

R E S O L U T I O N

WHEREAS, Gloria and Renee Panton-Harvey is the owner of a 5.03-acre parcel of land known as Parcel 337, Tax Map 36, 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 May 21, 2003, Gloria Harvey filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03046 for Mitchellville Montessori School 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 25, 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 25, 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/14/02), and further APPROVED Preliminary Plan of Subdivision 4-03046, Mitchellville Montessori School for Parcel A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
  - a. To label the property Parcel A.
  - b. To delineate a 10-foot public utility easement.
  - c. To provide the acreage of Parcel A.
  - d. To provide the approval date of the stormwater management plan.
  - e. To clearly label the centerline and ultimate right-of-way of Hillmeade Road.
2. Prior to approval of a DSP, a Type II Tree Conservation Plan shall be approved.
3. Development of this property shall be in conformance with the approved Stormwater

Management Concept Plan, #5940-2003-00.

4. Prior to signature approval the Type I Tree Conservation Plan, TCPI/14/02 shall be revised as follows:
  - a. Revise note #2 to show the correct reference and Department of Environmental Resources phone number.
  - b. Remove the note referring to off-site woodland mitigation from the TCPI.
5. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/14/02). 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/14/02), 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."
6. 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 Final 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 allowed."
7. 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.
8. 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 Hillmeade 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.
9. At the time of Detailed Site Plan, Transportation Planning Section and DPW&T staff shall review this site for adequate access and circulation.
10. An automatic fire suppression system shall be provided in all new buildings proposed in this

subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

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 west side of Hillmeade Road approximately 270 feet south of its intersection with Prospect Hill Road.
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)	Vacant	Private School/11,000 sq.ft
Acreage	5.03	5.03
Parcels	1	1

4. **Environmental**—The revised TCPI/14/02, date stamped as received by the Environmental Planning Section on August 18, 2003, has been reviewed and was generally found to address the requirements of the Prince George's County Woodland Conservation Ordinance. This 5.03-acre property has a net tract area of 2.82 acres, a 20 percent or 0.56 acre Woodland Conservation Threshold and a 0.37-acre replacement requirement for a total requirement of 0.93 acre. The requirement is proposed to be satisfied by 1.07 acres of on-site preservation in priority retention areas. TCPI/14/02 is recommended for approval subject to conditions.

Section 24-101(b)(10) of the Subdivision Regulations 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, abutting slopes in excess of 25 percent and abutting slopes between 15 and 25 percent with highly erodible soils (soils having a K-factor greater than 0.35). The plans as submitted show the various components and the ultimate limit of the PMA. The PMA has been accurately shown on the preliminary plan of subdivision and the TCPI. No additional information with respect to the location of the PMA is required.

The Subdivision Ordinance, Section 24-130(b)(5), requires that the PMA be preserved in a natural state to the fullest extent possible. Proposed impacts to the PMA require a justification statement outlining how the PMA has been preserved to the fullest extent possible. A justification statement was submitted on July 8, 2003.

The four proposed impacts are associated with infrastructure necessary for the development of this parcel. The first impact is associated with the construction of a public utility line. The second impact is for the construction of a road to access the property. The third impact is for

another public utility line, and the fourth and final impact is for the construction of a stormwater management facility. The Environmental Planning Section supports the PMA impacts proposed because these impacts are minimal and necessary for the development of this site.

The original submittal proposed impacts to the PMA for grading to construct the then-16,635-square-foot building, construction of required parking and development of the required play area. The applicant was advised that staff could not support permanent impacts to the PMA for these purposes. As a result the applicant reduced the footprint of the proposed building and eliminated the PMA impacts for grading for construction of the building, construction of the parking lot and development of the play area.

However, staff would note that the environmental constraints on this property are significant. Careful site planning will be necessary to ensure that additional impacts are not proposed in the future. The applicant has been advised that the site plan process (DSP) could cause changes to the conceptual layout, submitted with this preliminary plan, that could jeopardize the applicant's ability to develop this site as proposed.

The site is currently wooded. No historic or scenic roads are affected by this proposal. There are streams, wetlands, and floodplain on the property associated with the Horsepen Branch of the Patuxent River Watershed. There are no existing noise impacts on the property. The proposed use is not expected to be a noise generator. No species listed by the State of Maryland as rare, threatened, or endangered are known to occur in the in the general region. The soils information in the Prince George's County Soils Survey indicates that the principal soils on the site are in the Christiana, Keyport, and Woodstown soils series.

5. **Community Planning**—The subject property is located within the limits of the *Glenn Dale-Seabrook-Lanham and Vicinity Master Plan* (1993), Planning Area 70, in the Annapolis Road Community. The recommended master plan land use for this property is for Low Suburban Residential. The General Plan locates the property in the Developing Tier. The proposed preliminary plan is consistent with the recommendations of the master plan and General Plan.

The master plan identifies a Conditional Reserve Area through the southern portion of the property. This is an area having some bearing on the natural processes, physiographic constraints, or rare natural features as addressed in Finding 2 of this report.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed subdivision is exempt from the requirement of the mandatory dedication of parkland because the proposed lot is greater than one acre.
7. **Trails**—The Adopted and Approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan recommends that Hillmeade Road be designated as a Class III bikeway with appropriate signage. Because Hillmeade Road is a county right-of-way, the applicant should provide a financial contribution to the Department of Public Works and Transportation (DPW&T) 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 road improvements are required by the Department of

Public Works and Transportation, a wide asphalt shoulder or a wide curb lane is recommended.

8. **Transportation**—The applicant has not prepared a traffic impact study. It was not required by the transportation staff based on the proposed use of the site. However, the applicant did conduct peak-hour traffic counts at the nearest major intersection at the request of staff. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

### **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 application is a plan for a private elementary school of 11,000 square feet that will accommodate 160 students. The proposed development would generate 147 AM (88 in, 59 out) and 32 PM (12 in, 20 out) peak-hour vehicle trips as determined using The Institute of Transportation Engineers' *Trip Generation Manual (6<sup>th</sup> Edition)*. The site was analyzed using the following trip distribution:

Hillmeade Road from the south:	25%
Fletchertown Road from the east:	35%
Prospect Hill Road from the west:	40%

The traffic generated by the proposed plan would primarily impact the intersection of Prospect Hill Road/Fletchertown Road and Hillmeade Road, which is not signalized. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined an upper limit of 50.0 seconds of delay in any movement as the lowest acceptable operating condition on the transportation system. The following conditions exist at the critical intersection: AM peak hour, maximum average delay of 15.7 seconds; PM peak hour, maximum average delay of 14.2 seconds.

Nearby approved developments were included in background traffic. An annual growth rate of 1.0 percent was also assumed for through traffic. The following background traffic conditions were determined: AM peak hour, maximum average delay of 19.3 seconds; PM peak hour, maximum average delay of 16.4 seconds:

With site traffic, the following operating conditions were determined: AM peak hour, maximum average delay of 24.4 seconds; PM peak hour, maximum average delay of 16.9 seconds.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined average delay of 50.0 seconds in any movement as the lowest acceptable operating condition for unsignalized intersections on the transportation system. Under total future traffic as developed using the *Guidelines*, adding the impact of the proposed development, the critical intersection was found to be operating acceptably as an unsignalized intersection.

An access and circulation plan is not a part of a subdivision application. Nonetheless, a conceptual plan for the site has been provided. Access and circulation will be reviewed more thoroughly at the time of detailed site plan. Due to the site's environmental constraints, there is limited ability to provide safe and efficient on-site circulation, and this must be checked at detailed site plan.

At the Planning Board hearing of September 25, 2003, the City of Bowie raised concerns regarding appropriate site distances at the critical intersection located northwest of the site, the intersection of Prospect Hill Road/Fletchertown Road and Hillmeade Road. That intersection has been found to be operating at acceptable levels of service. Improvements at that intersection are under the authority of the Department of Public Works and transportation (DPW&T). Staff has been directed to advise DPW&T of the site distance concerns and request further evaluation of that intersection by that agency.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

9. **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 that the subdivision is exempt from APF test for schools because it is an institutional use only.
10. **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 Glenn Dale Fire Station, Company 18 located at 11900 Glenn Dale Boulevard, has a service travel time of 3.07 minutes, which is within the 3.25-minute travel time guideline.

- b. The existing ambulance service at Glenn Dale Fire Station, Company 18 located at 11900 Glenn Dale Boulevard, has a service travel time of 3.07 minutes, which is within the 4.25-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 3.07 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Bowie Fire Station, Company 39 located at 15454 Annapolis Road, has a service travel time of 8.90 minutes, which is beyond the 4.25-minute travel time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines For The Analysis Of Development Impact On Fire and Rescue Facilities*. In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/ EMS Department determines that an alternative method of fire suppression is appropriate.

11. **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 Subdivision Regulations the existing county police facilities will be adequate to serve the proposed Mitchellville Montessori School 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 6/30/2002, 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. This police facility will adequately serve the population generated by the proposed subdivision.

12. **Health Department**—The Health Department has no comment.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 5940-2003-00, 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.
14. A conceptual layout was submitted by the applicant and has been utilized to evaluate possible impacts to the existing environmental features on the property. Over half of the 5.03 acres of this property is encumbered by 100-year floodplain and wetlands. These features will dictate the amount and location of proposed development. Since the original submittal of the preliminary

plan, the applicant has reduced the gross floor area of the proposed building from 16, 635 square feet to 11,000 square feet. This reduction in square-footage has enabled the applicant to reduce the footprint of the building. The reduction was necessary to reduce impacts to the environmental features, as discussed further in Finding 4 of this resolution.

Section 27-443(a)(2)(A) of the Zoning Ordinance requires the review of a detailed site plan (DSP) prior to the approval of the grading permit for a private school in the R-R Zone. A proposed private school on a site of less than five acres requires the approval of a special exception. The applicant has submitted a conceptual site plan for informational purposes only. The review of the improvements on the property will be conducted with the review of the DSP, prior to permits. Staff would note that the environmental constraints on this property are significant. Careful site planning will be necessary to ensure that additional impacts to the PMA are not proposed in the future. In addition, the Transportation Planning Section has indicated concerns with the applicant's ability to provide appropriate on-site circulation and turnaround. The applicant has been advised that the site plan process (DSP) could cause changes to the conceptual layout, submitted with this preliminary plan, that could jeopardize the applicant's ability to develop this site as proposed. No additional dedication is required along Hillmeade Road, therefore, the gross tract area will remain 5.03 acres.

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, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 25, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of October 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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