approval.

There are two areas of isolated wetlands that are also proposed to be disturbed. These isolated wetlands were evaluated in the field by Environmental Planning Section staff and were found to be of little ecological value and not clearly connected to other sensitive environmental features. The applicant's request was also evaluated with respect to the impacts proposed to the isolated wetlands. One area of impact to wetlands is recommended for approval and one is recommended for approval with a condition.

The applicant in accordance with Section 24-113 of the Subdivision Regulations submitted the variation requests.

At the time of Detailed Site Plan review, the signed JD should be submitted. If the JD shows the wetland on Lot 41 to be isolated and not jurisdictional, the current road alignment and lot configuration may remain the same. If the JD shows the wetland on Lot 41 to be Waters of the U.S. and connected to Horsepen Branch, it will be considered part of the PMA. In this event the preliminary plan and TCPI should be revised to show the new PMA limit, Lot 41 should be removed, and the road shall be designed to minimize the impact to this part of the PMA, without a loss of lots over the loss of Lot 41.

The Subdivision Ordinance, Section 24-130(b)(5) requires that the PMA be preserved in a natural state to the fullest extent possible. A variation request dated March 17, 2003, was submitted but is not required if the wetlands are part of the PMA. Proposed impacts to the PMA require a Justification Statement outlining how the PMA has been preserved to the fullest extent possible. Staff accepted the variation request as a Justification Statement because it identified each of the proposed PMA impacts and provided information on how those impacts have been minimized in accordance with Section 24-130(b)(5) of the Subdivision Ordinance.

If it is determined that the isolated wetland areas are not part of the PMA, the Planning board finds that a variation to disturb these isolated features is required. If so, the Planning Board finds that the variation is approved for the following reasons:

1. Granting the variations will not be detrimental to the public safety, health, or welfare, or be injurious to another property because the wetlands are isolated. The staff report contains a condition whereby Impact Area #2 will be eliminated if, during state or federal review, the wetlands are determined to be part of the overall stream system and should not be impacted. Impact Area #1 is a clearly isolated area that has no connection to the stream system.
2. The conditions upon which the variations are based are unique to the property because the two areas of isolated wetlands do not commonly occur on other properties. Impact Area #1 is located in an open field and appears associated with the horse-related use of the property. Impact Area #2 is located at a high point and likely does not serve a substantial environmental purpose.
3. The approval of the variation does not constitute a violation of any other applicable law, ordinance, or regulation because copies of state and federal permits are required prior to the issuance of any permit on the site.
4. A particular hardship to the owner would result if Impact Area #1 were not approved. The lot layout has been substantially redesigned to preserve natural features, and the location of the isolated wetland at Impact Area #1 is such that its preservation is extremely difficult. Impact Area #1 actually lies within a cleared area of the site in the center of a ridge which has streams with steep slopes on either side. The proposed main road entering the subdivision runs along this ridge. There is no way to access the ridge from elsewhere in the subdivision with less environmental impact than that proposed. If the variation to Impact Area #1 is not approved, a substantial loss of the lots would likely occur. Impact Area #2 is only recommended for approval if it is found by state and federal agencies to not be a part of the adjacent waters of the U.S. Requiring the presentation of an isolated wetland that has no connection to the waters of the U.S. does not result on a substantial environmental benefit and would result in the elimination of a lot in the subject location, and the Planning Board finds that it would result in a particular hardship.

The two (2) proposed impacts are associated with infrastructure necessary for the development of this parcel and a proposed trail. The extent of the proposed impacts have been reduced beyond that reflected by the original application; however, not all of the required impacts have been requested for approval.

The first impact is associated with a proposed trail that runs between Lot 18, Block A, the stormwater management pond on Parcel C, and behind Lots 38 and 39, Block A. The second impact is required for the sewer connection to the existing sewer outfall located within the PMA.

This sewer connection is located between Lot 18 and the stormwater management pond on Parcel C and behind Lot 38. The plan does not show sanitary sewer line connections for the two cul-de-sacs in the southeastern portion of the site. It is assumed that, due to the topography, another sanitary sewer line connection is needed in this area. In addition, an outfall for the proposed stormwater management pond has not been shown. It is likely that one will be required.

The impacts as shown on the revised TCPI, and additional impacts for the connection of proposed sewer lines to the existing sewer line and for an outfall from the stormwater management pond are the only impacts that the staff supports. Staff will further evaluate the impacts during the review of the Detailed Site Plan to ensure that impacts to the PMA are only those necessary for the installation of public utilities and trails.

Grading into the PMA for the construction of the stormwater management pond located between Lots 17 and 18 is not supported. At the time of Detailed Site Plan, the design of the entire area will be evaluated in more detail to determine if the impacts can be limited to those necessary for the trail construction through the PMA and whether the sewer line connection can be made within the same corridor.

The proposed impacts to the PMA are the least necessary for implementation and the PMA has been preserved to the fullest extent possible, within the context of the findings of this report and the recommended conditions.

The Berwyn Rod and Gun Club is located adjacent to this site to the southwest on Parcel 141. The need for noise attenuation measures will be evaluated at the time of Detailed Site Plan through the submission of Phase I and II noise studies. To ensure that prospective homeowners are aware of the proximity of this property to the Gun Club a note should be placed on the final plat notifying them of the adjacent use and notice should be placed in the sales office in plain view.

During the preliminary plan review process the issues of stormwater management design are addressed through the approval of a stormwater management concept plan by the Department of Environmental Resources. During the next phase of review and approval of the Detailed Site Plan, the stormwater management design will be reviewed in more detail to ensure that all the technical requirements of the Stormwater Management Ordinance are addressed.

Recently, concerns have surfaced regarding the possible siltation of Horsepen Branch from the proposed stormwater management measures. This concern appears to be based on the assumption that the proper stormwater management and sediment control inspections will not be performed on the site. These issues cannot be addressed during the land development plan review process and staff cannot assume that the proper inspections will not occur.

A Stormwater Management Concept Approval Letter has been submitted with this application.

This approval requires a 50-foot landscape buffer for all of the proposed stormwater management ponds. This buffer should be reforested at stocking levels that meet the requirements of the Woodland Conservation Ordinance. The Technical Stormwater Management Plans must be submitted at time of Detailed Site Plan to allow staff to review the planting of the landscape buffer and ensure that the construction of the stormwater management ponds will not disturb the PMA.

7. **Community Planning**—The subject property is located within the limits of the *Bowie-Collington-Mitchellville & Vicinity Master Plan* (1991), Planning Area 71A, in the Bowie community. The recommended land use for the property is Low-Suburban residential at up to 2.6 dwelling units per acre. The General Plan locates the property in the Developing Tier. The proposed preliminary plan is consistent with the recommendations of the master plan and the General Plan.

The master plan locates a natural reserve primary management area on the southern portion of the property and contains a recommendation that a portion of the proposed Horsepen Branch Community and Stream Valley Park be located in the southwest portion of the property. The area identified as a natural reserve area is to be dedicated to M-NCPPC, abutting the existing WB&A Trail Park. The southwest portion of the property is to be conveyed to the homeowners association and will be placed in a conservation easement to protect the environmental features of the site. The Department of Parks and Recreation evaluated the preliminary plan for appropriate areas of dedication for park facilities and determined that Parcel E, the portion of this property south of the WB&A Trail (2.15 acres), would be the greatest complement to the existing WB&A Trail Park.

8. **Parks and Recreation**—The Department of Parks and Recreation has reviewed the plan for conformance to Sections 24-134(a) and 24-135(b) of the Subdivision Regulation. DPR met with the applicant and agreed to the provision of a combination of parkland dedication and private recreational facilities to meet the requirements of the mandatory dedication of parkland.

The applicant should dedicate Parcel E to M-NCPPC and construct an on-site trail in conjunction with the existing trail facility to ultimately connect to the existing WB&A trail. The trail connection should be field located prior to construction and the DSP should include details of the location and connection. Through the review of the DSP a determination should be made regarding the type and appropriate width of materials to be used for trail construction that may include hard or soft surface materials.

9. **Trails**—The *Adopted and Approved Bowie-Collington-Mitchellville and Vicinity Master Plan* recommends that Race Track Road be designated as a Class III bikeway with appropriate signage. Because Race Track 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 this signage. A note should be placed on the final plat for payment to be received prior to the issuance of the first building permit. If street frontage improvements are required, wide asphalt shoulders are recommended to safely accommodate bicycle traffic. If closed internal road cross

sections are used, standard sidewalks along both sides of all internal street are also recommended.

In accordance with the recommendation of the Department of Parks and Recreation (DPR), the applicant should provide an internal, homeowners association (HOA), pedestrian trail as reflected on the preliminary plan. In addition, the detailed site plan (DSP) should reflect additional feeder trail connections to Block B in the appropriate locations, when additional detailed site grading information is provided. These trails will provide adequate bicycle and pedestrian access to the adjacent M-NCPPC WB&A trail.

10. **Transportation**—The property is located on the south side of Racetrack Road at its intersection with Jericho Park Road. The evaluation of this application was based on a proposal consisting of 88 single-family detached residences. A reduction of the number of dwelling units has occurred from the original application and is now proposed at 86. The reduction in the number of lots has a negligible impact on the following findings.

The applicant has submitted a traffic study dated May 2003. The applicant also submitted a supplement to the traffic study on July 24, 2003. The supplement included an analysis of 88 dwelling units. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached.

#### **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. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

**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 applicant has prepared a traffic impact study in support of the application using new counts taken in May 2003. With the development of the subject property, the traffic consultant concludes that adequate transportation facilities exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

Race Track Road/Patuxent Riding Lane (unsignalized)  
Race Track Road/Old Chapel Road (unsignalized)  
MD 197/Race Track Road/MD 564

The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Race Track Road/Patuxent Riding Lane	16.5*	14.7*	--	--
Race Track Road/Old Chapel Road	17.8*	24.0*	--	--
MD 197/Race Track Road/MD 564	951	1,007	A	B
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Background developments include a medical/professional office building of 24,260 square feet and three residential developments totaling 392 single-family units. Traffic along MD 197 includes an annual factor of one percent to account for growth. There are no funded capital improvements in the area, so the resulting transportation network is the same as was assumed under Existing Traffic. Given these assumptions, background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Race Track Road/Patuxent Riding Lane	17.2*	15.3*	--	--
Race Track Road/Old Chapel Road	19.1*	27.4*	--	--
MD 197/Race Track Road/MD 564	1,016	1,065	B	B
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The site is proposed for development as a residential subdivision, with 88 single-family detached residences. The trip rates were obtained from the guidelines. The resulting site trip generation would be 66 AM peak hour trips (13 in, 53 out), and 79 PM peak hour trips (51 in, 28 out). With site traffic, the following operating conditions were determined:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Race Track Road/Patuxent Riding Lane	28.5*	30.2*	--	--
Race Track Road/Old Chapel Road	19.4*	28.1*	--	--
MD 197/Race Track Road/MD 564	1,027	1,088	B	B
*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 guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

### **Comments-Operating Agencies**

The City of Bowie, DPW&T and SHA were given the opportunity to provide comments on the traffic study and site plan. Their comments are attached and summarized below:

#### **City of Bowie:**

The city had issues relating to sight distances as discussed below and the adequacy of the level of service of the road network as discussed above. The city also responded to the land reservation issue for A-58, summarized below.

#### **DPW&T:**

The county reviewed the traffic study and recommended that the developer provide frontage improvements according to county standards along Race Track Road. These should include acceleration and deceleration lanes at the site entrance opposite Patuxent Riding Lane as well as improvements along Race Track Road at the two proposed cul-de-sacs. These improvements will improve visibility for motorists turning into or out of the property.

#### **SHA:**

On site access, the State Highway Administration deferred to DPW&T since Race Track Road is county owned and maintained. The rules and regulations of DPW&T govern access onto the property from Race Track Road. SHA's traffic consultant concluded that the surrounding roadway network could support the proposed development.

### **Site Plan Comments**

Access is provided to the property from Race Track Road, listed in the Bowie master plan (1991) as a two- to four-lane collector (C-46) with an 80-foot right-of-way. The main entrance to the site will be opposite Patuxent Riding Lane. Two additional entrances or cul-de-sacs are proposed on the northern side of the property along Race Track Road to provide access to eight and nine lots respectively, or 17 dwelling units. These lots will not have access to the Patuxent Riding Lane entrance.

Recent discussions between the applicant and staff with DPW&T have identified the need to improve sight distance at two of the three entrances to the property. This will be accomplished with the an additional lane along Race Track Road along the applicant's property and a possible easement on the Neese property to provide a deceleration lane and removal of vegetation to improve sight distance. Frontage improvements along Race Track Road are expected to improve visibility and safety for motorists entering and exiting the property.

Due to the site distances problems and testimony from citizens at the Planning Board Hearing of September 11, 2003 the applicant has proffered to pay for the installation of rumble strips along

the properties frontage with Race Track Road if approved by the Department of Public Works and Transportation (DPW&T). The Planning Board has directed staff to contact the DPW&T to encourage their approval of the placement of the traffic calming rumble strips.

### **Master Plan Comments**

The alignment for A-58, a four-lane arterial roadway with a 200-foot right-of-way, passes through the middle of the property. The roadway is recommended in the Bowie master plan (1991) and ties into A-44, or the ICC, to the west of MD 197. The four-lane, fully controlled arterial has two proposed alignments. The preferred alignment splits off to the east near the south edge of the property. The secondary alignment continues to the south.

Pursuant to Section 24-139(b) of the County Code, the Racetrack Road preliminary plan was referred to the City of Bowie, DPW&T and SHA. They were notified that a portion of the site was being considered to be placed in reservation for proposed A-58 Race Track Road Relocated. Their comments are attached and summarized below:

**City of Bowie:** The city supports the A-58 alignment being put into reservation until the county's Functional Master Plan of Transportation and the Bowie-Collington-Mitchellville Area master plan are updated. They prefer that only the northeastern portion of the site be developed concurrent with the three-year reservation period getting underway.... "based on past positions we support the A-58 Preferred Alignment being put into reservation until such time as these two Master Plans have addressed the need for this planned arterial road. Requiring the reservation at this site at this time will allow for necessary analysis and discussions to be had about the planned road, especially during the MPOT update process."

The Planning Board has determined that findings must be made that there is an estimated time for a public agency to purchase the property within three years in order to lawfully initiate the reservation, unless the owner is willing to do a reservation for a longer period during which the property would be acquired by a public agency. The preliminary plan for the Race Track Road Cluster was referred to the City of Bowie, DPW&T and SHA for this purpose. The city has not provided an estimated time for acquisition, within three years; therefore, staff cannot recommend that the affected lots be placed in reservation.

**DPW&T:** The county requested that the highway right-of-way for A-58 Race Track Road Relocated be placed in reservation for a period of three years. They did not provide an estimated time for the purchase of the property.

Since the county did not include an estimated time for acquisition of the property within three years, staff cannot recommend that the affected lots be placed in reservation for A-58.

**SHA:** The state responded that the Department of Transportation's FY 2003-2008 Consolidated Transportation Program, the 2001 Highway Needs Inventory (HNI), and the Prince George's County 2001 Transportation Priority List do not include Race Track Road Relocated (A-58).

However, since the roadway is included in the Bowie master plan they support the proposed reservation of land.

Since the state did not include an estimated time for acquisition of the property within three years, staff cannot recommend that the affected lots be placed in reservation for A-58.

The applicant should dedicate a 40-foot right-of-way from the centerline of Race Track Road, which is listed in the Bowie master plan (1991) as a two- to four-lane collector (C-46) with an 80-foot right-of-way. The applicant will also make frontage and safety improvements along Race Track Road per the Prince George's County Department of Public Works and Transportation recommendations. The applicant did proffered at the Planning Board hearing to pay for the installation of rumble strips on Racetrack Road to improve safety.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations.

11. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school 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) and concluded the following:

Finding

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	86 sfd	86 sfd	86 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	20.64	5.16	10.32
Actual Enrollment	5619	4896	9660
Completion Enrollment	276	197	393
Wait Enrollment	202	225	451
Cumulative Enrollment	17.04	37.98	75.96
Total Enrollment	6134.68	5361.14	10590.28
State Rated Capacity	5094	4638	8770
Percent Capacity	120.43%	115.59%	120.76%
Funded School	Bowie, Whitehall	N/a	N/a

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

County Council Bill CB-31-2003 establishes a school facilities surcharge in the amounts of \$7,000 per dwelling if a building is located between interstate highway I-495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings.

The school surcharge may be used for the construction of additional school facilities, which are expected to accommodate the new students that will be generated by this development proposal.

This project meets the adequate public facilities policies of Section 24-122.02, CB-30-2003 and CB-31-2003.

12. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:

- a. The existing fire engine service at Bowie Fire Station, Company 19, located at 13008 9<sup>th</sup> Street, has a service travel time of 3.96 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance service at Bowie Fire Station, Company 19, located at 13008 9<sup>th</sup> Street, has a service travel time of 3.96 minutes, which is within the 6.25-minute travel time guideline.
- c. The existing paramedic service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service travel time of 10.68 minutes, which is beyond the 7.25-minute travel time guideline. However, the nearest fire station Bowie, Company 19, is located at 13008 9<sup>th</sup> Street, which is 3.96 minutes from the development. This facility would be within the recommended travel time for paramedic service, if an operational decision to locate this service at that facility is made by the county.

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*.

13. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Race Track Road Cluster development. This police facility will adequately serve the population generated by the proposed subdivision.

The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of June 30, 2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 69 sworn personnel.

14. **Health Department**—The Health Department notes that a raze permit is required for the removal of any existing structures on the property and that any hazardous materials located within those structures must be removed and properly stored or discarded prior to the structures being razed. The existing septic tank serving the dwelling must be properly abandoned.

An underground fuel storage tank was declared by the prior owner to be located near the existing dwelling. The fuel storage tank must be removed and the contents properly discarded. A representative from the Health Department should evaluate the soils beneath these tanks for possible contamination and the soils properly discarded if contamination has occurred.

15. **Stormwater Management**—The Department of Environmental Resources, Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 36055-2002-00, 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.

An existing well is located within 100 feet of the proposed stormwater management facility on Parcel A. The well is located on Parcel 58 to the south. The outfall for the facility on Parcel A has not been provided for on the plan. At the time of review of the DSP, when more detailed grading plans are provided, and technical review of the stormwater management plan is underway the facility located on Parcel A may be relocated. The facility may be relocated to ensure that there are no adverse impacts on Parcel 58 to the south.

16. **Urban Design**—The subject property contains substantial natural features that warrant the use of the optional design approach of cluster development. Development of this property is subject to the *Landscape Manual*, specifically Sections 4.1, Residential requirements, and 4.6, Buffering Residential Development from Streets. Section 4.6 will apply where the rear yard of a proposed dwelling is oriented toward Race Track Road. The treatment of that area will be reviewed at the time of detailed site plan (DSP) when the staff and applicant will investigate solutions to buffering the rear of the property from the views from Race Track Road, in accordance with Section 4.6.

Pedestrian connections should be provided from Block B, including both pods of development, at appropriate locations as discussed further in Findings 3 and 7 of this report. All pedestrian open space windows should be no less than 30 feet wide

Several other design issues that will be addressed at the time of review of the DSP would include evaluation of corner lots and the need for a larger lot frontage at the street to allow for equal building setbacks while keeping a private and usable rear yard. Also the lots located at the street end of a T-intersection should have their lot side lines centered on the street end and have greater depth to allow variation of the building line along the street both to reduce glare from car lights and to create visual interest.

The applicant is proposing to subdivide the property into 86 lots for the construction of single-family dwelling units. The applicant is utilizing cluster development standards provided for in Section 24-137 of the Subdivision Regulations. The cluster development standards allow for flexibility in the size of lots without allowing an increase on the overall density provided for in the underlying zone. The applicant proposes to utilize the cluster development standards to help preserve the environmental features on the property and provide a better environment for the residence.

The applicant is proposing five open space parcels. Parcels A, B, C and D are to be conveyed to a homeowners association (HOA) and utilized for open space and recreation as well as stormwater management. A portion of this property, 2.15 acres, is located on the south side of the existing WB&A Trail. The applicant will dedicate the 2.15 acres to M-NCPPC (Parcel E).

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 Harley, with Commissioners Lowe, Harley, \*[Eley] and Hewlett voting in favor of the motion, and with Commissioner Vaughns absent \*and with Commissioner Eley opposing the motion at its regular meeting held on Thursday, September 11, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of October 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:WC:rmk

\*Denotes Correction  
Underlining indicates new language  
[Brackets} indicate deleted language