

R E S O L U T I O N

WHEREAS, John I. And Margaret P. Phelps is the owner of a 11.98-acre parcel of land known as Parcel 69, Tax Map 127, Grid E-1, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on May 21, 2003, Wallace Lane Associates filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 22 lots and 3 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03048 for Phelps's Property 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 July 31, 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 July 31, 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/36/03), and further APPROVED Preliminary Plan of Subdivision 4-03048, Phelps's Property Cluster for Lots 1-22 and Parcels A-C with the following conditions:

1. Prior to signature approval of the preliminary plan:
 - a. The Forest Stand Delineation shall be revised as follows:
 - (1) Add the following as a note or in the key: "Nontidal wetlands are based on a Jurisdictional Determination (01-65976-15) approved on May 13, 2002."
 - (2) Add notes to the plan stating whether there is rare, threatened or endangered habitat or habitat for forest interior dwelling species present on-site.
 - (3) Limit the delineation of steep slopes to those on highly erodible soils (K factor greater than 0.37).
 - (4) Remove the delineation of the Patuxent River Primary Management Area from

the plan.

- (5) Note all revisions in the revision block.
- (6) Have the revised FSD signed and dated by the qualified professional preparing the plan.

b. The Type I Tree Conservation Plan shall be revised as follows:

- (1) Revise the woodland conservation worksheet to remove references to off-site clearing
- (2) Revise the delineation of the PMA to incorporate nontidal wetlands and buffers located on the northern boundary of the property.
- (3) Limit the delineation of steep slopes to those on highly erodible soils.
- (4) The revised TCP I shall be signed and dated by the qualified professional preparing the plan.

c. The Preliminary Plan and the Type I Tree Conservation Plan shall be revised to accurately delineate the Patuxent River Primary Management Area.

- 2. The applicant, his heirs, successors and/or assignees shall provide a fee to Prince George's County, which shall serve as a fair share contribution toward the construction of the Croom-Naylor Station and acquisition of an ambulance. The fee is based upon the cost of the facility and ambulance divided by the expected population of the service area. The fee shall be paid prior to the issuance of each building permit. The fair share fee is \$1,187 per dwelling for the 21 new lots, which are beyond response time standards for ambulance service. This will not apply to the lot on which the existing home sits.
- 3. When the existing home on the property is connected to public systems, the existing well and septic systems shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04.
- 4. Prior to the issuance of grading permits for the subject property, TCPII/08/03 shall be revised to reflect the off-site grading impacts proposed by the extension the sewer line. If impacts are proposed to the platted conservation easement on Putter's Choice (194-081), then permission from the Planning Director shall be requested and received prior to the approval of the revised TCPII.
- 5. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/36/03). The following note shall be placed on the final plat of subdivision:

"A development is subject to restrictions shown on the approved Type I Tree

Conservation Plan (TCP I/36/03), 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.”

6. Prior to final plat approval, a detailed site plan shall be approved.
7. A Type II Tree Conservation Plan shall be approved in conjunction with the detailed site plan.
8. Prior to approval of the TCP II, a determination of the water quality facility proposed shall be made. All stormwater management facilities shall be shown on the TCP II.
9. The following note shall be placed on the final plat of subdivision:

“Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall provide the Environmental Planning Section with copies of all federal and state wetland permits, evidence that all approval conditions have been complied with, and any associated mitigation plans.
10. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated Patuxent River Primary Management Area, except for areas with approved impacts, and shall be reviewed by the Environmental Planning Section prior to certificate approval for accuracy. In addition, the following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation 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.”

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 Wallace Lane, approximately 1,300 feet north of its intersection with Duley Station Road, in the south Marlton community.
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)	Single-family dwelling	Single-family dwellings
Acreage	11.98	11.98
Lots	0	22
Parcels	1	3
Detached Dwelling Units	1	22 (1 existing and 21 new)

4. **Cluster Development Data as Proposed by Applicant**

Zone	R-R
Gross Tract Area	11.98 acres
Area with Slopes Greater than 25%	0.83 acre
Area within Preliminary 100-year Floodplain	0.0 acre
Cluster Net Tract Area	11.15 acres
Minimum Lot Size Permitted	10,000 sq.ft.
Minimum Lot Size Proposed	10,000 sq.ft.
Number of Lots Permitted	22
Number of Lots Proposed	22
Flag Lots Proposed	0
Cluster Open Space Required	3.94 acres
2/3 of Required Open Space to be Located Outside of the 100-Year Floodplain and Stormwater Management Facilities	2.63 acres
Cluster Open Space Proposed Outside of the 100-Year Floodplain and Stormwater Management Facilities	4.29 acres
Cluster Open Space Provided	4.29 acres
Mandatory Dedication Required	0.6 acre
Mandatory Dedication Proposed	Fee-in-lieu
Total Open Space Required (Cluster plus Mandatory Dedication)	3.94 acres
Total Open Space Provided	4.29 acres
Open Space to be Conveyed to Homeowners Association	4.29 acres
Open Space to be Conveyed to M-NCPPC	0.0 acre

Open Space to be Conveyed to Prince George's County	0.0 acre
Slopes Exceeding 25% in grade	0.83 acre
25% of Steep Slopes	0.21 acre
Area of Steep Slopes to be Disturbed	0.17 acre
Area of Nontidal Wetlands and Waters of the U.S.	1.05 acres

Modification in Dimensional Standards Permitted in Cluster		Standard in Zone	Allowed	Modification Proposed
27-442(c)	Net Lot Coverage	25%	30%	30%
27-442(d)	Lot Width at Bldg. Line	80'	75'	75'
	Lot Frontage Along Street Line	70'	50'	50'
	Lot Frontage Along Cul-de-sac	60'	50'	50'

5. **Cluster Findings**^{3/4} The design for the proposed cluster subdivision meets 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 25 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 TCP I shows the woodland conservation requirement being met on-site with woodland preservation located in priority retention areas within the PMA. This is an area that would also be protected in a conventional subdivision through woodland conservation and conservation easements; however, in the cluster subdivision, it is possible to preserve all trees in homeowners' open space and not encumber individual lots.

- 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 cluster open space is intended for conservation purposes and is appropriate in size, shape, topography and location for the fulfillment of this purpose. Conservation of this area through easements could also be achieved on private lots in a conventional subdivision, but again the use of the cluster technique allows the lots to be free of such encumbrances.

- 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: The cluster open space as proposed includes the significant natural features located on the tract, including stream beds, significant stands of trees, steep slopes, severe slopes, and nontidal wetlands, which will be delineated as the PMA.

- 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 cluster open space will afford scenic value by providing direct views from 11 of the 22 lots proposed. In addition, the land is accessible, from the end of the cul-de-sac, to all residents of the subdivision.

- 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: The irreplaceable features on the site are preserved in open space. The landscape will not be visually monotonous, as the subdivision will provide differing views into the open space.

- 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: This property is narrow in shape. The applicant has designed the subdivision to fit into the land while preserving the natural features of the site. The layout, which provides larger lots near the front of the property and a large area of preserved woodlands in the rear, represents the best possible relationship between development and the land for this property.

- 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: A single street is provided, minimizing the area devoted to motor vehicle circulation. The lots will be mostly buffered from the adjoining platted Putter's Choice and Marlton by the open space parcel proposed. Views from dwellings on adjoining properties will be of open space for the most part.

- 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 are situated in a normal fashion. Large trees in the woodland conservation areas to the north and west will afford the homeowners with 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: Design notes on the preliminary and conceptual site plans indicate that there are a total of 0.83 acres of slopes greater than 25 percent on the subject property, and that the plan proposes to disturb 0.16 acres or 19 percent of the severe slopes. The slopes to be removed or altered are isolated and small. All severe slopes that are within the delineated PMA will be preserved.

- 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: Because this criterion is design oriented, it is best examined at the detailed site plan stage. The applicant has provided two parcels at the entrance to the subdivision that will be used for entrance features. Lots along the front of the property will be large enough to accommodate additional landscaping if it is deemed appropriate at the detailed site plan review.

- 6. **Environmental**—Streams, nontidal wetlands and possible 100-year floodplain are found running along the western and northern side of the property. The site is partially wooded, and the topography is gently to severely sloping towards the two identified streams. The soils found on this property include Bibb, Marr, Sandy Land, and Westphalia-Evesboro. Bibb soils are in hydrologic class D and may experience development limitations with respect to impeded drainage or seasonally high water tables. Marr and Sandy land are not hydric or high erodible, and do not pose significant difficulties for development. Westphalia soils are not hydric, but are highly erodible and may create difficulties when associated with severe and steep slopes. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. There are no designated scenic and historic roads located adjacent to the property or in the vicinity of the property. No adverse noise impacts from transportation sources are anticipated related to this proposal due to classification of adjacent roadways. The property is located in the Charles Branch watershed and the Patuxent River basin. The site is located in the Developing Tier as reflected in the adopted General Plan. There are no environmental master plan issues identified with this site, which is located in Subregion VI.

Woodland Conservation

A revised detailed Forest Stand Delineation (FSD) was submitted in response to previous comments provided by the Environmental Planning Section (EPS). Two additional sampling points were provided in the wooded area located in the northeast portion of the property which were found to place it appropriately in Stand "A." A note was added to the FSD plan stating that there is no 100-year floodplain on the subject property. The proposed disposition of specimen trees has been correctly removed from the table of specimen trees. However, the steep slopes identified on-site have not been limited to those on highly erodible soils, but include all steep slopes. The plan should be revised to only identify steep slopes on soils with a K factor of 0.37 or higher, and the legend should be revised to indicate that only steep slopes on highly erodible soils have been identified.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because it 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. A revised Type I Tree Conservation Plan (TCPI/36/03) was submitted in response to previous comments.

The minimum woodland conservation requirement for this site is based on 7.72 acres of existing woodlands plus additional acreage due to removal of 3.84 acres of woodland, for a total of 3.36 acres. The TCPI proposes to meet the requirement with 3.57 acres of on-site preservation. Preserved woodlands have been proposed as a contiguous block in the Patuxent River Primary Management Area, which is a priority location for retention. The TCPI shows the conceptual location of houses on the site and conceptual grading which supports the TCPI as a reasonable solution for preserving priority woodlands in the quantity proposed on-site.

The TCPI shows an incorrect delineation of the Patuxent River Primary Management Area, which does not include the contiguous nontidal wetlands and wetland buffer located on the northern boundary of the property.

The TCPI worksheet includes "off-site clearing" proposed on the adjacent property to the north that is necessary for the extension of the sewer line to this development. Off-site clearing on a property with an approved Tree Conservation Plan (TCP II/11/03) must be handled by a revision of TCPII for that site.

Corrections to the TCP I, as noted above, should be made prior to signature approval of the preliminary plan.

Patuxent River Primary Management Area (PMA)

A Jurisdictional Determination of nontidal wetlands was approved by the U.S. Army Engineer District on May 13, 2002 (01-65976-15) and the results have been correctly delineated on the FSD plan. A note should be added to the plan, or to the key, that indicates that the nontidal

wetlands are based on a Jurisdictional Determination (01-65976-15) approved on May 13, 2002.

The Patuxent River Primary Management Area (PMA) has been shown on the FSD plan. The PMA should not be shown on the FSD, which should only include existing features. Additionally the delineation is incorrect in that it fails to include the wetland and wetland buffer that abuts the stream buffer on the northern side of the property.

The Preliminary Plan includes the location of significant environmental features that occur on this site, including nontidal wetlands and buffers, severe slopes, steep slopes on highly erodible soils, streams, and a minimum 50 foot-wide stream buffer. In combination, these environmental features comprise the Patuxent River Primary Management Area in accordance with Section 24-130 of the Subdivision Ordinance. The PMA has not been correctly delineated on the Preliminary Plan or the TCPI.

The Subdivision Ordinance mandates that the Patuxent River Primary Management Area shall be preserved in a natural state to the fullest extent possible. The preliminary plan proposes impacts to the PMA in order to construct utility connections to the adjacent subdivision. If impacts to the PMA cannot be eliminated for the installation of necessary utilities or roadway connections, it is necessary to identify each impact and submit a Letter of Justification. A Letter of Justification was submitted to Countywide Planning on June 27, 2003, which is reviewed later in this memorandum. Impacts are proposed to streams, nontidal wetlands and wetland buffers which are regulated by federal and state requirements.

Corrections to the preliminary plan, as noted above, should be made prior to signature approval.

Stormwater Management

Notes on the preliminary plan indicate that stormwater management controls will be provided by infiltration or by a water quality basin, and that quantity will be managed by piping to an existing stormwater management facility. A concept approval number of 4346-2002-00 is indicated.

Because the land use impacts of the two water quality options are quite different, a final determination of the water quality facility must be made prior TCPII.

Water and Sewer

The property is in water category W-4 and sewer category S-4. The proposed dwellings will be served by public systems.

7. **Community Planning**—The 2002 General Plan places the property in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The Subregion VI Study Area Master Plan (1993) recommends residential land use at the low-suburban density of 1.6 to 2.6 dwelling units per acre. The Subregion VI

Study Area SMA (1994) retained this property in the R-R Zone consistent with master plan recommendations.

The proposed subdivision application is in conformance with the type of development envisioned for this area in the 1993 Subregion VI Study Area Master Plan. The density of the proposed development is 1.83 dwelling units per acre.

8. **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.
9. **Trails**—There are no master plan trails issues associated with this application.
10. **Transportation**— Due to the size of the subdivision, staff has not required that a traffic study be done. The staff is relying upon traffic counts taken in 2003 by the State Highway Administration at the critical intersection. Therefore, 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 in 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 is required in the developing tier.

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 intersection of US 301 and Rosaryville Road/Old Indian Head Road is determined to be the critical intersection for the subject property. This intersection is the nearest signalized intersection to the site and would serve virtually all of the site-generated traffic. The transportation staff has available counts taken by the State Highway Administration in 2003. These counts indicate that the critical intersection operates at Level-of-Service (LOS) C, with a

critical lane volume (CLV) of 1,254, during the AM peak hour. During the PM peak hour, the intersection operates at LOS D with a CLV of 1,314.

There are no funded capital projects at this intersection in either the county Capital Improvement Program or the state Consolidated Transportation Program that would affect the critical intersection. There are several approved but unbuilt developments that would affect the intersection. With background growth added, the critical intersection would operate as follows: AM peak hour–LOS D, with a CLV of 1,340; PM peak hour–LOS D, with a CLV of 1,417.

With the development of 22 residences, the site would generate 17 AM (4 in and 13 out) and 20 PM (13 in and 7 out) peak-hour vehicle trips. The site was analyzed with the following trip distribution: 40 percent–west along Rosaryville Road, 30 percent–north along US 301, 25 percent–south along US 301, and 5 percent–southeast along Duley Station Road. Given this trip generation and distribution, staff has analyzed the impact of the proposal. With the site added, the critical intersection would operate as follows: AM peak hour–LOS D, with a CLV of 1,346; PM peak hour–LOS D with a CLV of 1,420.

The site is not adjacent to or within any master plan transportation rights-of-way. Therefore, no street dedication beyond that required by county code along Wallace Lane and the internal streets is required.

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. No transportation-related conditions are required at this time.

11. **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, CB-30-2003 and CB-31-2003, and concluded the following.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 4	Middle School Cluster 2	High School Cluster 2
Dwelling Units	21 sfd	21 sfd	21 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	5.04	1.26	2.52
Actual Enrollment	5416	4896	9660
Completion Enrollment	281	197	393
Wait Enrollment	604	225	451
Cumulative Enrollment	30.96	33.42	66.84
Total Enrollment	6337	5352.68	10573.36
State Rated Capacity	5364	4638	8770
Percent Capacity	118.14%	115.41%	120.56%
Funded School	N/a	N/a	N/a

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

These figures are correct on the day the referral memorandum was written. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers that will appear in the resolution are the ones that will apply to this project.

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 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 an 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 is to 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.

The Historic Preservation and Public Facilities Planning Section staff finds that 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 Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service travel time of 6.67 minutes, which is beyond the 5.25-minute requirement for travel time guidelines.
 - b. The existing ambulance service at Marlboro Fire Station, Company 45, has a service travel time of 6.67 minutes, which is beyond the 6.25-minute requirement for travel time guidelines.
 - c. The existing paramedic service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road, has a service travel time of 10.87 minutes, which is beyond the 7.25-minute requirement for travel time guidelines. The nearest fire station, Marlboro, Company 45, is 6.67 minutes from the development. This facility would be within the recommended response 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*.

To alleviate the negative impact on fire and rescue services due to the inadequate engine service discussed, the Prince George's County Fire/EMS Department recommends that an automatic fire suppression system shall be provided in all residential structures in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws. Since this is a matter of law for residential structures, no condition is necessary.

The Historic Preservation and Public Facilities Planning Section has concluded that all of the 22 lots proposed for this development are beyond the recommended response time standards from existing facilities which provide ambulance service. This finding is based on using the existing road system and existing stations.

The planned Croom-Naylor facility will be the first due station that will provide ambulance service to this development. The cost of this emergency services facility and ambulance vehicle is \$1,405,000.

To mitigate the ambulance response time deficiencies the staff recommends that the applicant participate in providing a fair share contribution toward the construction of the Croom-Naylor Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$1,275,000) and ambulance (\$130,000) divided by the total amount of residential and employment population within the entire service area in 2006 (3,541). The service area includes those areas that will be served by the planned facility. One dwelling exists, and 21 new lots are being created. The fair share fee for the units, which are beyond response time standards for ambulance service, is \$1,187 per dwelling for the 21 new lots. This fee is calculated as follows:

- 2006 service area population is 3,541

- $1,405,000/3541 = \$396$ per resident/employee
- $\$396 \times 3.0$ planning area household size = $\$1,187$ per dwelling $\times 21 = \$24,927$

13. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. In accordance with Section 24-122.1(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Phelp's property 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. This police facility will adequately serve the population generated by the proposed subdivision.
14. **Health Department**—The Health Department notes that the existing dwelling is served by private well and septic system. Once the drain fields are disengaged, and prior to the home being connected to public water and sewer, the existing septic tank may be used as a holding tank and regularly pumped by a licensed scavenger. The final plat should include a note that when the home is connected to public systems, the well and septic systems must be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04.
15. **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, # 4346-2002-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through June 30, 2004. Development must be in accordance with this approved plan, or any revisions thereto.
16. **Cemeteries**^{3/4} The applicant's engineer has certified that there are no known cemeteries on the site.
17. **Public Utility Easement**^{3/4} The preliminary plan correctly shows the required 10-foot-wide public utility easement. This easement will be included on the final plat.

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, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, July 31, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of September 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:rmk