

R E S O L U T I O N

WHEREAS, Vincent and Helena Ragione is the owner of a 2.6-acre parcel of land known as Parcels 59, 300 and 333, Tax Map 81, Grid A-1, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned R-55 and C-S-C; and

WHEREAS, on September 23, 2003, Marco Homes filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 7 lots and 2 outlots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03091 for Walker Mill Station 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 November 6, 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 November 6, 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/43/98-01), and further APPROVED Preliminary Plan of Subdivision 4-03091, Walker Mill Station for Lots 1-7 and Outlots A and B with the following conditions:

1. Prior to signature approval of the preliminary plan, the Type I Tree Conservation Plan shall be revised as follows:
 - a. Revise the woodland conservation worksheet to reflect the correct woodland conservation threshold.
 - b. Include the new Stormwater Management Concept Approval number.
 - c. Have the revised plan signed and dated by the qualified professional who prepared the plan.
2. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/43/98-01). The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation

Plan (TCPI/43/98-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

3. Prior to issuance of permits, a Type II Tree Conservation Plan shall be approved.
4. At the time of final plat approval, the applicant, his heirs, successors and/or assignees shall dedicate a right-of-way of no less than 40 feet from the existing centerline of Walker Mill Road. Improvements within the dedicated right-of-way will be as determined by DPW&T.
5. Development shall be in accordance with the approved stormwater concept plan, Concept #8006660-1997-00, or any approved revisions thereto.
6. At the time of final plat, the applicant, his heirs, successors and/or assignees shall pay a fee-in-lieu of mandatory park dedication.

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 south side of Walker Mill Road, between Tanow Place and Weber Drive in the District Heights area.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-55 and C-S-C	R-55 and C-S-C
Use	Vacant	Single-family homes
Acreage	2.61	2.61
Lots	0	7
Outlots	0	2
Detached Dwelling Units	0	7

4. **Environmental**— This site is located on the south side of Walker Mill Road between Marlboro Pike and Rollins Avenue. A review of the available information indicates that no streams, nontidal wetlands, 100-year floodplains, or associated buffers for these features are found to occur on the property. No adverse noise impacts from off-site sources have been identified which would limit development of this site, and the proposed use is not anticipated to be a noise generator. The soil series found on this site according to the Prince George's County Soil Survey is Beltsville. The limitations associated with this soil include impeded drainage, high water tables, slow permeability, and erodibility on 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 property. There are no designated scenic or historic roads in the vicinity of this property. The property is located in the Oxon Run and Anacostia subwatersheds of the Anacostia basin, within the larger Potomac River basin. The property is located in the Developed Tier as reflected in the adopted General Plan.

Woodland Conservation

A Forest Stand Delineation (FSD) submitted with the review package was found to address the requirements for a Forest Stand Delineation in accordance with the Prince George’s County Woodland Conservation and Tree Preservation Technical Manual.

This property is subject to the provisions of the Prince George’s County Woodland Conservation Ordinance because the gross tract area is greater than 40,000 square feet, there are more than 10,000 square feet of existing woodland, and more than 5,000 square feet of woodland will be cleared. A Type I Tree Conservation Plan (TCPI/43/98) was previously approved in conjunction with 4-98074.

The approved TCPI identified a woodland conservation threshold for this site of 0.51 acre, plus additional acreage due to the removal of 2.12 acres of woodlands, totaling 0.68 acre of woodland, for a total minimum requirement of 1.19 acres. The approved TCPI met the requirement with 0.49 acre of on-site preservation and 0.70 acre of off-site mitigation.

A revision to the TCPI is currently proposed. The net tract area is 2.61 acres, and the woodland conservation threshold for the subject property is 19.60 percent, or 0.51 acres (based on the split zoning, R-55 and C-S-C). The threshold shown on the worksheet is incorrectly stated to be 18.38 percent. As a result, the total woodland conservation requirement is incorrectly calculated.

Soils

The soils found on this property have some limitations including impeded drainage, seasonally high water tables, slopes, and instability that may affect the development of the property. The unstable soils and those with a high water table will have the most significant impact for the development of the property. Additional information on the soil characteristics and potential site engineering requirements will need to be provided to the Department of Environmental Resources during the review of building permits.

Water and Sewer Categories

The property is in water category W-3 and sewer category S-3; it will be served by public systems.

5. **Community Planning**—The property is in Planning Area 72/Capitol Heights Community and in

the Developed Tier as defined in the 2002 General Plan. This subdivision application is not inconsistent with the 2002 General Plan development pattern policies for the Developed Tier.

The 1985 *Approved Suitland-District Heights and Vicinity Master Plan* recommends primarily Medium Density Residential with Retail Commercial use on a small portion of proposed Lot 7. The 1986 *SMA for Suitland-District Heights and Vicinity* placed the subject property in the R-55 and C-S-C Zones. This subdivision application is in conformance with the 1985 *Approved Suitland-District Heights and Vicinity Master Plan*.

6. **Parks and Recreation**—In accordance with Section 24-135(a) of the Subdivision Regulations, a fee-in-lieu of mandatory park dedication is recommended for all lots under one acre in size. Land available is inappropriate for dedication because its size and location are unsuitable for park use.
7. **Trails**—There are no master plan trail issues associated with this application.
8. **Transportation**—No traffic study was requested or received of the applicant. The findings and recommendations outlined below are based upon a review of relevant materials and analyses conducted by the staff of the Transportation and Public Facilities Planning Division, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. On February 25, 1999, the Prince George's Planning Board approved a similarly configured preliminary plan of subdivision, (then referred to as the Frank J. Ragione property 4-98074) for the subject property. Among the findings supporting that approval was one that showed an adequacy of transportation facilities.

The traffic impact analysis was limited to the intersection of Walker Mill Road and Rollins Avenue/Weber Drive, which is a signalized intersection. The transportation staff identified limited background developments in the immediate area of the subject property and assumed an annual growth rate of 0.5 percent per year over three years along Walker Mill Road to account for growth in through traffic. No improvements to the immediate section of Walker Mill Road are funded in the county Capital Improvement Program (CIP) or the state Consolidated Transportation Program (CTP).

The subject property would be developed with seven single-family detached residences. Under the trip generation rates listed in the guidelines, the proposed subdivision would generate 1 inbound and 4 outbound trips during the AM peak hour, and 4 inbound and 2 outbound trips during the PM peak hour. A trip distribution of 60 percent westbound and 40 percent eastbound was assumed.

The analysis of existing, background and total traffic for the Walker Mill Road and Rollins Avenue/Weber Drive intersection indicated the following results in 1999:

TRAFFIC CONDITIONS C WALKER MILL ROAD AND
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ROLLINS AVENUE/WEBER LANE				
	Critical Lane Volume		Level of Service (LOS)	
Scenario	AM	PM	AM	PM
Existing Traffic	433	499	A	A
Background Traffic	608	686	A	A
Total Traffic	609	687	A	A

The subject property is located within the Developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. In 1999, when the analysis for the previous application was done, it was determined by staff that the critical intersection of Walker Mill Road and Rollins Avenue/Weber Lane operated acceptably under each scenario, including total future traffic, in both AM and PM peak hours. Subsequent to the previous approval, with the approval of the General Plan for Prince George's County, the threshold for adequacy (within the Developed Tier) has been lowered from a LOS/CLV of D/1450 to E/1600. Given the modest increase in through traffic within the past four years, combined with the lowering of the threshold for acceptability, staff concludes that the critical intersection will continue to operate well within the limits of adequacy, if the subject application is approved.

Walker Mill Road is identified as a collector roadway in the *Suitland-District Heights Master Plan*, with a proposed right-of-way of 80 feet. Therefore, the plan must indicate dedication of no less than 40 feet from centerline along Walker Mill Road at the time of final plat.

Based on these findings, adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved with a condition requiring dedication along Walker Mill Road.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003. The proposal is exempt from the adequacy test for schools because it is in the Developed Tier.

However, 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 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.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities.
 - a. The existing fire engine service at Hillside Fire Station, Company 6, located at 1234 Larchmont Avenue, has a service travel time of 2.14 minutes, which is within the 5.25-minute travel time guideline.
 - b. The existing ambulance service at Hillside Fire Station, Company 6, has a service travel time of 2.14 minutes, which is within the 6.25-minute travel time guideline.
 - c. The existing paramedic service at Silver Hill Fire Station, Company 29, located at 3900 Silver Hill Road, has a service travel time of 5.88 minutes, which is within the 7.25-minute travel time guideline.

These findings are in conformance with the standards and guidelines contained in the *Adopted and Approved Public Safety Master Plan* (1990) and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic services.

11. **Police Facilities**—The proposed development is within the service area for Police District III-Landover. 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 an additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Walker Mill Station development.
12. **Health Department**—The Health Department noted that drums previously found on the site had been removed. The Health Department requested a copy of the manifest detailing the contents and final disposition of the drums. This has been submitted.
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, # 8006660-1997-00, 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.
14. **Cemeteries**¾ There are no known cemeteries on or adjoining the subject property.

15. **Public Utility Easement**—The plan includes the required ten-foot-wide public utility easement. This easement will be shown on the final plat.
16. At the hearing, the applicant's attorney proffered to make the proposed architecture of the homes available to citizens in the area prior to construction of the homes. While not imposed as a condition, the applicant is expected to follow up with the neighboring citizens.

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.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, November 6, 2003, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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