



PGCPB No. 13-111(C)

File No. 4-11021

C O R R E C T E D   R E S O L U T I O N

WHEREAS, Sean Yerby is the owner of a 0.74-acre parcel of land known as Tax Map 47 in Grid D-3, and is also known as Lot 1, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned One-Family Detached Residential (R-55); and

WHEREAS, on April 12, 2013, Sean Yerby filed an application for approval of a Preliminary Plan of Subdivision for \*[2] 3 lots; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-11021 for Buckingham at Belair 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 25, 2013, and again on September 26, 2013, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the Planning Board on July 25, 2013, took no action; and the Planning Board directed that the application be placed on the Planning Board's agenda of September 26, 2013; and

WHEREAS, the Planning Board directed staff of M-NCPPC to re-post the property for the September 26, 2013 hearing in a like manner as the original posting, and the property was re-posted on August 22, 2013; and the Planning Board further directed staff of M-NCPPC to send an informational mailing to all persons of record, registered civic associations and the City of Bowie which was sent on August 23, 2013; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on September 26, 2013, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~striketrough~~ indicate deleted language

PGCPB No. 13-111(C)

File No. 4-11021

Page 2

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 4-11021, Buckingham at Belair, for 2 lots with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
  - a. Revise Note 3 to remove "B.R.L" and replace it with "Yard."
  - b. Remove the Owner/Developer information next to Lot 18 information at the bottom of the PPS and add the owner/developer information to the General Notes.
  - c. Provide the lot coverage for Lot 15 with the existing dwelling.
  - d. Label the plan to state that "direct vehicular access to Belair Drive and Beaverdale Lane is denied."
  - e. Renumber the lots as 15 (existing dwelling) and Lot 16 Block 59.
  - f. Reflect Applicant Exhibit 1 (two lot subdivision).
2. Development of this site shall be in conformance with Stormwater Management Concept Plan, 01-0213-207NE14 and any subsequent revisions.
3. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall pay a fee-in-lieu of parkland dedication for Lot 16.
4. At the time of final plat, the applicant shall grant a ten-foot-wide public utility easement (PUE) along the public rights-of-way as delineated on the approved preliminary plan of subdivision.
5. At the time of building permit, a striped crosswalk should be placed across Beaverdale Lane at its intersection with Belair Drive, unless modified by the City of Bowie.
6. At the time of final plat, vehicular access onto Belair Drive and Beaverdale Lane shall be denied.
7. A substantial revision to the mix of uses on the subject property that significantly affect Subtitle 24 adequacy findings may require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.

PGCPB No. 13-111(C)

File No. 4-11021

Page 3

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 the Land Use Article of the Annotated Code of Maryland.
2. **Setting**—The property is located on the east side of the Beaverdale Lane between Bartlett Lane and Belair Drive. The surrounding properties are zoned R-55 and are developed with single-family detached dwellings.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development:

	EXISTING	APPROVED
Zone	R-55	R-55
Use(s)	Residential Single-family dwellings	Residential Single-family dwellings
Acreage	0.74	0.74
Lots	1	2
Outlots	0	0
Parcels	0	0
Dwelling Units	1 (to remain)	2
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on May 10, 2013.

4. **Applicant Exhibit 1**—At the Planning Board hearing on September 26, 2013 the applicant proposed a revised lot layout which reduced the number of lots proposed from three to two. Proposed Lot 15 (23,037 square feet) will contain the existing dwelling which is to remain and will continue to have direct access to Bartlett Lane. Proposed Lot 16 (9,457 square feet) is a corner lot located at the intersection of Bartlett Lane and Beaverdale Lane with direct access to Bartlett Lane. Staff reviewed the applicant's exhibit and found that both lots exceed the minimum standards for conventional development in the R-55 Zone for single-family dwellings.

PGCPB No. 13-111(C)

File No. 4-11021

Page 4

At the hearing the applicant proposed revisions to the staff recommended conditions to be consistent with the proposed two lot subdivision. In addition the applicant proffered to restrict direct vehicular access for both lots to Bartlett Lane only, as reflected in this Planning Board resolution of approval for a two lot subdivision.

5. **Community Planning**—The 2002 *Prince George's County Approved General Plan* (General Plan) designates the subject property within 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 is consistent with the General Plan Development Pattern policies for the Developing Tier by proposing a single-family detached residential development. Approval of this application does not violate the General Plan's growth goals for the year 2025, upon review of Prince George's County's current General Plan Growth Policy Update.

In 1961 the subject property was described as being within Parcel No. 2 of the property of Levitt & Sons of Maryland, Inc. Parcel No. 2 (1,376 acres) and seven other properties known as Belair totaled 2,197.01 acres were all the subject of a request for rezoning by Levitt and Sons. Parcel No. 2 extended north from US 50 to the south side of Annapolis Road and was rezoned (A-3784) from the R-R to the R-55 Zone. In fact, Levitt & Sons was requesting to rezone all of the seven properties which they owned from the R-R to the R-55 Zone (2,000+ acres) which extended north and south of US 50. The proposed preliminary plan is consistent with the R-55 Zone. The rezoning was approved for R-55 for Parcel No. 2, and the property to the north of Annapolis Road was rezoned to the R-80 Zone and north of those properties was rezoned to R-R. The highest densities is within the R-55 zone abutting the north side of US 50 and south of Annapolis Road, with the density decreasing as you move away from US 50 on the east side of Collington Road.

At the time of review of the request for the R-55 Zone (1961) staff stated that they "concede" and recommend that the Somerset section (Parcel No. 2) containing approximately 726 lots be reclassified to the R-55 Zone as requested by Levitt and Sons provided that the remaining portion of Blair be reclassified to the R-80 Zone. The technical staff report dated April 15, 1961 which was presented to the Council advised that the R-80 Zone (9,500 square feet) would be a more appropriate transition zone from R-R, but the Council approved the denser zone of R-55, or 6,500 square-foot lot sizes as requested by Levitt and Sons. On June 21, 1961 District Council approved A-3782 to rezone Parcel No. 2, Belair Subdivision, from the R-R Zone to R-55 Zone.

PGCPB No. 13-111(C)

File No. 4-11021

Page 5

The following subsequent master plans retained the R-55 zoning:

- *1970 Bowie-Collington-Mitchellville and Vicinity Master Plan*
- *The 1991 Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie-Collington-Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A, and 74B*
- *The 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*

This preliminary plan conforms with the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*, recommendation for residential, low-density land use, which is described by the master plan's land use map as "[a]reas intended for suburban neighborhoods with single-family houses on lots ranging from 6,500 square feet to one acre in size and retirement or planned residential development." The range of lot sizes proposed with this application is consistent with this recommendation.

The 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* (page 9), identifies several issues that were to be addressed, including:

- **Need to protect existing neighborhood character and quality of housing.**
- **Achievement of high-quality development.**

In addressing these issues, the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B* identifies a vision for the Developed Tier in Bowie and outlines associated goals, policies, and strategies that further guide new development. The vision for the Developed Tier is for "a viable, residential community that provides low-to-moderate density, suburban, and diverse residential development, renovated mixed-use activity centers, multimodal transportation, and a Regional Center connected to a major transit hub supported by the required public facilities." This application conforms to the vision and offers an opportunity to provide diverse residential development infill.

Goals for the Developed Tier in the Bowie and Vicinity master plan (SMA) area (see page nine) include:

- **Maintain low- to moderate-density land uses (except in the Bowie Regional Center and mixed-use activity centers).**
- **Sustain existing suburban residential neighborhoods.**

PGCPB No. 13-111(C)

File No. 4-11021

Page 6

The subject application meets these goals because the proposed R-55 Zone development is consistent with a low-to-moderate-density residential land use pattern and the proposed subdivision for the addition of two infill residences would not be inconsistent with the existing character of the suburban residential neighborhood.

Policy 3 on page ten of the master plan is particularly important to the discussion of this application, and reads: “[p]rotect, maintain and enhance the unique historical, cultural, and architectural identity, heritage, and character of the City of Bowie.” This policy is supported by four strategies, of which Strategies 1 and 3 are most pertinent:

**Strategy 1:**

**Recognize the Levittown character of buildings, neighborhoods, urban settings, and street fabric by designating a historic district, such as the Levitt’s model homes section on the south side of MD 450 and west of the Bowie Main Street activity center.**

**Strategy 3:**

**Encourage the compatibility of infill residential development located outside of the Bowie Regional Center or mixed-use activity centers. Consideration should be given to similarity in density, style, size, material, and design to the surrounding residential neighborhoods.**

The subject application does not weaken the character of the neighborhood, as the proposed low-to-moderate density R-55 zoned residential subdivision is wholly consistent with the existing residential land-use pattern and zoning that exists and defines the Levittown character of the City of Bowie. Strategy 1 from page ten of the master plan is specific in its recommendation to designate a historic district to preserve the existing character of the Levitt neighborhoods. To date, no such historic district has been established, nor has a rezoning occurred which would secure the current lot sizes. In the absence of such a historic district or rezoning, the prevailing regulations of the R-55 Zone provide development standards.

The style, size, materials, and design of single-family residences are not part of the evaluation of a preliminary plan of subdivision but Strategy 3 on page ten of the master plan will be satisfied as a natural consequence of the requirement for the proposed development to conform to established zoning ordinance requirements for building setbacks, building height, lot coverage, and landscape manual planting requirements. Since the Levitt portions of Bowie are in excess of 50 years old, the residential buildings within the surrounding neighborhood has diversified over time through additions and modifications that add to the character of the area, none of which were subject to a detailed site plan review. There is ample opportunity for new infill homes to be designed in such a manner as to contribute to this diversification and character, and that any requirements to reflect the design of an original Levitt-style home without consideration of how the neighborhood has evolved over the last 40 to 50 years is not appropriate and inconsistent with the intent and strategies of the master plan.

PGCPB No. 13-111(C)

File No. 4-11021

Page 7

The two proposed lots (one-new dwellings) will not result in an alteration of the character of the community and the proposed lots are in conformance with the master plan land use recommendations, and implementing SMA zoning.

6. **Urban Design**—The 2010 *Prince George's County Landscape Manual* (Landscape Manual) and the Zoning Ordinance contain site design guidelines and requirements that are applicable to the development of this property.

**Conformance with the 2010 Prince George's County Landscape Manual**

All building and grading permits including an increase in impervious surface and/or gross floor area (GFA) for the proposed development would be subject to the requirements of the 2010 *Prince George's County Landscape Manual*. More particularly, this application would be subject to Section 4.1, Residential Requirements, Section 4.6, Buffering Development from Streets, and Section 4.9, Sustainable Landscaping Requirements. Conformance with the requirements of those sections will be evaluated at the time of permit review. However, it should be noted that a minimum 20-foot-wide Section 4.6 bufferyard, to be landscaped with two shade trees, eight evergreen trees, and twelve shrubs per one hundred linear feet of property line between the rear yards of any single-family detached dwelling and any of the adjacent streets, is required.

A 20-foot-wide reserved for non-access screen planting strip along Belair Drive was recorded on Lot 1 in Plat Book WWW 41-40 on July 26, 1961. At the time of the record plat, the 2010 *Prince George's County Landscape Manual* (Landscape Manual) was not adopted. The proposed lots with this preliminary plan will now be subject to Landscape Manual.

**Conformance with the Zoning Ordinance**

Single-family detached residential houses are a permitted use in the R-55 Zone. No detailed site plan (DSP) review is required pursuant to Subtitle 27. Conformance with the following Zoning Ordinance regulations is required for the proposed development at the time of permit review:

- 27-430, R-55 Zone (One-Family Detached Residential),
- 27-441, Uses permitted (Residential Zones),
- 27-442, Regulations (Residential Zones),
- 27-582 of Part 11 Parking and Loading, and
- Part 12 Signs.

7. **Environmental**—The signed Natural Resources Inventory, NRI-064-11, for the subject property has been received and reviewed. The site is exempt from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) and a standard letter of exemption was issued on March 5, 2013 with expiration date of March 5, 2015. A Type 1 tree conservation plan (TCP) was not submitted with the review package and is not required.

PGCPB No. 13-111(C)

File No. 4-11021

Page 8

**Approved Master Plan for Bowie and Vicinity and SMA**

In the 2006 *Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B*, the Environmental Infrastructure section contains goals, policies and strategies. The following guidelines have been determined to be applicable to the current project. The text in [BOLD] is the text from the master plan and the plain text provides comments on plan conformance.

**Policy 1: Protect, preserve and enhance the identified green infrastructure network within the master plan area.**

This site is not within the designated network of the Countywide Green Infrastructure Plan.

**Policy 2: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.**

An approved Stormwater Management Concept plan and approval letter (No. 01 0213 207N7NE14) valid until March 6, 2016, was submitted with the subject application. The plan shows the use of dry wells and a fee required to meet their stormwater management requirement.

**Policy 3: Protect and enhance tree cover within the master plan area.**

Because the site contains less than 10,000 square feet of existing woodland, the site is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance; however, the site is subject to tree canopy cover requirements which will be reviewed at the time of permit. There are no specimen trees located on-site.

**Policy 4: Reduce overall energy consumption and implement more environmentally sensitive building techniques.**

The use of green building techniques and energy conservation techniques are encouraged.

**Policy 5: Reduce light pollution and intrusion into rural and environmentally sensitive areas.**

Not applicable to this site.

**Policy 6: Reduce adverse noise impacts to meet of State of Maryland noise standards.**

Not applicable to this site.

**Policy 7: Protect wellhead areas of public wells.**

Not applicable to this site.

Overall the subject application is in conformance with the applicable environmental recommendations of the approved Bowie and Vicinity master plan.



PGCPB No. 13-111(C)

File No. 4-11021

Page 9

### **Countywide Green Infrastructure Plan**

This site is not located within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan*.

### **Environmental Review**

This 0.746-acre site is located on the northeast corner of the intersection of Belair Drive and Beaverdale Lane and also fronts on Bartlett Lane in Bowie, Maryland. A review of the available information indicates that streams, wetlands, 100-year floodplain, and Primary Management Area are not found to occur on this property. There is a small area of less than 10,000 square feet in size of slopes greater than 25 percent. The predominant soil types found to occur on this site according to the Natural Resources Conservation Service (NRCS) web soil survey are Issue-Urban land complex and Collington-Wist-Urban land complex. The Issue-Urban land complex soil series has limitations with respect to high water table and occasional flood hazard 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, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic or historic roads in the vicinity of this application. There are no transportation-related noise impacts associated with the site. This property is located in the Upper Patuxent River watershed of the Patuxent River basin and in the Developing Tier as reflected in the approved 2002 General Plan.

This property is not subject to the provisions of the Prince George's County Woodland Conservation Ordinance.

This property is not subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because, although the gross tract area of the subject property is greater than 40,000 square feet, there are less than 10,000 square feet of existing woodland and it has no previously approved tree conservation plan. A Standard Letter of Exemption from the ordinance was issued by the Environmental Planning Section, Countywide Planning Division, on March 5, 2013 with expiration date of March 5, 2016. No further action is required as it relates to woodland requirements. The Letter of Exemption should accompany all future application for permits.

8. **Stormwater Management**—The City of Bowie's Department of Public Works has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 01-0213-207NE14, was approved on March 6, 2013 and was valid until March 6, 2016. An approved concept plan has conditions to ensure that development of this site does not result in on-site or downstream flooding.

PGCPB No. 13-111(C)

File No. 4-11021

Page 10

9. **Parks and Recreation**—In accordance with Section 24-134(a)(3)(C) of Subdivision Regulations, Lot 15 is exempt as the dwelling legally exists at the time of subdivision. In accordance with Section 24-135 of the Subdivision Regulations, the Department of Parks and Recreation (DPR) recommends payment of a fee-in-lieu of mandatory dedication of parkland for the proposed Lot 16 because the land available for dedication is unsuitable due to the size and location.
10. **Trails**—This proposed preliminary plan was reviewed for conformance with Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the appropriate area master plan in order to implement planned trails, bikeways, and pedestrian improvements.

The subject property abuts three roads that are not county or state maintained roads, but are maintained by the City of Bowie. There are no county or state funded capital improvement projects that would be affected by the subject application.

Belair Drive is an approved bicycle route in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), which would be implemented by the City of Bowie. The City of Bowie has signed and striped many of their local roads for bicycles, and they currently have a program for these activities.

Beaverdale Lane and Belair Drive each contain sidewalks that appear to be adequate to serve the proposed use. Beaverdale Lane does not contain sidewalks on the east side of the road. The provision of a striped crosswalk across Beaverdale Lane at its intersection with Belair Drive for pedestrian access to connect the sidewalks is recommended but not required. The final determination is that of the City of Bowie.

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the proposed subdivision as required under Section 24-123 of the Subdivision Regulations.

11. **Transportation**—The property is located between Bartlett Lane, Beaverdale Lane and Belair Drive in Bowie. The application represents a re-subdivision of a lot. The property is being subdivided into two lots, one of which includes an existing dwelling which shall remain. Consequently, the finding of adequacy will be based on one new lot.

The subject property is located within the Developing Tier as defined in the 2002 *Prince George's County Approved 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;

PGCPB No. 13-111(C)

File No. 4-11021

Page 11

- **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 traffic impact of small developments is *de minimus*. A *de minimus* development is defined as one that generates 5 trips or fewer in any peak period. The subject application will generate two trips during either peak hour.

Regarding on-site circulation of traffic, there are no issues. The portion of Belair Drive in front of the subject property is not a master plan roadway. Staff originally recommended that access would be denied to Belair Drive only. However, at the Planning Board hearing on September 26, 2013, the applicant proffered to further restrict access to Bartlett Lane only for both lots.

Based on the fact that the subject application is considered to be *de minimus*. Adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code.

12. **Schools**—The proposed preliminary plan has been reviewed for impact on school facilities for the two new dwelling units proposed in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003 and concluded the following:

PGCPB No. 13-111(C)

File No. 4-11021

Page 12

**Impact on Affected Public School Clusters**

<b>Affected School Clusters #</b>	<b>Elementary School 3 Cluster</b>	<b>Middle School 2 Cluster</b>	<b>High School 2 Cluster</b>
Dwelling Units	2	2	2
Pupil Yield Factor	0.164	0.130	0.144
Subdivision Enrollment	0.3	0.3	0.3
Actual Enrollment	4,319	4,599	11,684
Total Enrollment	4,319.3	4,599.3	11,684.3
State Rated Capacity	4,943	5,540	13,106
Percent Capacity	87%	83%	89%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between the Capital Beltway (I-95/495) 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 (WMATA); or \$12,000 per dwelling for all other buildings. County Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$8,762 and \$15,020, to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

13. **Fire and Rescue**—The proposed preliminary plan has been reviewed for adequacy of fire and rescue services in accordance with Section 24 122.01(d) and Section 24 122.01(e)(1)(C) and (E) of the Subdivision Regulations.

The proposed development is within the seven minute required response time for the first due fire station using the *Seven-Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

<b>First Due Fire/EMS Company</b>	<b>Fire/EMS Station</b>	<b>Address</b>
39	Bowie	15454 Annapolis Road

PGCPB No. 13-111(C)  
 File No. 4-11021  
 Page 13

Pursuant to County Council Resolution CR-69-2006, the Prince George's County Council and the County Executive temporarily suspended the provisions of Section 24-122.01(e)(1)(A) and (B) regarding sworn fire and rescue personnel staffing levels.

The Fire/EMS Chief has reported that the Fire/EMS Department has adequate equipment to meet the standards stated in County Council Bill CB-56-2005.

**Capital Improvement Program (CIP)**

There are no public facility projects in the Prince George's County Capital Improvement Program for Fiscal Years 2011–2016.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure."

14. **Police Facilities**—The subject property is located in Police District II, Bowie. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on April 12, 2013.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date 04/12/2013	2/2013-3/2012	7 minutes	14 minutes
Cycle 1			
Cycle 2			
Cycle 3			

Based upon police response times, the response time standards of 10 minutes for emergency calls were met and the 25 minutes for nonemergency calls were met on April 16, 2013.

15. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that "the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval."

The 2008 *Water and Sewer Plan* placed the subject property in water and sewer Category 3, Community System, and will therefore be served by public systems. The property is not located within the Washington Suburban Sanitary District (WSSD) and therefore is to be served via the City of Bowie.

16. **Health Department**—The Prince George's County Health Department has evaluated the proposed preliminary plan of subdivision and has no comments.

PGCPB No. 13-111(C)  
File No. 4-11021  
Page 14

17. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The preliminary plan of subdivision correctly delineates a ten-foot-wide public utility easement along the public rights-of-way as requested by the utility companies.

18. **Historic**—Phase I archeological survey is not recommended on the above-referenced 0.75-acre property located at 2701 Bartlett Lane in Bowie, Maryland. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. The subject property has already been developed and the current residence was built about 1962. However, the applicant should be aware that there are fifteen previously identified archeological sites, 11 prehistoric sites and four historic sites, located within a one-mile radius of the subject property. In addition, there are two County Historic Sites, Williams Plains (#71B-003) and Melford and Cemetery (#71B-016), located within a one-mile radius of the subject property.

Moreover, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies, or federal permits are required for a project.

19. **Use Conversion**—The subject application is proposing a 3 lot subdivision for single-family-detached dwellings in the R-55 Zone. If a substantial revision to the use on the subject property is proposed, that significantly affects Subtitle 24 adequacy findings, that revision may require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
20. **City of Bowie**—The subject site is within the City of Bowie. This preliminary plan was referred to the City of Bowie for review and comment. Based on a letter dated June 18, 2013 (Robinson to Hewlett), the Council of the City of Bowie conducted a public hearing on June 3, 2013 for the original preliminary plan of subdivision for three lots. The Bowie City Council recommended disapproval of that preliminary plan of subdivision.

At the Planning Board hearing on September 26, 2013 the City of Bowie stated their support for the revision to the preliminary plan of subdivision for a two-lot subdivision (Applicant Exhibit 1).

21. **Background**—The subject site is located on Tax Map 47 in Grid D-3, is known as Lot 1 and is located within the City of Bowie. Lot 1 Block 59 was recorded in Plat Book WWW 41-40 on

PGCPB No. 13-111(C)  
File No. 4-11021  
Page 15

July 26, 1961. The property is 0.74 acres and zoned One-Family Detached Residential (R-55). Existing Lot 1 has frontage on Barlett Lane to the north, Beaverdale Lane to the west and Belair Drive to the south, all of the streets are public and maintained by City of Bowie. Lot 1 is currently improved with a single-family dwelling which is to remain. The proposed subdivision of Lot 1 will create two lots for the construction of one new dwelling unit (1-existing to remain). Both of the lots proposed exceed the minimum standards for conventional development in the R-55 Zone for single-family dwellings.

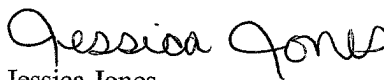
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

\* \* \* \* \*

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Shoaff, Bailey and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 26, 2013, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17<sup>th</sup> day of October 2013 \*and administratively corrected on the 31<sup>st</sup> day of October 2013.

Patricia Colihan Barney  
Executive Director

By   
Jessica Jones  
Planning Board Administrator


PCB:JJ:QN:arj

\*Denotes Correction

Underlining indicates new language

[Brackets] and ~~strikethrough~~ indicate deleted language

APPROVED AS TO LEGAL SUFFICIENCY

  
M-NCP&C Legal Department

Date 10/31/13