

R E S O L U T I O N

WHEREAS, Danner Development, Inc. is the owner of a .84-acre parcel of land known as Lots 39-44, Block B, and Parcel 258, being located on Tax Map 29 and Grid B-3, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-55; and

WHEREAS, on December 3, 2003, Danner Development, Inc., filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for four lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03144 for Bowie Lots was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 13, 2004, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 13, 2004, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-03144, for Lots 101-104 with the following conditions:

1. Prior to the issuance of building permits, the applicant shall obtain detailed site plan approval by the Planning Board or its designee. The detailed site plan shall address house siting, lot lines, landscaping, architecture and the visual relationships between the four proposed dwellings.
2. Lot 101 shall be designed with driveway access onto 13<sup>th</sup> Street in order to minimize additional access onto Chestnut Avenue, which is a planned collector facility.
3. At the time of final plat approval, the applicant shall dedicate a right-of-way along Chestnut Avenue of 40 feet from the centerline of the existing pavement.
4. Prior to signature approval of the preliminary plan, a copy of the stormwater management concept approval letter shall be submitted to the file and the approval number and date shall be noted on the preliminary plan.

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 site is located on north side of 13<sup>th</sup> Street at its intersection with Chestnut Avenue.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-55	R-55
Uses	Single-Family Residence	Single-Family Residences
Acreage	0.84	2.18
Lots	6	4
Parcels	1	0

4. **Environmental**—The site is exempt from the Woodland Conservation Ordinance because the site is less than 40,000 square feet in area, contains less than 10,000 square feet of woodlands, and there is no previously approved tree conservation plan on the subject property. The Environmental Planning Section issued a standard letter of exemption from the Woodland Conservation Ordinance on October 28, 2003. This letter is valid through October 28, 2005.

#### **Water and Sewer Categories**

The property is in water category W-3 and sewer category S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003.

5. **Community Planning**—The property is in 71A/Community V. 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. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The 1991 *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie- Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A and 74B* recommends medium-suburban density for single-family detached dwellings at up to 5.7 dwelling units per acre. This application conforms to the master plan recommendation.
6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location. The proposed preliminary plan is consistent with the land use recommendations of the master plan and General Plan.
7. **Trails**—There are no master plan trail issues regarding the subject application. However, if road frontage improvements are required along Chestnut Avenue or 13<sup>th</sup> Street, the provision of

standard sidewalks are recommended, per the concurrence of the City of Bowie and/or DPW&T. This is consistent with the developments immediately to the west of the subject property where sidewalks are provided along both sides of internal roads.

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. Based on the four single-family lots that would be created, the proposed development would generate 3 AM and 4 PM peak-hour vehicle trips as determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposals” (revised September 2002).

The site is within the Developing Tier, as defined in the General Plan for Prince George’s County. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-service (LOS) 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.

### **Transportation Staff Comments**

The traffic generated by the proposed preliminary plan would impact the intersection of MD 564 and Chestnut Avenue.

Staff has no recent counts at the critical intersection of MD 564 and Chestnut Avenue. Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site’s impact at this location to be de minimus. Staff would therefore recommend that the Planning Board find that 3 AM and 4 PM peak-hour trips will have a de minimus impact upon delay in the critical movements at the MD 564/Chestnut Avenue intersection.

### **Conclusions**

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 if the application is approved with the following conditions:

1. At the time of final plat approval, the applicant shall dedicate right-of-way along Chestnut Avenue of 40 feet from the centerline of the existing pavement.
2. Lot 101 shall be designed with driveway access onto 13<sup>th</sup> Street in order to minimize

additional access onto Chestnut Avenue, which is a planned collector facility.

Three of the four lots would have access via 13th Street, which is platted but unbuilt. The applicant will be required to construct 13th Street along the frontage per DPW&T standards, and construct a public street connection to the nearest available existing street. Coordination with DPW&T is essential.

### **Transportation Conclusion**

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 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 and concluded the following:

### **Finding**

Affected School Clusters #	Impact on Affected Public School Clusters		
	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	3 sfd	3 sfd	3 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.72	0.18	0.36
Actual Enrollment	6141	5131	10098
Completion Enrollment	198.24	217.62	398.97
Cumulative Enrollment	0	0	0
Total Enrollment	6339.96	5348.80	10497.33
State Rated Capacity	5858	4688	8770
Percent Capacity	108.23	114.10	119.70

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

These figures are correct on the day the referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amount 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 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 or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

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

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 0.83 minute, which is within the 5.25-minute travel time guideline.

The existing ambulance service at Bowie Fire Station, Company 19, located at 13008 9<sup>th</sup> Street has a service travel time of 0.83 minute, which is within the 6.25-minute travel time guideline.

The existing paramedic service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 7.56 minutes, which is beyond the 7.25-minute travel time guideline.

The existing paramedic service located at Glenn Dale Fire Station, Company 18, is beyond the recommended travel time guideline. The nearest fire station Bowie, Company 19, is located at 13008 9<sup>th</sup> Street, which is 0.83 minute from the development. This facility would be within the recommended travel time if paramedic service were located within that facility.

The above findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan* (1990) and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 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 development.
12. **Health Department**—The Health Department reviewed the application and had no comments.
13. **Stormwater Management**—The applicant has not yet received stormwater concept approval from the City of Bowie. A copy of the concept approval letter from the city is necessary prior to signature approval of the preliminary plan.

14. **Cemeteries**—There are no known cemeteries on the subject property.
15. **Public Utility Easement**—The preliminary plan shows a ten-foot-wide public utility easement adjacent to both Chestnut Avenue and 13<sup>th</sup> Street.
16. **Prior Approvals**—The subject property has no prior approvals
17. **Design Issues**—This subdivision, as submitted, proposes four lots ranging in size from 6,500± square feet to over 12,000 square feet in area. The existing mix of lot sizes, housing types, and setbacks in Old Bowie has resulted in an eclectic and diverse development scheme. The applicant's proposal to place two dwellings forward along 13<sup>th</sup> Street and two dwellings set back in line with the existing development further to the east will result in a compatible mix of old and new. However, in order to ensure harmonious visual relationships between the four proposed dwellings, further review is warranted through the approval of a detailed site plan.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire and Hewlett voting in favor of the motion, and with Commissioner Vaughns recused at its regular meeting held on Thursday, May 13, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of June 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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