THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 15-46

File No. 4-14006

RESOLUTION

WHEREAS, Miriam Reyes is the owner of a 0.551-acre parcel of land known as Tax Map 80 in Grid E-1 and is also known as Lot 1, Block 28–Cox's Addition to Dupont Heights, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned One-Family Detached Residential (R-55); and

WHEREAS, on March 3, 2015, Miriam Reyes filed an application for approval of a Preliminary Plan of Subdivision for the creation of two lots (Lots 68 and 69); and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-14006 for Dupont Heights 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 May 7, 2015, 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 staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 7, 2015, 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 4-14006 for Dupont Heights with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to make the following technical corrections:

   a. Remove Lot 70 from the PPS title block.

   b. Remove the stormwater management concept plan submittal date from General Note 21.

   c. Remove General Note 10.

   d. Provide the current liber/folio reference for ownership of the site in General Note 37.

   e. Remove "(Gross, Net, and by Zone)" from General Note 6.

f. Add "Fee-In-Lieu for Lot 69" to General Note 24.

g. Add Zoning Maximum Lot Coverage (30%) to General Note 35.

2. Development of this site shall be in conformance with Stormwater Management Concept Plan 16567-2014-00 and any subsequent revisions.

3. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a ten-foot-wide public utility easement along all public rights-of-way.

4. Prior to approval of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall provide a standard sidewalk along the subject site's frontages of both Wyngate Road and Porter Avenue, unless modified by the Prince George's County Department of Public Works and Transportation (DPW&T).

5. 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 69.

6. Total development shall be limited to uses that would generate no more than 2 AM and 2 PM peak-hour vehicle trips. Any development generating an impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of adequacy for transportation facilities.

7. Prior to approval of grading permits, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that any abandoned well or septic systems discovered in the course of site development and grading has been backfilled and/or sealed in accordance with Prince George's County Health Department requirements.

8. Any nonresidential development of the subject property shall require approval of a new subdivision prior to approval of any building permits.

9. At the time of final plat approval, the applicant shall dedicate public right-of-way of 25 feet from the centerline of Porter Avenue along the property frontage, as shown on the approved preliminary plan of subdivision.

10. The following note shall be included on the final plat: "This property lies within the JLUS Interim Land Use Controls area as established by Subtitle 27, Part 18."

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 with conditions, 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. **Background**—The subject property is located on Tax Map 80 in Grid E-1 and is known as Lot 1, Block 28–Cox's Addition to Dupont Heights, recorded in Plat BB 6-5 circa 1937, in the Prince George's County Land Records. The property consists of 23,991 square feet of land in the One-Family Detached Residential (R-55) Zone. The site is currently developed with one single-family dwelling, which is to remain. This preliminary plan of subdivision (PPS) proposes the creation of two lots (Lots 68 and 69) from existing Lot 1 for single-family residential use. Pursuant to Section 24-107 of the Subdivision Regulations, no land shall be subdivided within the Regional District in Prince George's County until the subdivider or his agent obtains approval of a PPS and final plat of subdivision, resulting in this application.

   The existing single-family dwelling will be located on Lot 68 and the proposed dwelling will be located on Lot 69. The original PPS was submitted to create three lots from existing Lot 1. However, through review of the PPS, it was revealed that right-of-way dedication (25 feet from centerline) is necessary along Porter Avenue. As a result, one of the proposed lots no longer met the minimum lot size of 6,500 square feet. Therefore, the proposal was reduced to two lots, rather than three. Lot 69 (13,410 square feet) is proposed to be oriented as a corner lot, with approximately 115 feet of frontage on Wyngate Road and approximately 92 feet of frontage on Porter Avenue. Lot 68 (8,866 square feet), upon which the existing dwelling is located, will have 67 feet of frontage on Porter Avenue. Both lots meet the minimum lot size (6,500 square feet), lot width (65 feet at front building line and 45 feet at front street line), and density (6.7 dwelling units/acre) requirements of the R-55 Zone. The existing development on Lot 68 will meet the maximum lot coverage requirements of 30 percent in the R-55 Zone once the lot is recorded. Vehicular access for the existing single-family dwelling unit on Lot 68 is located on Porter Avenue. The stormwater management concept plan for the original three-lot subdivision showed access to the proposed development on Wyngate Road. The updated stormwater plan is not available at this time to verify the proposed access. However, existing development in the overall subdivision shows access on both Wyngate Road and Porter Avenue. The location of vehicular access for Lot 69 on Wyngate Road or Porter Avenue (both low-speed residential streets that are not regulated for access) would be acceptable.

   In general, the creation of four or fewer lots in a one-family residential zone may be reviewed under the minor subdivision process, which does not require a public hearing and may be approved by the Planning Director. However, the applicant sent informational mailings to adjoining property owners without notification to staff and began the public notice process. The Planning Board determined that it would be inappropriate to process the application as a minor subdivision after informational mailings have been sent, resulting in the application being reviewed as a major subdivision.

3. **Setting**—The subject site is located at the northwest quadrant of the intersection of Porter Avenue and Wyngate Road. Wyngate Road becomes Holly Spring Street east of its intersection with Porter Avenue. The site is abutted by R-55 zoned property along all sides.

4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

	EXISTING	APPROVED
Zone	R-55	R-55
Use(s)	Single-Family-Residential	Single-Family-Residential
Acreage	0.551	0.551
Lots	1	2
Outlots	0	0
Parcels	0	0
Dwelling Units:	1	2
Public Safety	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 March 13, 2015.

5. **Community Planning**—The subject site is located within the Established Communities Growth Policy area as designated in the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), and is designated for residential medium land use. The vision for established communities is a context-sensitive infill and low- to medium-density development. The site is also located within the Residential Medium High land use area as designated in the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment* (Subregion 4 Master Plan and SMA). The application, with proposed residential uses, is consistent with the land use recommendations of both Plan Prince George's 2035, the master plan, and the existing lotting pattern (including lot sizes) of the surrounding community. The property is in the Joint Base Andrews Imaginary Runway, Surface F, with a maximum height limit of 500 feet.

6. **Urban Design**—Single-family detached residential houses are a permitted use in the R-55 Zone. No detailed site plan review is required by the Prince George's County Zoning Ordinance (Subtitle 27). Conformance with the following Zoning Ordinance regulations is required for the proposed development: Section 27-430, R-55 Zone (One-Family Detached Residential); Section 27-441, Uses permitted (Residential Zones); Section 27-442, Regulations (Residential Zones); Section 27-582 of Part 11 Parking and Loading; and Part 12, Signs.

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 for the proposed development will 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 2 shade trees, 8 evergreen trees, and 12 shrubs per 100 linear feet of property line, is required when the rear yard of any single-family detached dwelling is oriented toward any of the adjacent streets.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance
If the building or grading permits associated with this development propose 5,000 square feet or greater of gross floor area or disturbance, compliance with the Prince George's County Tree Canopy Coverage Ordinance must be demonstrated at the time of permit. This ordinance requires 15 percent tree canopy coverage for properties zoned R-55. Therefore, the subject 0.551-acre property must provide approximately 3,599 square feet of area covered by tree canopy. This requirement can be met either through preservation of existing trees, proposed tree plantings, or a combination of both, and will be evaluated at the time of permit review.

7. **Environmental**—The PPS has been reviewed in accordance with the environmental regulations contained in Subtitles 24, 25, and 27 of the Prince George's County Code that came into effect on September 1, 2010 because the application is for a new PPS. The site is exempt from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO). A Standard Letter of Exemption (S-084-14) was issued on June 23, 2014 and a Natural Resources Inventory Equivalency Letter (NRI-048-06-01) was reviewed and approved. No other previous environmental reviews or tree conservation plan approvals have occurred on this site.

The site is located on the northwest corner of Wyngate Road and Porter Avenue and contains less than 10,000 square feet of woodlands on-site. According to mapping research and as documented with the approved NRI, no regulated environmental features (stream buffers, wetlands, 100-year floodplain, and steep slopes) are found on the property. This site is within the Oxon Run watershed which flows into the Potomac River basin. According to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey (WSS), only one soil type (Croom-Marr-Urban land complex) is located on-site. According to available information, Marlboro clay and Christiana complexes are not found to occur on this property. According to the Sensitive Species Project Review Area (SSSPRA) map prepared by the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species mapped to occur on or in the vicinity of this property. The site has frontage on Wyngate Road and Porter Avenue, which are not identified as master-planned roadways. These two roads are also not designated as historic or scenic roadways.

Conformance with the Plan Prince George's 2035 Approved General Plan
The site is located within the Established Communities area of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035.

Master Plan Conformance
The master plan for this area is the Subregion 4 Master Plan and SMA. In the master plan and SMA, 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 green infrastructure network in Subregion 4.

POLICY 2: Minimize the impacts of development on the green infrastructure network and SCA's.

There are no County green infrastructure network areas or regulated environmental features located on-site.

POLICY 3: Restore and enhance water quality in areas that have been degraded, and preserve water quality in areas not degraded.

Water quality will be addressed through the use of a drywell to handle stormwater management for the entire project through infiltration. This site has an approved Stormwater Management Concept Plan (16567-2014-00) that was approved on February 24, 2015 by the Prince George's County Department of Permitting, Inspection and Permitting (DPIE). Development must conform to this plan or any subsequent revisions.

POLICY 4: Improve the base information needed for the county to undertake and support stream restoration and mitigation projects.

There are no woodlands or regulated environmental features located on-site.

POLICY 5: Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment projects.

The applicant proposes a drywell to handle stormwater management for the entire project through infiltration, which is considered an environmental sensitive technique.

POLICY 6: Assure that adequate stream buffers are maintained and enhanced and utilized design measures to protect water quality.

There are no regulated environmental features located on-site.

POLICY 7: Reduce air pollution to support public health and wellness by placing a high priority on transit-oriented development and transportation demand management (TDM) projects and programs.

Air quality is a regional issue that is currently being addressed by the Council of Governments.

POLICY 8: Reduce adverse noise impacts so that the State of Maryland's noise standards are met.

The site has frontage on Wyngate Road and Porter Avenue, which are not identified as master-planned roadways.

POLICY 9: Implement environmental sensitive building techniques that reduce overall energy consumption.

The use of environmentally-sensitive building techniques is encouraged.

POLICY 10: Implement land use policies that encourage infill and support TOD and walkable neighborhoods.

The current plan, as shown on the PPS, proposes two single-family residential units, surface parking, and on-site drywells. A single-family dwelling is presently located on-site and is to remain. The surrounding area is moderately developed with residential single-family uses. Existing infrastructure surrounds the subject property.

POLICY 11: Increase the county's capacity to support sustainable development.

The development applications for the subject property which require architectural approval should incorporate green building techniques and the use of environmentally-sensitive building techniques to reduce overall energy consumption.

POLICY 12: Ensure that the Chesapeake Bay Critical Area is protected to the maximum extent possible through the implementation of water quality and other related measures.

The subject property is not located in the Chesapeake Bay Critical Area.

POLICY 13: Preserve, restore, and enhance the exiting tree canopy.

POLICY 14: Improve the county's capacity to support increases in the tree canopy.

Subtitle 25, Division 3, requires the site to provide ten percent tree canopy coverage. Tree canopy coverage will be addressed at the time of permit review.

Conformance with the Countywide Green Infrastructure Plan
The subject property is not located within the designated countywide green infrastructure network.

Environmental Review
An approved natural resources inventory equivalency letter was submitted with the review package, NRI-048-06-01, which was approved on June 23, 2014. The NRI shows no regulated

environmental features or woodlands on the subject property. This project is exempt from the provisions of the WCO because the site is less than 40,000 square feet, contains less than 10,000 acres of woodland, and does not have a previously approved tree conservation plan. The site has received a Woodland Conservation Exemption Letter (S-084-14-01) dated June 23, 2014. A Type 1 tree conservation plan is not required. The site has frontage on Wyngate Road and Porter Avenue, which are not identified as master-planned roadways. These two roads are also not designated as historic or scenic roadways. According to the USDA NRCS WSS, the only soil type found on-site is Croom-Marr-Urban land complex. According to available information, Marlboro clay and Christiana complexes are not found to occur on this property.

8. **Stormwater Management**—DPIE has approved a Stormwater Management Concept Plan, 16567-2014-00, to ensure that development of this site does not result in on-site or downstream flooding. The approval letter was issued on February 24, 2015 and states that the project will pay a fee-in-lieu of providing on-site attenuation/quality control measures. The submitted concept plan and letter show the approval of a drywell for infiltration purposes. No outfall structures are shown for these structures. Development of the site shall conform to the approved stormwater management concept plan, or any subsequent revisions.

   The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection, and preservation of drinking water, stormwater, and wastewater systems within the County, on a countywide level. These policies are not intended to be implemented on individual properties or projects, and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans; County ordinances for stormwater management, 100-year floodplain, and woodland conservation; and programs implemented by the DPIE, the Prince George's County Health Department, the Prince George's County Department of the Environment, the Prince George's Soil Conservation District, the Maryland-National Capital Park and Planning Commission (M-NCPPC) Planning Department, and the Washington Suburban Sanitary Commission (WSSC) are also deemed to be consistent with this master plan.

9. **Parks and Recreation**—In accordance with Section 24-134(a)(3)(c) of the Subdivision Regulations, proposed Lot 68 in the above-referenced subdivision is exempt from mandatory dedication of parkland because a house legally exists on that lot. Lot 69 is unsuitable for mandatory dedication. Therefore, in accordance with Section 24-134(a), payment of a fee-in-lieu of dedication for Lot 69 is conditioned. The fee-in-lieu payment should be paid in conjunction with the approval of the final plat.

10. **Trails**—This PPS has been reviewed for conformance with Sections 24-123 and 24-124.01 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the 2006 Approved Master Plan for Bowie and Vicinity and Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B in order to implement planned trails, bikeways, and pedestrian improvements.

Conformance to Section 24-124.01 (Adequate Public Pedestrian and Bikeway Facilities)
Section 24-124.01 contains specific requirements for adequate public pedestrian and bikeway facilities in County centers and corridors. This section applies to all new subdivisions with designated centers and corridors. The subject application is within the Bowie Regional Center. However, part (b) includes the following exceptions:

(b) Except for applications for development projects proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.

Because the subject application proposes only two residential dwelling units, it is exempt from the requirements of Section 24-124.01.

Conformance to the Master Plan of Transportation (MPOT)
There are no master plan trails issues identified in either the MPOT or the area master plan that impact the subject application. The sidewalk network in the vicinity of the subject site is fragmented, with sidewalks missing along some frontages in the vicinity of the subject site. Porter Avenue currently includes no sidewalks along either side, and Wyngate Road includes a standard sidewalk on the property immediately to the west of the subject site.

The MPOT includes several policies related to pedestrian access and the provision of sidewalks. The Complete Streets section includes the following policies regarding sidewalk construction, the accommodation of pedestrians, and provision of complete streets:

POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

Consistent with these policies, sidewalk construction is conditioned along the subject site's frontages of both Porter Avenue and Wyngate Road, unless modified by the Prince George's County Department of Public Works and Transportation (DPW&T).

11. **Transportation**—The purpose of the application is to subdivide Lot 1 into two lots. One new single-family dwelling is proposed (Lot 69), and an existing residence will remain on Lot 68. The subject property is located within Transportation Service Area 1 (TSA 1), as defined in Plan Prince George's 2035. Pursuant to the provisions in the "Transportation Review Guidelines, Part 1," the Planning Board may find that the traffic impact of small developments is de minimus.

A de minimus development is defined as one that generates five trips or fewer in any peak period. One additional residence is expected to generate 1 AM and 1 PM peak hour trips. Therefore, the Planning Board finds that the proposal is de minimus. A trip cap that includes the existing residence plus the additional residence (2 AM and 2 PM peak-hour vehicle trips) is conditioned.

There are no master plan roadways adjacent to the site. Wyngate Road is shown correctly with a 50-foot right-of-way and dedication of 25 feet from its centerline. Porter Avenue is shown with a 30-foot right-of-way. DPW&T is requesting that the applicant dedicate 25 feet from the centerline of Porter Avenue. There are no issues regarding on-site circulation of traffic.

Based on the fact that the subject application is de minimus, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the County Code, with conditions.

12. **Schools**—The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the "Adequate Public Facilities Regulations for Schools" (Prince George's County Council Resolution CR-23-2003), and concluded that the following:

Impact on Affected Public School Clusters
SF Detached Units

Affected School Clusters #	Elementary School 3 Cluster	Middle School 3 Cluster	High School 3 Cluster
Dwelling Units	2 DU	2 DU	2 DU
Pupil Yield Factor	0.177	0.095	0.137
Subdivision Enrollment	0	0	0
Actual Enrollment	6,696	2,135	4,382
Total Enrollment	6,696	2,135	4,382
State Rated Capacity	8,786	2,890	6,211
Percent Capacity	76%	74%	70%

Prince George's 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 (i95-495) 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. Council Bill CB-31-2003 allows for these surcharges to be adjusted for inflation, and the current amounts are $9,035 and $ 15,489 to be paid at the time of issuance of each building permit.

In 2013, Maryland House Bill 1433 reduced the school facilities surcharge by 50 percent for multifamily housing constructed within an approved transit district overlay zone; or where there is no approved transit district overlay zone within a quarter mile of a Metro station; or within the Bowie State MARC Station Community Center designation area, as defined in the 2010 *Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment.* The bill also established an exemption for studio or efficiency apartments that are located within the County urban centers and corridors as defined in Section 27A-106 of the County Code; within an approved transit district overlay zone; or where there is no approved transit district overlay zone then within a quarter mile of a Metro station. This act is in effect from October 1, 2013 through September 30, 2018.

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

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

Section 24-122.01(e)(1)(E) states that "A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month."

The proposed project is served by Boulevard Heights Fire/EMS, Company 17. This first due response station, located at 4101 Alton Street, is within the maximum seven-minute travel time.

Capital Improvement Program (CIP)
There are no CIP projects for public safety facilities proposed in the vicinity of the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

14. **Police Facilities**—The proposed development is located in Police District III, Palmer Park. 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 PPS was accepted for processing by the Planning Department on March 3, 2015.

Reporting Cycle	Previous 12 Month Cycle	Emergency Calls	Nonemergency Calls
Acceptance Date	2/2015-3/2014	6 minutes	13 minutes
Cycle 1			
Cycle 2			
Cycle 3			

Based upon police response times, the response time standards of ten minutes for emergency calls and the 25 minutes for nonemergency calls were met on March 10, 2015.

15. **Water and Sewer Categories**—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 part of this property in water and sewer Category 3, Community System. The subject property will therefore be served by public water and sewer service.

16. **Health Department**—Any wells or septic system components discovered in the course of site development and grading must be properly backfilled and/or sealed in accordance with Health Department requirements.

17. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when public utility easements (PUEs) are required by a public utility company, the subdivider should include the following statement 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 PPS correctly delineates a ten-foot-wide PUE along the public rights-of-way as required, which will be reflected on the final plat prior to approval.

18. **Historic**— The existing house on the site was built around 1939 according to tax records, and will remain on Lot 68. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites, historic resources, or known archeological sites.

19. **Use Conversion**—This PPS was analyzed based on the proposal for residential development. The analysis includes access, noise, mandatory dedication, and views of the property, specifically relating to the residential land use proposed with this application. While the subject application is not proposing any nonresidential development, if such a land use were proposed, a new subdivision will be required.

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.

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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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, and Bailey voting in favor of the motion, and with Commissioners Hewlett and Shoaff absent at its regular meeting held on Thursday, May 7, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of June 2015.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:WM:rpg

APPROVED AS TO LEGAL SUFFICIENCY
M-NCPPC Legal Department
Date 5/11/15