

R E S O L U T I O N

WHEREAS, a 3.5-acre parcel of land known as Parcel 145 & Lot 15, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on December 7, 2005, Marco Homes filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 5 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-05057 for Daisy Station 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 March 2, 2006, 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 March 2, 2006, 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 4-05057, Daisy Station for Lots 1-5 with the following conditions:

1. Prior to signature approval of the preliminary plan, the plan shall be adjusted so that the building restriction lines for lots 2 and 3 accommodate the twenty-five foot front yard setback from the forty-foot historic road buffer.
2. Any improvement within the right-of-way of scenic/historic roads is subject to approval by DPW&T under the Design Guidelines and Standards for Scenic and Historic Roads. Prior to signature approval, modify the historic road buffer easement to accommodate the driveway access.
3. Prior to signature approval of the preliminary plan, the plan shall be revised to show the required 25-foot wetlands buffer as it is shown on the NRI.
4. Prior to approval of the final plat of subdivision, the applicant, his heirs, successors and or assignees shall pay a fee-in-lieu of parkland dedication for Lots 2, 3 and 5.
5. The Glenn Dale-Seabrook-Lanham and Vicinity Master Plan recommends that Daisy Lane be

designated as a Class III bikeway with appropriate signage. Because Daisy Lane is a county right-of-way, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If road frontage improvements are required by DPW&T, a paved shoulder is encouraged to accommodate bicycle traffic.

6. The Glenn Dale-Seabrook-Lanham and Vicinity Master Plan recommends that Bell Station Road be designated as a Class III bikeway with appropriate signage. Because Bell Station Road is a county right-of-way, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If road frontage improvements are required by DPW&T, a paved shoulder is encouraged to accommodate bicycle traffic.
7. Subject to approved Stormwater Management Concept Approval 27550-2005-00 and any revisions.
8. A raze permit must be obtained through the Department of Environmental Resources prior to the removal of the block garage located on proposed Lot 4. Any hazardous materials located in the garage must be removed and properly stored or discarded prior to the structure being razed.
9. Prior to approval of the final plat, the springhouse/cistern on proposed Lot 5 near the wetlands must be razed, and the pump and associated piping removed. The location of the springhouse/cistern shall also be located on the preliminary plan prior to signature approval.
10. If an underground fuel storage tank is present on proposed Lot 4, and it is associated with the garage to be razed, the tank must be removed prior to approval of the final plat and the contents properly discarded.
11. Prior to approval of the final plat, the open void area associated with the block foundation found on proposed Lot 3 behind the existing block garage needs to be excavated and further evaluated under the supervision of the Health Department. Future compliance instructions will be given at that time. The location of the foundation should be identified on the preliminary plan.

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 on Tax Map 36, Grid D4, and is 3.58 acres in the R-R Zone. It is the re-subdivision of Lot 15, Gabriel DuVall Court and Tax Parcel 145. The subject property is located at the northwest quadrant of the intersection of Daisy Lane and Bell Station 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
Use(s)	Single-Family Residential	Single-Family Residential
Acreage	3.58	3.58
Lots	0	5
Parcels	2	0
Dwelling Units:		
Detached	2	5
	(to remain)	(3 new)
Public Safety Mitigation Fee		No

4. **Environmental**—The Environmental Planning Section has reviewed the revised Preliminary Plan of Subdivision 4-05057, stamped as received on January 30, 2006. The site contains one regulated environmental feature; wetlands are located at the west property line. There is less than 10,000 square feet of existing woodlands on-site, and a Standard Letter of Exemption to the Prince George's County Woodland Conservation Ordinance was issued in December 2005.

The Environmental Planning Section has not previously reviewed plans associated with this site. This proposal is for the creation of five lots for single-family detached dwellings. Currently, two single-family dwellings are located on the two parcels comprising the site. Both houses will remain at post development; however, an existing shed on Parcel 145 will be razed. Three new dwellings are proposed.

#### Site Description

This 3.58-acre site is located on the north side of Daisy Lane and the west side of Bell Station Road at the northwest portion of the intersection of these two roads. The property is zoned R-R. One regulated environmental feature, non-tidal wetlands, is located along the west property line. An ephemeral stream is located at the west property line in relation to the wetlands; however, most of the stream is located on an adjacent property. Other regulated environmental features, such as 100-year floodplain, are not associated with the site. The property contains less than 10,000 square feet of woodlands on-site. According to the Prince George's County Soils Survey, two soil series are associated with the site (two types in the Keyport and two types in the Sassafras series).

Both the Keyport soils have a K-factor of 0.43 and do not have development constraints associated with the proposed use. Based on available information, Marlboro clay is not found at this location. There are no significant traffic noise generators in vicinity of the site. Bell Station

Road is a designated scenic and historic road. According to the Maryland Department of Natural Resources Natural Heritage Program publication titled, "Ecologically Significant Areas in Anne Arundel and

Prince George's Counties," December 1997, rare, threatened and endangered species are not found in vicinity of this site. According to the adopted Countywide Green Infrastructure Plan, no features from the plan are associated with the site. The property is in the Folly Branch watershed of the Patuxent River basin and the Developing Tier of the adopted General Plan.

A staff signed Natural Resources Inventory (NRI/107/05) was included in the preliminary plan submittal. Information in the NRI indicates there are no woodlands on the site; however, there are eight specimen trees that were all field located. The NRI shows the wetlands and the required 25-foot wetland buffer. The wetlands located on the NRI are shown correctly on the preliminary plan; however, the revised preliminary plan does not show the required 25-foot wetland buffer in relation to the wetlands as it is shown on the signed NRI. Prior to signature approval of the preliminary plan, it should be revised to show the required 25-foot wetlands buffer as it is shown on the NRI.

The site is exempt from the Prince George's County Woodland Conservation Ordinance because there is less than 10,000 square feet of existing woodlands on-site. The Environmental Planning Section issued a Standard Letter of Exemption in December of 2005. This letter is valid for a time period of two years from the date of issuance. A copy of the letter must be included in all county permit applications for the proposed three houses to be built, beginning with the grading permit.

General Note 24 on the revised preliminary plan no longer refers to a Type I Tree Conservation Plan (TCPI). Because the site is exempt from the Ordinance a TCPI is not required. All reference to a TCPI has been removed from the plan.

Bell Station Road is a designated scenic and historic road. The site has approximately 440 feet of frontage along the road. The revised preliminary plan shows a required 40-foot scenic easement in relation to Bell Station Road behind the public utility easement. Future road improvements required for this development proposal are carried out in accordance with Design Guidelines and Standards for Scenic and Historic Roads and coordinated through the County Department of Public Works and Transportation (DPW&T). Landscaping required in the scenic easement is negotiated with DPW&T; however, it is appropriate that some native trees be included in the overall plant schedule.

A DER signed copy of the Conceptual Storm Drain Plan and the Stormwater Management Concept Plan Approval Letter were both included in the preliminary plan submittal. The letter was issued by DER on July 11, 2005 and is valid for three years from the date of issuance. No on-site facilities are required and a fee-in-lieu will be paid. Because the site is exempt from the Woodland Conservation Ordinance and a TCPI is not required for this site, there are no woodland conservation issues in relation to stormwater management proposed for this site.

The Department of Environmental Resources (DER), Development Services Division, has determined that the 2001 Water and Sewer Plan designate this property in Water and Sewer Category 3. Water and sewer lines in Daisy Way abut the property. A sewer line extension is

required to serve the subdivision as proposed and must be approved by the Washington Suburban Sanitary Commission (WSSC) before recordation of a final plat. WSSC requires sewer line extensions to serve lots 2 and 3.

5. **Community Planning** - This application is located in the Developing Tier. The proposal is not inconsistent with the 2002 General Plan Development Pattern policies for 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. The preliminary plan of subdivision conforms to the land use recommendations of the 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)*. The applicant proposes to subdivide the property into five single-family detached dwelling lots (three of which are new home lots). The site contains woodlands. The property is in the vicinity of a designated Historic Site—Augusta DuVal House (70-024), located at 6641 Bell Station Road.
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 for Lots 2, 3, and 5 because the land available for dedication is unsuitable due to its size and location. Lots 1 and 4 are exempt from mandatory dedication because they contain existing dwelling units.
7. **Trails**—The Glenn Dale-Seabrook-Lanham and Vicinity Master Plan designates Daisy Lane and Bell Station Road as master plan bikeways. Currently, these roads are open section with no sidewalks in the vicinity of the subject site. Staff recommends the provision of standard bikeway signage along the subject site's frontage of each road.

8. **Transportation**—The application is a preliminary plan of subdivision for a residential development consisting of five single-family residential lots to be created within an existing platted and developed lot. The proposed net development would generate 2 AM and 3 PM peak-hour vehicle trips as determined using Guidelines for the Analysis of the Traffic Impact of Development Proposals.

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:

- a. **Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.
- b. **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 MD 193 (Glenn Dale Boulevard) and Daisy Lane. There are no projects to improve this intersection in either the County Capital Improvement Program or the State Consolidation Transportation Program.

Staff has no recent counts at the critical intersection of MD 193 and Daisy Lane. 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 3 PM net peak hour trips will have a *de minimus* impact upon delay in the critical movements at the MD 193/Daisy Lane intersection.

Based on the preceding findings, the Transportation Planning Section concludes 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. No transportation-related conditions are required at this time.

9. **Schools**—Historic Preservation and Public Facilities Planning staff has reviewed this preliminary plan for school facilities in accordance with Section 24–122.02 of the Subdivision Regulations, 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
Dwelling Units	3 sfd	3 sfd	3 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.72	0.18	0.36
Actual Enrollment	6,327	7,218	10,839
Completion Enrollment	132	112	223
Cumulative Enrollment	0	0	0
Total Enrollment	6,459.72	7,330.18	11,062.36
State Rated Capacity	6,339	6,569	8,920
Percent Capacity	101.90%	111.59%	124.02%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

These figures are correct on the day this referral memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution of approval will be the ones that apply to this project.

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 on 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. Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,412 and 12,706 to be a paid at the time of issuance of each building permit.

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.

Historic Preservation and Public Facilities Planning 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**—Historic Preservation and Public Facilities Planning staff has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e) of the Subdivision Ordinance.

**Fire Facilities**

The Prince George's County Planning Department has determined that this preliminary plan is within the required seven-minute response time for the first due fire station Glenn Dale, Company 18, using the Seven Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire Department.

The Fire Chief has reported that the current staff complement of the Fire Department is 704 (101.73 percent), which is above the staff standard of 657 or 95 percent of authorized strength of 692 as stated in CB-56-2005.

The Fire Chief has reported by letter, dated November 1, 2005, that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Police Facilities**—The Prince George's County Planning Department has determined that this preliminary plan is located in Police District II. The standard for emergency calls response is 10 minutes and 25 minutes for non-emergency calls. The times are based on a rolling average for the proceeding 12 months beginning with January 2005. The preliminary plan was accepted for processing by the Planning Department on December 7, 2005.

Reporting Cycle	Date	Emergency Calls	Non-emergency
Acceptance Date	01/05/05–11/05/05	10.00	24.00

The Police Chief has reported that the current staff complement of the Police Department is 1,302 sworn officers, which is within the standard of 1,278 officers or 90 percent of the authorized strength of 1,420 as stated in CB-56-2005.

The response time standards of 10 minutes for emergency calls and 25 minutes for non-emergency calls were met on December 5, 2005. In accordance with Section 23–122.01 of the Subdivision Regulations, all applicable tests for adequacy of police and fire facilities have been met.

12. **Stormwater Management**—Stormwater Management Concept Plan 23480-2005-00 has been approved with conditions. The water quality is to be done with rooftop and non-rooftop disconnect credit; the length of the disconnect shall be 75 feet or greater. The entire disconnection shall be on an average slope of 5 percent or less. Development must be in accordance with this



approved plan.

13. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Daisy Station and has the following comments to offer:

A raze permit must be obtained through the Department of Environmental Resources prior to the removal of the block garage located on proposed Lot 4. Any hazardous materials located in the garage must be removed and properly stored or discarded prior to the structure being razed.

A block springhouse/cistern was found on proposed Lot 5 near the wetlands. The springhouse/cistern must be razed, and the pump and associated piping removed. The location of the springhouse/cistern should be located on the preliminary plan.

An underground fuel storage tank may be on proposed Lot 4, as a fill spout was noted to the right of the block garage. If a tank is present and it is associated with the garage to be razed, the tank must be removed prior to record plat approval and the contents properly discarded.

A block foundation was found on proposed Lot 3 behind the existing block garage. A metal pipe was observed sticking out of the ground at an angle in the middle of the foundation and a drain gate was observed in one corner. The drain led to an open void area. This area needs to be excavated and further evaluated under the supervision of the Health Department. Future compliance instructions will be given at that time. The location of the foundation should be indicated on the preliminary plan.

14. **Historic Preservation**—The plan has no impact on Historic Resources.
15. **Archeology**—Phase I archeological survey is not recommended by the Planning Department on the above-referenced property. Section 106 Review may require archeological survey for state or federal agencies.
16. **City of Bowie**—The City of Bowie has reviewed the plan and has determined that it has no impact on the city.

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 Clark, with Commissioners Squire, Clark, Eley, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, March 2, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of March 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:IT:bjs