

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

WHEREAS, Kenneth H. Michael, et al is the owner of a 86-acre parcel of land known as Parcels 15, 17 and 113, Tax Map 124, Grid E-3 and F-3, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on March 19, 2004, Kenneth H. Michael filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 122 lots and 5 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04016 for Woodburn Estates 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 29, 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 DISAPPROVAL of the application with conditions; and

WHEREAS, on July 29, 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 the Type I Tree Conservation Plan (TCPI/24/04), and further APPROVED Preliminary Plan of Subdivision 4-0416, Woodburn Estates for Lots 1-122 and parcels A-E with the following conditions:

1. MD 223 and Temple Hill Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in either the county's or the state's capital program; and (b) if by private funding shall have been permitted for construction through the operating agency's access permit process, and (c) shall also have an agreed-upon timetable for construction with the appropriate operating agency:
 - A. Provision of separate left-turn and right-turn lanes along the southbound Temple Hill Road approach.
2. MD 223 and Tippet Road: Prior to the issuance of any building permits within the subject property, the following road improvements shall (a) have full financial assurances through either private money or full funding in either the county's or the state's capital program; and (b) if by private funding shall have been permitted for construction through the operating agency's access permit process, and (c) shall also have an agreed-upon timetable for construction with the

appropriate operating agency:

- A. Provision of separate left-turn and right-turn lanes along the northbound Tippet Road approach.
3. MD 223 and Old Branch Avenue/Brandywine Road: Prior to the issuance of any building permits within the subject property, the following road improvements (or alternative measures considered by the state to be equivalent or greater) shall (a) have full financial assurances through either private money or full funding in either the county's or the state's capital program, (b) if by private funding shall have been permitted for construction through the operating agency's access permit process, and (c) shall also have an agreed-upon timetable for construction with the appropriate operating agency:
- A. Restripe the northbound approach along Brandywine Road to provide an exclusive right-turn lane and a shared through/left-turn lane.
 - B. Restripe the eastbound approach along MD 223 to provide an exclusive left-turn lane, an exclusive through lane, and a shared through/right-turn lane. This improvement would include "puppy track" pavement markings to guide motorists across the intersection from west to east.
 - C. Restripe the westbound approach along MD 223 to provide an exclusive left-turn lane and a shared through/right-turn lane.
 - D. Optimize the signal timing, subject to approval by SHA, to improve cycle lengths and balance between the various traffic movements.

The above improvements shall include any marking, signage, or signalization changes necessitated by the modifications stated. Final design shall be subject to approval by SHA.

4. Prior to signature approval of the preliminary plan:
- a. All plans shall be revised to eliminate impacts to wetland buffers from storm drain impacts associated with the storm water management pond.
 - b. The TCPI shall be revised to eliminate impacts to wetland buffers and the revised plan shall be signed and dated by the qualified professional who prepared the plan from storm drain impacts associated with the storm water management pond.
5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the wetlands and wetland buffers and be reviewed by the Environmental Planning Section prior to certificate approval for accuracy. 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."

6. Prior to the issuance of any permits which impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all Federal and State wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
7. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/24/04). The following notes shall be placed on the Final Plat of Subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/24/04), 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."
8. A Type II Tree Conservation Plan shall be approved prior to the issuance of permits.
9. Prior to approval of the final plat of subdivision and/or any disturbance occurring on this property the applicant shall submit a Phase I archeological investigation and, a Phase II and Phase III investigation, as determined appropriate by Planning Department staff. If necessary the final plat shall provide for the avoidance and preservation of the resources in place or shall include plat notes to provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archaeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland (Schaffer and Cole: 1994)* and must be presented in a report following the same guidelines.
10. Prior to the approval of the final plat, the applicant shall demonstrate conformance to the disclosure requirements of Section 27-548.43 of the Zoning Ordinance regarding the proximity of this subdivision to a general aviation airport.
11. Prior to the issuance of grading permits the applicant shall submit evidence from the Health Department that the tires found on the property have been hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt shall be turned in to the Health Department.
12. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association (HOA) Parcels A through E. Land to be conveyed shall be subject the following:
 - a. Conveyance shall take place prior to the issuance of building permits.

- b. A copy of 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 require the written consent of DRD. 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.
13. The applicant, heirs, successors, and/or assignees, shall provide adequate, private recreational facilities on site in accordance with the standards outlined in the Parks and Recreational Facilities Guidelines, subject to the following:
- a. The applicant shall allocate appropriate and developable areas for private recreational facilities on Home Owners Association (HOA) open space land. The private recreational facilities shall be reviewed by the Urban Design Section of DRD for adequacy and proper siting prior to approval of final plats by the Planning Board.
 - b. Prior to the approval of the final plat a Limited Detailed Site Plan (LDSP) shall be approved by the Planning Board or it's designee for the construction of private on-site recreational facilities in accordance with the *Parks and Recreational Facilities Guidelines*.
 - c. The applicant, his heirs, successors and/or assignees shall submit three (3) original Recreational Facilities Agreements (RFA) to DRD for approval prior to the submission of

final plats, for construction of private on-site recreational facilities on homeowners land. Upon approval by the DRD, the RFA shall be recorded among the County Land Records.

- d. 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.
 - e. 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.
14. Prior to the issuance of the 50th building permit, the applicant shall provide a hiker/biker equestrian trail within the 20-foot wide HOA parcel (Parcel E). and a split rail fence along the entire site boundary with the adjacent New England Estates subdivision. Parcel E shall be a minimum of 20 feet wide.

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 east side of Tippet Road, approximately 2,000 feet south of its intersection with Piscataway 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
Uses	Farming and woodland	Single-family homes
Acreage	86.35	86.35
Lots	0	122
Parcels	3	5
Detached Dwelling Units	0	122

4. **Transportation** - The Transportation Planning Section reviewed the subdivision application. The subject property consists of approximately 122 acres of land in the R-R zone. The property is located on the east side of Tippet Road, approximately 2,000 feet south of its intersection with MD 223. The applicant proposes a residential development with 122 single family detached lots.

The applicant prepared a traffic impact study dated February 2004, and prepared in accordance with the methodologies in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. The study was referred to the County Department of Public Works and Transportation

(DPW&T) and the State Highway Administration (SHA).

As a result of the Planning Board hearing on July 29, 2004, the Planning Board approved the subject application with a requirement that the final resolution include conditions that would be determined after the hearing. The recommended conditions would be proffered in writing by the applicant and subject to operating agency review. In response, the applicant submitted a technical memorandum proffering improvements at the MD 223/Old Branch Avenue/Brandywine Road intersection, and this was provided to the operating agencies for their review. The findings in this resolution are written to be consistent with the Planning Board's action in this case.

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.

Analysis of Traffic Impacts

Study Area

The study area for the subject site was a source of considerable discussion for the subject site since the application was submitted. The staff's recommendation for the July 29, 2004 hearing held that the MD 223/Old Branch Avenue/Brandywine Road intersection would be a critical intersection for the subject property. In consideration that the planning staff had made this determination after a traffic study that did not include that intersection was accepted for review, it was found that the MD 223/Old Branch Avenue/Brandywine Road intersection was not a critical intersection. Nonetheless, the applicant proffered improvements to improve traffic operations within the intersection, and the application was approved subject to a determination that any improvements recommended improve operations at that intersection in both peak hours.

Traffic Analysis Results

The traffic study for this site, along with the additional technical memorandum, examined the site impact at six intersections:

MD 223/Tippett Road (unsignalized)
 MD 223/Steed Road
 MD 223/Temple Hill Road
 Brandywine Road/Thrift Road
 Tippett Road/site entrance (unsignalized)
 MD 223/Old Branch Avenue/Brandywine Road

The existing conditions at the study intersections are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223 and Tippett Road	23.4*	14.6*	--	--
MD 223 and Steed Road	1,040	1,144	B	B
MD 223/Temple Hill Road	801	1,330	A	D
Brandywine Road and Thrift Road	1,111	930	B	A
Tippett Road/site entrance	future			
MD 223/Old Branch Avenue/Brandywine Road	1,511	1,398	E	D
*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 <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The area of background development includes extensive development in the vicinity of the subject property. Background conditions also assume through traffic growth of 1.5 percent annually along MD 223. There are no programmed improvements in the area contained in the County Capital Improvement Program (CIP) or the State Consolidated Transportation Program (CTP) that are fully funded for construction. The applicant has assumed that improvements in the vicinity of Surratts Road and Brandywine Road will be constructed through the funding of approved developments in that area within the time period of the traffic study. Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223 and Tippett Road	31.4*	17.1*	--	--
MD 223 and Steed Road	1,190	1,305	C	D
MD 223/Temple Hill Road	895	1,551	A	E

Brandywine Road and Thrift Road	1,189	987	C	A
Tippett Road/site entrance	future			
MD 223/Old Branch Avenue/Brandywine Road	1,610	1,495	F	E
*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 <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The site is proposed for development as a residential development. The traffic study is based upon 195 residences. The current proposal is for 122 single family detached residences. The site trip generation is 91 AM peak hour trips (18 in, 73 out) and 110 PM peak hour trips (72 in, 38 out). With the trip distribution shown in the traffic study, the following results are obtained under total traffic:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 223 and Tippett Road	57.7*	20.8*	--	--
MD 223 and Steed Road	1,235	1,371	C	D
MD 223/Temple Hill Road	924	1,644	A	F
Brandywine Road and Thrift Road	1,193	995	C	A
Tippett Road/site entrance	9.3*	9.1*	--	--
MD 223/Old Branch Avenue/Brandywine Road	1,626	1,514	F	E
*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 <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Given these analyses, several intersections within the study area would operate unacceptably in one or both peak hours. Each of these intersections is discussed in a separate section below.

MD 223/Tippett Road

The applicant proposes the provision of a northbound left-turn lane on the Tippett Road approach to the intersection. This is acceptable, as this intersection operates with a single lane on each approach, with Tippett Road coming into the intersection to create a “T” intersection. Much of the delay results from left-turning and right-turning traffic on Tippett Road queuing at the intersection. With the improvements in place, the intersection will operate acceptably as an unsignalized intersection.

MD 223/Temple Hill Road

The applicant proposes the provision of separate right-turn and left-turn lanes along the Temple Hill Road approach to the intersection. This is acceptable, as this intersection operates with a single lane on each approach, with Temple Hill Road coming into the intersection to create a “T” intersection. Much of the operational problems noted in the analysis results from left-turning and right-turning traffic on Temple Hill Road queuing at the intersection as they share a single lane. With the improvements in place, the intersection will operate at LOS A with a CLV of 796 in the AM peak hour, and at LOS D with a CLV of 1,440 in the PM peak hour.

Brandywine Road/Thrift Road and Brandywine Road/Surratts Road

It is noted that these intersections operate acceptably under total traffic, largely as a result of funded CIP improvement which are partially funded through the financial contributions of developers in the area. It is also noted, consistent with staff’s analysis, that only 10 percent of site-generated traffic would use these two intersections. As such, while they were included in the traffic study they are not critical intersections as defined in the *Guidelines*. Neither serves 20 percent of site traffic or 150 peak hour trips. Therefore, there does not appear to be a justification for the subject site to participate in funding the CIP improvements in the area of these intersections.

MD 223/Old Branch Avenue/Brandywine Road

The technical memorandum presented by the applicant proposes several improvements. These would include the following:

1. Restriping the northbound approach along Brandywine Road to provide an exclusive right-turn lane and a shared through/left-turn lane.
2. Restriping the eastbound approach along MD 223 to provide an exclusive left-turn lane, an exclusive through lane, and a shared through/right-turn lane. This improvement would include “puppy track” pavement markings to guide motorists across the intersection from west to east.
3. Restriping the westbound approach along MD 223 to provide an exclusive left-turn lane and a shared through/right-turn lane.
4. Optimization of signal timing to improve cycle lengths and balance between the various traffic movements.

With the physical improvements as described in 1, 2, and 3 above (the critical lane analysis method assumes optimization of signal timing) in place, the MD 223/Old Branch Avenue intersection would operate at LOS C with a CLV of 1,292 in the AM peak hour, and at LOS D with a CLV of 1,435 during the PM peak hour. *[Provision of separate right-turn and left-turn lanes along the Temple Hill Road approach to the intersection. This is acceptable, as this intersection operates with a single lane on each approach, with Temple Hill Road coming into the intersection to create a “T” intersection. Much of the operational problems noted in the analysis results from left-turning and right-turning traffic on Temple Hill Road queuing at the intersection as they share a single lane. With the improvements in place, the intersection will operate at LOS A with a CLV of 796 in the AM peak hour, and at LOS D with a CLV of 1,440 in the PM peak

hour.]

These improvements are proposed to offset the impact of the applicant's development. The impact of this mitigation at this intersection is summarized as follows:

IMPACT OF MITIGATION				
Intersection	LOS and CLV (AM & PM)		CLV Difference (AM & PM)	
MD 223/Old Branch Avenue/Brandywine Road				
Background Conditions	F/1610	E/1495		
Total Traffic Conditions	F/1626	E/1514	+16	+19
Total Traffic Conditions w/Mitigation	C/1292	D/1435	-334	-79

The proposed improvements at MD 223/Old Branch Avenue/Brandywine Road more than offset the impact of this applicant's development. Furthermore, these improvements provide LOS D in both peak hours.

The mitigation plan was reviewed by DPW&T and SHA, and neither agency had issue with the improvements. SHA noted in their comments that more detailed plans must still be prepared. SHA remains concerned about the lane shift from west to east through the intersection which is proposed, and while SHA indicates a level of conceptual agreement, final approval is subject to review of more detailed plans showing taper lengths needed to accomplish the lane shift.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concluded that 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 conditions.

5. **Environmental**—There are no streams or 100-year floodplain on the property. The site eventually drains into Butler Branch in the Potomac River watershed. Two wetland areas occur on the site. There are limited areas of steep slopes with highly erodible soils and severe slopes on the property. There are no nearby sources of traffic-generated noise. The proposed development is not a noise generator. According to the *Prince George's County Soil Survey* the principal soils on the site are in the Aura, Beltsville, Chillum, Croom, Leonardtown, Marr, Matapeake, Rumford, Sassafra and Westphalia series. Marlboro clay is not found to occur in the vicinity of this property. According to information obtained from the Maryland Department of Natural Resources

Natural Heritage Program publication entitled “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 the property. The site is in the Developing Tier according to the adopted General Plan.

Wetlands, Streams and Buffers

This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The Subregion VII Master Plan indicates that there are substantial areas designated as Natural Reserve on the site. As noted on page 42 of the Subregion VII Master Plan:

“The Natural Reserve Area is composed of areas having physical features which exhibit severe constraints to development or which are important to sensitive ecological systems. Natural Reserve Areas must be preserved in their natural state.”

For the purposes of this review, these areas include all of the wetlands and wetland buffers. A wetlands report was accepted for processing on May 7, 2004. The wetlands and minimum 25-foot wetland buffers, all areas with severe slopes, and all areas with steep slopes containing highly erodible soils are correctly shown on the Preliminary Plan and the Type I Tree Conservation Plan.

One impact for the construction of a stormwater management facility outfall is shown on the TCPI; however, no variation request was submitted. The original plans submitted for review did not show this impact and the Environmental Planning Section believes this impact can be avoided.

Woodland Conservation

A Forest Stand Delineation (FSD) based upon five sample points indicates a single forest stand of 51.70 acres containing no specimen trees. The FSD showing the soils, areas of severe slopes, areas with steep slopes containing highly erodible soils, and sensitive environmental features was found to meet the requirements for an FSD in accordance with the Prince George’s County Woodland Conservation and Tree Preservation Ordinance.

The property is subject to the requirements of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the property is larger than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A Type I Tree Conservation Plan is required.

The Type I Tree Conservation Plan, TCPI/24/04, has been reviewed. The plan proposes clearing 41.96 acres of the existing 71.50 acres of woodland. The woodland conservation requirement has been correctly calculated as 33.82 acres. The plan proposes to meet the requirement by providing 8.55 acres of on-site preservation, 0.38 acre of on-site afforestation, and 24.89 acres of off-site conservation. This appears to be a disproportionate amount of off-site conservation. If the application is to be approved, some lots may need to be eliminated to increase the amount of

on-site conservation.

As noted above, the impact to the wetland buffer must be eliminated.

Soils

According to the Prince George's County Soil Survey the principal soils on the site are in the Aura, Beltsville, Chillum, Croom, Leonardtown, Marr, Matapeake, Rumford, Sassafras and Westphalia series

Discussion: This information is provided for the applicant's benefit. No further action is needed as it relates to this pre-Preliminary Plan of Subdivision review. A soils report may be required by the Prince George's County Department of Environmental Resources during the permit process review.

Water and Sewer Categories

The Water and Sewer Categories are W-4 and S-4; the property will be served by public systems.

6. **Community Planning**—The property is in Planning Area 81B/Tippett. It is located in the Developing Tier as described by the 2002 General Plan. 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 1993 Subregion V Master Plan recommends residential land use at the Low-Suburban density of up to 2.6 dwelling units per acre. The 1993 Subregion V SMA classified this property in the R-R Zone. The proposed preliminary subdivision conforms to recommendations of the master plan for Low-Suburban residential land use. The proposed development conforms to the Low-Suburban residential land use recommendations of the 1993 Subregion V Master Plan for this area.

This property is located under the traffic pattern for a small general aviation airport (Washington Executive Airport) and is approximately 1,800 feet southeast of the south end of the runway. This area is subject to Aviation Policy Area regulations adopted by CB-51-2002 (DR-2) as Sections 27-548.32 through 27-548.48 of the Zoning Ordinance. Specifically, the subject property is located in Aviation Policy Area APA-6.

Residential land uses are allowed in this aviation policy area in accordance with standard zoning regulations. The APA regulations contain additional height requirements in Section 27-548.42 and purchaser notification requirements for residential property sales in Section 27-548.43 that are relevant to evaluation of this application.

7. **Parks and Recreation**—The property is adjacent to Cosca Regional Park on the south. The mandatory dedication requirement for this subdivision would be 4.2 acres of parkland. Using

current occupancy statistics for single-family dwelling units in Planning Area 81 leads to the conclusion that the proposed subdivision will result in a population of 377 residents.

The Master Plan for Subregion V designates hiker/biker/equestrian trails throughout the subject property, providing hiker/biker/equestrian connection from Tippet Road to Cosca Regional Park. This trail would connect existing stables and riders and pedestrians to the existing trails in Cosca Regional Park.

In accordance with Section 24-135(b) of the Subdivision Regulations, the Department of Parks and Recreation recommends to the Planning Board that provision of the private recreational facilities shall be provided in the project area. The recreational facility package should include master planned trails. The master planned trails should be placed in the public use easement.

8. **Trails**—One master plan trail impacts the subject site. The Adopted and Approved Subregion V Master Plan recommends a hiker/biker/equestrian connection along the subject site's southern edge. This trail will serve as a master plan connection into Cosca Regional Park. As noted in the master plan, this trail connects existing stables and riders to the existing trails in the park. An existing trail on the site is currently used by riders from the Golden Gallup Equestrian Center, which is across Thrift Road from the subject site, and nearby Piscataway Stables. The existing trail is natural surface, and links to natural surface, hiker-equestrian trails in Cosca Regional Park.

This trail will also serve as a major recreation facility for residents of Woodburn Estates and provide a nonmotorized connection for residents going to the recreational facilities in Cosca Regional Park. This trail is reflected on the submitted plat within the 20-foot-wide Parcel E.

Due to buffering concerns with the adjoining residential lots, staff recommends that this parcel be expanded to a 40-foot width. However, discussions with the applicant have indicated that this width cannot be accommodated around the proposed stormwater management pond due to topography and site constraints. Therefore, it is recommended that Parcel E be narrowed down, where necessary, as it goes around the stormwater management pond on Parcel C, but that a width of 40 feet be maintained where feasible.

The approximate length of the hiker-equestrian trail shown on the submitted plat is 4,310 feet. The estimated cost for a hiker-biker-equestrian trail (a paved trail with a clear grass strip for equestrians) would be approximately \$156,000. This is based on a cost estimate of \$27 per linear foot for the paved hiker-biker trail, plus \$9.40 per linear foot for a clear grass strip for equestrians. A wood chip hiking trail with an adjacent equestrian strip would cost approximately \$66,374. This is based on a cost estimate of \$9.40 per linear foot for the equestrian trail, and \$6 per linear foot for the wood chip path. Cost estimates are based on the current Parks and Recreational Facilities Guidelines.

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.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	122 sfd	122 sfd	122 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	29.28	7.32	14.64
Actual Enrollment	4096	4689	8654
Completion Enrollment	180.48	86.22	158.07
Cumulative Enrollment	255.12	72.00	144.00
Total Enrollment	4560.88	4854.54	8970.71
State Rated Capacity	4214	5114	7752
Percent Capacity	108.23%	94.93%	115.72%

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

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. 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.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
 - a. The existing fire engine service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 5.25 minutes, which is within the 5.25-minute travel time guideline for Lots 1–35 and 89–122. All other lots are beyond.
 - b. The existing ambulance service Clinton Fire Station, Company 25, has a service travel time of 6.00 minutes, which is within the 6.25-minute travel time guideline.
 - c. The existing paramedic service at Clinton Fire Station, Company 25, has a service travel time of 6.00 minutes, which is within the 7.25-minute travel time guideline.

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.

The above 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*.

11. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. 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. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department noted the presence of domestic trash and scrap tires on the property. The trash and debris must be disposed of properly. The tires must be hauled by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility. A receipt must be turned in to the Health Department.
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, #6001-2004-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. This plan incorporates the Low Impact Development technique. The approval is valid through May 12, 2007. Development must be in accordance with this approved plan or any revisions thereto.
14. **Cemeteries**^{3/4} There are no known cemeteries on or adjoining the subject property. However, this land is close to and may be part of the antebellum landholdings of the Tarman and Hunter families. Therefore, documentary and archeological investigation should be required to determine whether there exists physical evidence of slave dwellings or burials or other significant archeological resources.
15. **Public Utility Easement**—The preliminary plan includes the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way. The easement will be shown on the final plat.
16. **Fencing** – At the public hearing, citizens requested a fence to block off all traffic including motorbikes and horses that traverse through the New England Estates subdivision. The attorney representing the applicant proffered to accept a condition that would require the installation of a fence between the subject site and the New England Estates subdivision.

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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley opposing the motion at its regular meeting held on Thursday, July 29, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of December 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:AH:rmk