

R E S O L U T I O N

WHEREAS, William and Virginia Andracscek are the owners of a 3.86-acre parcel of land known as Parcel 36, Tax Map 2, Grid C-3, said property being in the 10th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on June 11, 2004, Steve McNey filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 7 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 404058 for Joyce Lane Property was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on September 30, 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 September 30, 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/59/04), and further APPROVED Preliminary Plan of Subdivision 4-04058, Joyce Lane Property for Lots 1-7 with the following conditions:

1. Prior to signature approval of the preliminary plan, the FSD map shall be revised as follows:
  - a. Provide a statement regarding the amount of existing woodlands to the nearest one-hundredth of an acre.
  - b. Identify the forest stand boundaries to the nearest one-hundredth of an acre. Include a symbol in the legend that is used for the forest stand boundaries.
  - c. Refer to the one forest stand as "Forest Stand A."
  - d. Provide a statement regarding how the specimen trees were located (field located or surveyed).
  - e. After these revisions have been made to the FSD map, have the Qualified Professional who prepared the plan sign and date it, and update the revision box accordingly.

2. Prior to signature approval of the preliminary plan, the TCPI shall be revised as follows:
  - a. Address how Specimen Tree #1 will be preserved when development activity occurs in close proximity to its drip line.
  - b. The Specimen Tree table should include the method of location stated (field located or surveyed).
  - c. In TCPI note #1, refer to Preliminary Plan 4-04058 at the end of the first sentence. In note #6, provide the Conceptual Storm Drain Plan number issued by the Department of Environmental Resources.
  - d. Relabel the "Reforestation Area #1" (for 0.38 acre) as a "woodland preservation" area.
  - e. Reforestation areas on Lots 1, 2 and 6 shall be shown with permanent fencing along the edge of the reforestation areas. Add a permanent fencing detail to the plan. The type of fence used may include, but is not limited to, split rail fence, or two- or three-board fence, etc.
  - f. The reforestation areas shall include large planting stock at one-inch caliper or larger.
  - g. Provide the standard M-NCPPC TCPI signature approval block.
3. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/59/04). 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/59/04), 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."
4. Prior to signature approval of the preliminary plan, the applicant shall submit a copy of the Stormwater Management Concept Approval Letter, and the date and number shall be noted on the plan.
5. 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.
6. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.

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 at the southern terminus of Joyce Lane, 800± feet south of its intersection with Brooklyn Bridge Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R	R-R
Uses	Single-Family Residence	Single-Family Residences
Acreage	3.86	3.86
Lots	0	7
Parcels	1	0
Single-Family Residences	1 (to be razed)	7

4. **Environmental**—Areas of 100-year floodplain, wetlands, streams, and steep and severe slopes are not associated with the site. Two soil types are present and these include Croom gravelly sandy loam and Glenelg loam. The Croom gravelly sandy loam soil has a K-factor of 0.43 and the Glenelg loam soil has a K-factor of 0.28. These two soil types are characteristic of moderate and severe erodibility (respectively). Based on available information, Marlboro clays are not found at this site. The site is in the Upper Patuxent watershed of the Patuxent River basin. There are no significant noise generators or scenic or historic roads in vicinity of the site. According to the Maryland Department of Natural Resources Natural Heritage Program publication titled “Ecologically Significant Ares in Anne Arundel and Prince George’s Counties,” December 1997, rare, threatened and endangered species are not found at this site.

#### **Forest Stand Delineation**

A Detailed Forest Stand Delineation (FSD) has been submitted and reviewed. One forest stand has been identified at the site, including eight specimen trees. The FSD map needs minor revisions in order to meet the requirements of the county’s Woodland Conservation Ordinance.

Required information on the FSD map is not provided. The missing information includes no statement as to the total amount of existing woodlands to the nearest one-hundredth of an acre. The boundaries of the one forest stand have not been shown. The boundaries must be shown on the map within a dark line or similar symbol, and the symbol should be added to the legend. Label the one forest stand “Forest Stand A.” The applicant should also provide a statement on the map regarding how the specimen trees were located (field located or surveyed). After these revisions have been made to the FSD map, have the qualified professional who prepared the plan

sign and date it, and update the revision box accordingly.

### **Tree Conservation**

The site is subject to the provisions of the Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of woodlands on-site. A revised Type I Tree Conservation Plan (TCPI) has been submitted.

Existing woodland at the site totals 2.29 acres and the Woodland Conservation Threshold (WCT) is 0.77 acre. The proposed amount of woodland to be cleared is 1.30 acres. The acreage of woodland conservation required is 1.10 acres, and 0.97 acre is to be provided on-site in the form of woodland preservation. The remaining 0.13-acre will be provided as on-site reforestation. The area of woodland not cleared on the current TCPI totals 0.99 acre.

The current TCPI has been reviewed and revisions are necessary in order for the plan to be in compliance with the Woodland Conservation Ordinance. Three of the eight specimen trees will be saved. Specimen Tree #1 is located along the edge of the proposed limits of disturbance. There is no information on the plan as to any special preservation treatments. The plan should be revised to address how Specimen Tree #1 will be preserved when development activity occurs in close proximity to its drip line. The Specimen Tree table should include the method of location stated (field located or surveyed).

Two of the TCPI notes on the plan need minor revisions. In TCPI note #1, refer to Preliminary Plan 4-04058 at the end of the first sentence. In note #6, provide the conceptual storm plan number issued by the Department of Environmental Resources.

Two Woodland Conservation Areas (WCAs) are shown on the plan. One area in the southwest portion of the site is labeled "Reforestation Area #1 (area = 0.38 acres)." The symbol in the legend identifies it as a "woodland preserved" area. This area is also shown as an existing woodland area based on the proposed tree line and limits of disturbance symbols in the legend. Relabel this area as a "Woodland Preservation Area #2." The two proposed woodland conservation areas are located on Lots 1, 2 and 6. Reforestation areas on residential lots should have permanent fencing to delineate the edges of these areas. Revise the TCPI to provide for permanent fencing along the edge of the reforestation areas on Lots 1, 2, and 6. Include the permanent fence detail and add a symbol to the legend for the type of fence used (i.e., split rail or two- or three-board fence). The reforestation areas shall include large planting stock at one-inch caliper or larger.

The standard M-NCPPC signature approval block is not on the plan, and it must be included. After these revisions have been made to the plan, the applicant must have the qualified professional who prepared the plan sign, date it, and update the revision box.

### **Water and Sewer Categories**

The property is in water category W-3 and sewer category S-3 according to water and sewer maps

dated June 2003 obtained from the Department of Environmental Resources.

5. **Community Planning**—The property is in Planning Area 60/West Laurel. 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 1990 Master Plan for Subregion I recommends low-suburban density for single-family detached dwellings at up to two 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.
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 net increase of six single-family lots that would be created, the proposed development would generate 4 AM and 5 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.

Pursuant to provisions in the guidelines, the Planning Board may find that the traffic impact of small developments such as this one is *de minimus*. A *de minimus* development is defined as one that generates five trips or fewer in any peak period.

Regarding on-site circulation of traffic, there are no issues.

### Transportation Conclusion

Based on the fact that the subject application is considered to be *de minimus*, the Transportation Planning Section finds that 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

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 1	Middle School Cluster 1	High School Cluster 1
Dwelling Units	7 sfd	7 sfd	7 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	1.68	0.42	0.84
Actual Enrollment	5668	1804	4471
Completion Enrollment	103.92	25.98	47.63
Cumulative Enrollment	29.52	7.38	14.76
Total Enrollment	5803.12	1837.78	4534.23
State Rated Capacity	5299	1759	4123
Percent Capacity	109.51%	104.48%	109.97%

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

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 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 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, 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 Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service travel time of 6.25 minutes, which is beyond the 5.25-minute travel time guideline.

The existing ambulance service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 8.25 minutes, which is beyond the 6.25-minute travel time guideline.

The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 8.25 minutes, which is beyond the 7.25-minute travel time guideline.

The existing paramedic and ambulance service located at Laurel Rescue Squad, Company 49, is beyond the recommended travel time guideline. The nearest fire station is Laurel, Company 10, 7411 Cherry Lane, which is 6.25 minutes from the development. This facility would be within the recommended travel time for ambulance and paramedic services if an operational decision to locate these services at that facility is made by the county.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

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 VI - Beltsville. 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 the following comments.

- "1. The abandoned shallow well found adjacent to 15801 Joyce Lane on proposed Lot 2 must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department as part of the grading permit.

The location of the well should be shown on the preliminary plan.

2. A raze permit is required prior to the removal of any of the structures on site. A raze permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structures on site must be removed and properly stored and discarded prior to the structure being razed. A note needs to be affixed to the preliminary plan that requires that the structure is to be razed and the well properly abandoned before the release of the grading permit.”

**Comment:** The applicant has provided this information on a revised plan dated August 2, 2004.

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, #17582-2004-00, is under review to ensure that development of this site does not result in on-site or downstream flooding. This plan incorporates Low Impact Development techniques. Prior to signature approval of the preliminary plan, the applicant shall submit a copy of the Stormwater Management Concept Approval Letter, and the date and number shall be noted on the 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 along Joyce Lane.

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 Eley, with Commissioners Harley, Eley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 30, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of October 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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