

R E S O L U T I O N

WHEREAS, Wayne Lynch is the owner of a 18.42-acre parcel of land known as Tax Map 62, Grid E-1, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned R-E; and

WHEREAS, on February 23, 2005, Preserve at Woodmore Estates, LLC filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 16 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05001 for The Preserve at Woodmore 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 7, 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 DISAPPROVAL of the application; and

WHEREAS, on July 7, 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 DISAPPROVED Preliminary Plan of Subdivision 4-05001, The Preserve at Woodmore Estates for 16 Lots due to inadequate fire, rescue and police services pursuant to Section 24-122.01(e)(2) of the Subdivision Regulations.

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, does not meet 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 north side of Mount Oak Road, approximately 1,000 feet east of its intersection with Church Road. The site is developed with a single-family residence, several barns, sheds and other buildings supporting a horse farm operating on the site. All of the existing buildings are proposed to be removed.
3. Development Data Summary: The following information relates to the subject preliminary plan application and the proposed development.

Zone Use(s)	EXISTING	PROPOSED
	R-E Single-Family Residence Horse Farm	R-E Single Family Residential
Acreage	18.42	18.42
Lots	0	16
Parcels	1	0
Dwelling Units:	1 (to be removed)	16

4. Fire and Rescue: The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision for adequacy of fire and rescues services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B) & (E) of the Subdivision Regulations

The Prince George's County Department of Fire and Rescue Services has determined that the subject property is located in Fire Box 43-09. The 12-month average response times are:

Engine: 12.12 minutes, which is above the required 6.00-minute response time in areas outside the Rural Tier.

Basic Life Support: 11.09 minutes, which is above the required 6.00-minute response time in areas outside the Rural Tier.

Advanced Life Support: 13.00 minutes, which is above the required 10.00-minute response time in areas outside the Rural Tier.

The Fire Chief reported that the current staff complement of the Fire Department is 97.97 percent, which is within the standard of CB-89-2004.

The Fire Chief has reported by letter, dated April 14, 2005, that the department has adequate equipment to meet the standards stated in CB-89-2004.

5. Police Facilities: The Prince George's County Planning Department has determined that this preliminary plan is located in District II. The Prince George's County Police Department reports that the average yearly response times for that district are 26.83 minutes for non emergency calls, which does not meet the standard of 25.00 minutes, and 11.70 minutes for emergency calls, which does not meet the standard of 10.00-minutes.

The Police Chief reported that the current staff complement of the Police Department is 1,302 sworn officers and 43 student officers in the Academy, for a total of 1,345 personnel, which is within the standard of 1,278 officers.

Pursuant to Section 24-122.01(e)(2) of the Subdivision Regulations: "If any of the required statements in this subsection are not provided that meet the criteria specified in this Section, then the Planning Board may not approve the preliminary plat." (CB-89-2004)

Therefore, staff is compelled to recommend disapproval of the preliminary plan of subdivision due to the inadequacies set forth above.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, Eley, and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 7, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of July 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:TL:gr