

R E S O L U T I O N

WHEREAS, Joseph Pietanza is the owner of a 1.14-acre parcel of land known as Outlot A, Block D, Ridgeway Estates, Plat Book (BB12@56), said property being in the 6th Election District of Prince George's County, Maryland, and being zoned R-55; and

WHEREAS, on August 23, 2004, Joseph Pietanza filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 2 lots and 1 outlot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04126 for Ridgeway 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 January 6, 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 6, 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 Preliminary Plan of Subdivision 4-04126, Ridgeway Estates for Outlot A and Lots 6 and 7, Block D with the following conditions:

1. Development of this property shall be in conformance with Stormwater Management Concept Plan 27572-2004-00 and any subsequent revisions.
2. Prior to signature approval of the preliminary plan, the stormwater management concept approval date shall be noted on the preliminary plan.
3. Prior to applying for any grading or building permit, the applicant shall obtain a Standard Letter of Exemption from the Environmental Planning Section of the Prince George's County Planning Department.
4. At the time of final plat, the applicant, his heirs, successors and/or assignees shall pay a fee-in-lieu of mandatory park dedication.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The site is located on the southwest side of Burgess Place, 120 feet south of its intersection with Burgess Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-55	R-55
Uses	Single-Family Residences	Single-Family Residences
Acreage	1.14	1.14
Lots	0	2
Parcels	0	0
Outlots	1	1
Dwelling Units	2	3 (1 new)

4. **Environmental**—A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes and areas of steep slopes with highly erodible soils are not found to occur on this property. Roadway-related noise is not associated with Burgess Place, which is a collector and generally not regulated for noise. The soils found to occur on the site according to the Prince George's County Soil Survey are Beltsville and sassafras series. These soils have limitations with respect to perched water table; impeded drainage and steep slopes, but will not affect the site layout. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's County" (December 1997) there are no rare, threatened or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this application. This subject property is located within the Oxon Run watersheds of the Anacostia River Basin.

Woodland Conservation

The site is exempt from the Woodland Conservation Ordinance because the site contains less than 10,000 square feet of woodlands, and there is no previously approved tree conservation plan on the subject property. The applicant will need to obtain a Standard Letter of Exemption from the Environmental Planning Section of the Prince George's County Planning Department as part of the application for any grading or building permit.

Water and Sewer Categories

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

5. **Community Planning**—The property is in Planning Area 75B/Capitol Heights. The 2002 General Plan places the property in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium-to-high-density neighborhoods. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier. The *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B* recommends medium-suburban density for single-family detached dwellings at up to 5.7 dwelling units per acre. This application conforms to the master plan recommendation.
6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location.
7. **Trails**—There are no master plan trail issues regarding the subject application. Roads in the vicinity of the subject site are open section with no sidewalks, including Burgess Road, Burgess Place and Weber Drive. Due to the lack of sidewalks to connect to, no sidewalk construction is recommended for the subject site.
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. The application is a preliminary plan of subdivision for a residential development consisting of three single-family dwelling units, two of which exist. The proposed development would generate 2 AM and 2 PM peak hour vehicle trips as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The site is within the Developed Tier, as defined in the 2002 General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

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 traffic generated by the proposed preliminary plan would impact the intersection of Marlboro Pike and Weber Drive. Staff has no recent counts at the critical intersection of Marlboro Pike and Weber Drive. Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. Staff would therefore

recommend that the Planning Board find that 2 AM and 2 PM peak hour trips will have a de minimus impact upon delay in the critical movements at the Marlboro Pike and Weber Drive.

Transportation Conclusions

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

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 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	1 sfd	1 sfd	1 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.24	0.06	0.12
Actual Enrollment	36283	10786	16960
Completion Enrollment	268.56	67.50	135.60
Cumulative Enrollment	3.84	0.96	1.92
Total Enrollment	36555.64	10854.52	17097.64
State Rated Capacity	39607	10375	14191
Percent Capacity	92.30%	104.62%	120.48%

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.

This project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

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

The existing fire engine service at District Heights Fire Station, Company 26, located at 6208 Marlboro Pike has a service travel time of 1.33 minutes, which is within the 5.25-minute travel time guideline.

The existing ambulance service at District Heights Fire Station, Company 26, located at 6208 Marlboro Pike has a service travel time of 1.33 minutes, which is within the 6.25-minute travel time guideline.

The existing paramedic service at Silver Hill Fire Station, Company 29, located at 3900 Silver Hill Road has a service travel time of 4.74 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 services.

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 III-Landover. The Planning Board’s current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 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 reminds the applicant that a raze permit is required prior to the removal of any structures on the site. In addition, any abandoned wells or septic tanks must be handled in accordance with applicable state and county laws.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan 27572-2004-00 has been approved 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 date of the approval must be noted on the plan.
14. **Cemeteries**—There are no known cemeteries on the subject property. However, the applicant should be aware that if burials are found during any phase of the development process,

development activity must cease in accordance with state law.

15. **Public Utility Easement**—The preliminary plan shows a ten-foot-wide public utility easement adjacent to Burgess Place.

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 Vaughns, seconded by Commissioner Harley, with Commissioners Vaughns, Harley, Eley and Hewlett voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, January 6, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of January 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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