

R E S O L U T I O N

WHEREAS, Earl J. Henderson is the owner of a 7.23-acre parcel of land known as Parcel 115, Tax Map 45 in Grid E-3 said property being in the 13th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on August 8, 2004, PIMB filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 11 lots and 2 outparcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04124 for Henderson 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 January 13, 2005, 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 January 13, 2005, 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/74/03), and further APPROVED Preliminary Plan of Subdivision 4-04124, Henderson Property for Lots 1-11 and parcels A and B with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision the plan shall be revised as follows:
 - a. Reflect 50-foot wide-open space parcel to be conveyed to M-NCPPC for access to abutting park property.
 - b. Provide sidewalks along both side of the internal public street.
 - c. Reflect Parcel A for La Petite Day Care and Parcel B to M-NCPPC.
 - d. Reflect the applicants revised preliminary plan submitted January 20, 2005.
2. At the time of review of the LDSP, a Type II tree conservation plan shall be approved.
3. Development of this site shall be in conformance with Stormwater Management Concept Plan #24231-2004-00 and any subsequent revisions.

4. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established if required to accommodate noise mitigation measures and that the common areas have been conveyed to the homeowners association.
5. Prior to approval of the final plat of subdivision a Limited Detailed Site Plan shall be approved by the Planning Board or its designee to:
 - a. Ensure noise mitigation measures are established to mitigate noise to 65dBA Ldn from MD 450 and Enterprise Road, and that usable outdoor activity areas outside the 65dBA Ldn mitigated noise contour are provided. A Phase II noise study shall be submitted.
 - b. The noise wall shall be compatible with the SHA noise wall.
 - c. The noise wall shall not be located on individual homeowners' lots if it reduces the yard area associated with the principal dwelling below 20,000 square feet. In order to maintain minimum 20,000-square-foot lots, a homeowners association parcel may be created to accommodate the noise wall and/or associated berm.
 - d. If variances are required (associated with the noise wall), they shall be filed with the LDSP. If not approved, appropriate berming may be necessary, resulting in a loss of lots.
 - e. Review private recreational facilities on Parcel B to be conveyed to M-NCPPC. Review shall include conformance to the *Parks and Recreational Facility Guidelines*, establishing a bonding amount and triggers for construction of the trail connection to be constructed by the applicant from Parallel Road onto Parcel A, Holmehurst West Neighborhood Park providing a connection to the facilities on park property.
 - f. Review of the lotting pattern to accommodate a more conventional lotting pattern, where side lot lines do not cross into the front yard, in front of the dwellings. Specifically Lot 4, at the end of the cul-de-sac. Revisions to the lotting pattern should result in the dwellings on Lots 4 and 5 being closer to the front street line.
 - g. Grading and house sitings to ensure a harmonious relationship between dwellings and the dwellings and the street, and promote more on-site woodland conservation.
6. Prior to signature approval of the TCPI the plan shall be revised as follows:
 - a. Reflect revised preliminary plan per Planning Board hearing of January 20, 2005. Provide the required 40 feet of cleared rear yard area between the dwelling and the forest preservation edge, and show a continuous 50-foot-wide wooded buffer/forest preservation area in relation to the stormwater management pond. After this redesign has been made, adjust the woodland conservation worksheet accordingly.

- b. After all revisions have been made, have the qualified professional who prepared the plan update the revision box, sign and date it.
7. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/74/03-01). 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/74/03), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”
8. Prior to approval of building permits, a certification by a professional engineer with competency in acoustical analysis shall be placed on the building permits stating that building shells of structures within prescribed noise corridors have been designated to reduce interior noise levels to 45 dBA (Ldn) or less.
9. Prior to signature approval of the preliminary plan the TCPI shall be revised as follows:
 - a. Show the location, height and materials of the SHA noise barrier.
 - b. Show the two noise contour lines (65 dBA Ldn ground noise contours (unmitigated) and the 65 dBA Ldn upper noise contours (unmitigated)) distinguishable with corresponding symbols in the legend, similar to how these lines are shown on the revised preliminary plan.
 - c. Show the conceptual proposed limits of disturbance for installation of the noise barrier.
10. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to M-NCPPC Parcel B, 6,597 square feet of land, as reflected on the revised preliminary plan approved by the Planning Board on January 20, 2005. Land to be conveyed shall be subject the following:
 - a. An original, special warranty deed for the property to be conveyed, (signed by the WSSC Assessment Supervisor) shall be submitted to the Subdivision Section of the Development Review Division, The Maryland-National Capital Park and Planning Commission (M-NCPPC), along with the final plat.
 - b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges prior to and subsequent to final plat.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all

development plans and permits that include such property.

- d. The land to be conveyed shall not be disturbed or filled in any way without the prior written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for grading permits.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. If the outfalls require drainage improvements on adjacent land to be conveyed to or owned by M-NCPPC, DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. All wells shall be filled and underground structures shall be removed. DPR shall inspect the site and verify that land is in acceptable condition for conveyance, prior to dedication.
 - g. All existing structures shall be removed from the property to be conveyed, unless the applicant obtains the written consent of DPR.
 - h. The applicant shall terminate any leasehold interests on property to be conveyed to the Commission.
 - i. No stormwater management facilities, or tree conservation or utility easements, shall be proposed on land owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
11. The applicant, his heirs, successors and/or assignees shall provide a standard sidewalk along both sides of Parallel Road within the subject site, unless modified by DPW&T.
12. The final plat shall indicate that access to the site from MD 450 or MD 193 is denied.
13. 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, if determined to be needed by Planning Department staff, a Phase II and Phase III investigation. 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 archeologist 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.

14. The applicant, his heirs, successors and/or assignees shall to the Park Planning and Development Division submit three (3) original Recreational Facilities Agreements (RFA) for construction of recreational trail facilities on park property. The RFA shall be approved prior to the approval of final plats. Upon approval by the PP&D the RFA shall be recorded among the County Land Records and noted on the final plat of subdivision.
15. 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 park property.

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 subject property is located in the Southwest corner of the intersection MD 450 and MD 193.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Day Care	Single-family/day-care
Acreage	7.22	7.22
Lots	0	11
Parcels	1	2
Dwelling Units:		
Detached	0	11

4. **Environmental**—Based on Year 2000 aerial photos, the site is mostly wooded except for the developed portion where the day care facility is located. Two soils types are on the property. These soils include Collington-fine sandy loam and Shrewsbury-fine sandy loam. Development constraints associated with Collington soils include some limitation where slopes are found in relation to proposed house foundations. Marlboro clay is not present at this site. Significant environmental features such as streams, wetlands, or 100-year floodplain are not located at the site. There are two significant traffic noise generators in the vicinity of the site: MD 193 and 450. There are no scenic or historic roads in vicinity of the site. According to the Maryland Department of Natural Resources publication entitled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” published December 1997, rare, threatened and endangered species are not identified as being associated with this site.

A revised detailed forest stand delineation (FSD) has been submitted and reviewed. Based on minor revisions having been made to the FSD map and text, the FSD meets the requirements of

the Prince George's County Woodland Conservation Ordinance and the Tree Preservation Technical Manual and Policy Document.

One forest stand was identified in the FSD. This stand comprises 5.88 acres of existing woodland and the dominant tree species is yellow poplar. This species is associated with many other species including American beech, white ash, northern red oak, white oak, white ash, hickory, and red maple. A total of 19 specimen trees have been identified at the site. Results of the forest stand analysis conclude the stand has a priority retention based on the diversity of species and because a majority of the forest appears to be less than 30 years old.

The site is subject to the Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet, there are more than 10,000 square feet of woodlands on site, and the site does not have a previously approved tree conservation plan. A revised Type I Tree Conservation Plan (TCPI/74/03-01) has been submitted.

The site's woodland conservation threshold (WCT) is 1.44 acres. The proposed amount of woodland to be cleared totals 4.74 acres. The site's woodland conservation requirement totals 2.86 acres. The proposed amount of woodland preservation totals 1.14 acres of on-site preservation and 1.72 acres of off-site mitigation.

Two of the eight requested revisions to the plan have not been made. Several tree preservation areas on the edges of the site in relation to MD 193 and 450 are proposed to fulfill the site's woodland conservation requirement. The proposed design creates a pattern with breaks or gaps in areas where woodland is preserved but not counted toward the conservation requirements. There is a 50-foot-wide wooded buffer in relation to an existing stormwater management pond behind proposed Lots 2, 3 and 4. The pond was built by the State Highway Administration (SHA) several years ago as part of a road improvement project for MD 450.

Proposed Lots 4 and 5 should have the required 40 feet of cleared rear yard area between the back of the dwelling and the outer edge of the proposed forest preservation area. The TCPI should increase the amount of forest preservation area in a continuous woodland band in relation to MD 193 and 450 and provide will result in less clearing, more on-site woodland conservation, and less off-site mitigation. After this redesign has been made, the woodland conservation worksheet should be revised accordingly.

The concept approval includes a fee payment in lieu of providing on-site attenuation/quality control measures. A condition of this approval also includes a 50-foot-wide landscape buffer to screen the residential homes from the existing stormwater management pond. Proposed Lot 4 has a portion of the rear yard shown as "woodland retained, but not counted." The proposed LOD on Lot 4 impacts a portion of the required 50-foot-wide landscape buffer. The plan should be revised to show a 50-foot-wide undisturbed landscape buffer on all of proposed Lot 4 in relation to the existing SHA stormwater management pond and adjust the LOD so that the 50-foot-wide buffer is not impacted by it. This issue can be reviewed at the time of Limited Detailed Site Plan (LDSP)

Traffic noise impacts are anticipated from the two existing state arterial roads in close proximity

to the north and east property lines: MD 193 and 450. A Phase II noise barrier analysis and design report prepared by Polysonics Corp., dated October 15, 2004, has been submitted and reviewed.

A summary of results and seven conclusions from the report are as follows:

“Prince George’s County noise code requires that noise levels in residential outdoor activity areas, such as rear yards, not exceed 65 dBA Ldn levels. Future unmitigated outdoor noise levels exceeding 65 dBA Ldn are expected to impact the rear of Lots 1 and 3-6.

“A noise barrier is required for the site. The noise barrier, located along the lot lines of Lots 1-8, is 6-10 feet in height, with the highest sections of the barrier located along Lots 3-5. This noise barrier will function in conjunction with a Maryland State Highway Administration noise barrier that is currently being constructed along eastbound MD 450.

“Detailed drawings depicting noise barrier construction, along with the lengths and heights of the noise barrier that are necessary to meet the county outdoor noise code criterion for these lots, are enclosed.

“Please note that noise barrier heights are dependent upon current roadway elevations and proposed grading. Changes to either of these parameters may have significant impact upon the conclusions and results of this analysis. Should changes occur, it is strongly recommended that this barrier analysis be reevaluated.

“Future unmitigated upper floor noise levels exceeding 65 dBA Ldn will impact proposed single-family homes on Lots 1-7, with the highest levels, 68.0 dBA Ldn, impacting the home on Lot 4.

“Accounting for the mitigation effects of both the State Highway Administration noise barrier and the proposed Henderson property noise barrier, upper floor noise levels exceeding 65 dBA Ldn will impact homes on Lots 4-7, with the highest mitigated upper floor noise levels, 67.4 dBA Ldn, impacting the home on Lot 5.

“Interior noise level requirements (45 dBA Ldn) for impacted homes can be achieved with modified windows, door, and wall construction as necessary. From page 9 of the report, building elements exhibiting the following acoustical ratings may be necessary:

Building Element	Estimated STC Rating for 68 dBA Impact
“Walls	39 STC
“Windows	28 STC*
“Doors	28 STC

“*Windows and glass doors should not comprise more than 20 percent of the exterior surface of any room.”

The current TCPI shows labels for both the 65 dBA Ldn ground noise contours (unmitigated) and the 65 dBA Ldn upper noise contours (unmitigated). However, the noise contours are not distinguishable on the plan with a corresponding symbol where the labels are shown, and symbols are not in the legend. Both of these contours are shown on the revised preliminary plan with distinguishable symbols for each label and noise contour. The TCPI should be revised so that the two noise contour lines are distinguishable on the plan with corresponding symbols in the legend, similar to how these lines are shown on the revised preliminary plan. The SHA noise barrier is also not shown on the plans and needs to be added.

The revised TCPI does not address the proposed limits of disturbance for installation of the wood noise barrier. The plan must be revised prior to signature approval of the preliminary plan to show the proposed limits of disturbance for installation of the noise barrier. Installation of the noise barrier could result in the requirement for more off-site woodland conservation.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and will, therefore, be served by public systems.

5. **Community Planning**—The property is located within the limits of the 1993 approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan, Planning Area 70 in the Annapolis Road Community. The master plan land use recommendation for the property is low-suburban residential. The 2002 General Plan locates the property in the Developing Tier. One of the visions for this tier is to maintain a pattern of low- to moderate-density suburban residential communities. The proposed preliminary plan is consistent with the recommendations of the master plan and the General Plan.
6. **Parks and Recreation**—The staff of the Department of Parks and Recreation has reviewed the above referenced preliminary plan and evaluated it for conformance with the *Approved Master Plan and Sectional Map Amendment for Glenn Dale—Seabrook—Lanham and Vicinity (PA 70)*, the Prince George's County Subdivision Ordinance Section 24-134, and the *Park and Recreation Facilities Guidelines* as they pertain to public parks and recreation.

The mandatory dedication requirement for the subject plan as submitted is 0.36± acres. The applicant proposes 0.09 acre (3,6597 square feet) of parkland dedication and the construction of a trail from parallel Road to the facilities on the abutting park. The existing Holmehurst West Neighborhood Playground adjacent and to the south, contains two tennis courts, two playgrounds, a picnic area, a pavilion and a walking trail. The residents of this neighborhood will be better served by direct access from this newly proposed development.

7. **Trails**—The adopted and approved Glenn Dale-Seabrook-Lanham and Vicinity Master Plan includes two master plan trails in the vicinity of the subject site. MD 450 and MD 193 are both designated as master plan trail/bike corridors. The trail along MD 450 has already been constructed by SHA along the north side of the road, opposite from the subject site.

The master plan also recommends that MD 193 be a Class III bikeway south of Lanham-Severn Road. In the vicinity of the subject site, the bikeway is accommodated by existing wide, asphalt shoulders. SHA has also completed some restriping along MD 193 to further improve bicycle compatibility along this corridor. Staff does not recommend the provision of bikeway signage as part of this subdivision due to the site's relatively small amount of frontage and the fact that the subdivision does not directly access MD 193.

SIDEWALK CONNECTIVITY:

The existing portion of Parallel Road, which is proposed to extend into this property and provide site access, includes a standard sidewalk along both sides. Staff recommends the continuation of this cross section on the subject site's portion of the roadway. Therefore, sidewalks should be constructed along both sides of the road, and not just one, as reflected on the submitted preliminary plan.

8. **Transportation**—Due to the size of the subdivision, staff has not required that a traffic study be done. The staff did note that counts of approximately one year in age were available from another source. Therefore, the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

Growth Policy—Service Level Standards

The subject property is in the developing tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the developing tier.

Unsignalized intersections: The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The intersection of MD 193 and MD 450 is determined to be the critical intersection for the subject property. This intersection is the nearest signalized intersection to the site and would serve a large portion of the site-generated traffic. The staff had available traffic counts dated 2003. These counts indicate that the critical intersection operates at LOS B, with a CLV of 1,035 during the AM peak hour. During the PM peak hour, the intersection operates at LOS B with a CLV of 1,002.

There are no funded capital projects at this intersection in the county's Capital Improvement Program. The state's Consolidated Transportation Program includes an improvement that would involve the reconstruction and widening of MD 450 between MD 193 and Stonybrook Drive in the City of Bowie, and this project is complete within this intersection. There are approximately 22 approved but unbuilt developments that would affect the intersection. With background growth added, the critical intersection would operate as follows: AM peak hour—LOS C, with a CLV of 1,171; PM peak hour—LOS C, with a CLV of 1,298.

With the development of 11 residences, the site would generate 9 AM (2 in and 7 out) and 11 PM (7 in and 4 out) peak-hour vehicle trips. The site was analyzed with the following trip distribution: 15 percent—south along MD 193; 20 percent—north along MD 193; 35 percent—west along MD 450; and 30 percent—east along MD 450. Given this trip generation and distribution, staff has analyzed the impact of the proposal. With the site added, the critical intersection would operate as follows: AM peak hour—LOS C, with a CLV of 1,176; PM peak hour—LOS D with a CLV of 1,301. Therefore, the critical intersection operates acceptably under existing, background, and total traffic.

The site is adjacent to MD 450 and MD 193. Both roadways are planned arterial facilities, and adequate right-of-way consistent with master plan recommendations exists along both facilities. Therefore, no further dedication is required of this plan.

Based on the preceding findings, adequate transportation facilities would exist to serve the 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 2	Middle School Cluster 2	High School Cluster 2
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Dwelling Units	11 sfd	11 sfd	11 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	2.64	0.66	1.32
Actual Enrollment	5721	5307	10580
Completion Enrollment	265.92	189.24	378.24
Cumulative Enrollment	2.88	2.04	4.08
Total Enrollment	5992.44	5498.94	10963.64
State Rated Capacity	5866	4688	8770
Percent Capacity	102.16%	117.30%	125.01%

Source: Prince George's County Planning Department, M-NCPPC, December 2004

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 and CB-31-2003 and CR-23-2003.

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

Fire and Rescue

- a. The existing fire engine service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 3.27 minutes, which is within the 5.25-minute travel time guideline.
- b. The existing ambulance service at Glenn Dale Fire Station, Company 18, located at

11900 Glenn Dale Boulevard has a service travel time of 3.27 minutes, which is within the 6.25-minute travel time guideline.

- c. The existing paramedic service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard has a service travel time of 3.27 minutes, which is within the 7.25-minute travel time guideline.

The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic service.

These 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. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department has no comment.
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, # 24231-2004-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

The stormwater management concept approval letter has been submitted along with an approved stormwater management concept plan. The TCPI shows the proposed method of stormwater management to be an existing pond along the north property line that was built by SHA. The Department of Environmental Resources also required with the concept approval that the applicant maintain a 50-foot-wide buffer to screen the residential homes from the existing SWM pond. The applicant has proposed to remove existing woodland in the rear of Lot 4 to develop this property. Staff believes that the existing woodland should be preserved to accommodate the requirements of DER and provide greater on-site woodland conservation. If the preliminary plan is revised in accordance with Staff Exhibit A, the tree conservation plan can be revised to preserve and incorporate the existing woodland at the rear of Lot 4 to provide a continuance buffer on lots abutting MD 450.

14. **Historic**—^{3/4} The Planning Board has determined that the possible existence of slave quarters and slave graves on certain properties must be considered in the review of development applications and that potential means for preservation of these resources should be considered. Review of

Historic Preservation office files indicates that there may be archeological resources of the antebellum period in the area of the subject site. This land is close to and may be a part of the antebellum Magruder family plantation.

It is possible the site was actively farmed and it is also possible that there were slave dwellings, and slave burials, on this property. Documentary and archeological investigation should be required to determine whether there exists physical evidence of slave dwellings or burials.

Prior to approval of the final plat and/or any disturbance occurring on this property, the applicant should submit a Phase I archeological investigation to the Planning Department staff for review and concurrence, and if determined to be needed, a Phase II and Phase III investigation. The final plat, if necessary, should provide for the avoidance and preservation of the resources in place and should provide appropriate plat notes ensuring the mitigation of any adverse effect upon these resources. All investigations must be conducted by a qualified archeologist 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.

15. **Planning Board Hearing**-The Planning Board required the review of the lotting pattern with the Limited Detailed Site Plan (LDSP) to address concerns with the side lot lines on Lot 4 crossing in front of the dwelling. A 40-foot rear yard should be provided on each lot and by modifying the lotting pattern the dwellings may be able to be pulled forward toward the street to the 25-foot front yard setback. Also included in the review is the grading and house sitings to ensure a harmonious relationship between dwellings and the dwellings and the street, and promote more on-site woodland conservation.

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley and Vaughns voting in favor of the motion, and with Commissioner Eley and Chairman Hewlett absent at its regular meeting held on Thursday, January 20, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of March 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk