

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-00021  
Parkcrest, Lots 1-8 and Parcel ■A●

OVERVIEW

The subject property consists of approximately 2.2 acres of land in the R-80 Zone. Known as Parcel 43, Tax Map 43, Grid A-2, the property is currently improved with one single-family residence. The applicant proposes to subdivide the property into eight lots for single-family detached homes. Access will be from 60<sup>th</sup> Avenue. The applicant proposes to construct a cul-de-sac to serve the lots.

This proposal is similar to one approved in 1994. Preliminary Plat 4-94021 for Riverdale Heights was approved on August 4, 1994 for eight lots. The approval expired on August 4, 1996. In reviewing this proposal, staff makes different findings than it did in 1994. The Department of Parks and Recreation (DPR) is recommending dedication of the full amount required in this application. In 1994, a fee in lieu was allowed. DPR policies have changes since 1994; now vehicular access is desired. This would result in the reduction of one lot. A full discussion of this topic is found in Finding 3 of this report. Furthermore, the Woodland Conservation requirements have also changed since 1994. This, too, presents a problem for this application. The Tree Conservation Plan does not meet minimum standards and is recommended for denial. Since the preliminary plat can not be approved without an approved Tree Conservation Plan, staff must recommend denial of the application as well. The applicant should be aware that once a preliminary plat expires, it no longer carries the weight of vesting with regard to that specific development proposal. A new application is subject to the laws and policies in effect when it is filed, not the laws and policies in effect during the previous application.

SETTING

The property is located on the northeast corner of the 60<sup>th</sup> Avenue/Tennyson Street intersection. To the north, east, southwest and west are single-family detached homes in the R-55 Zone. To the southeast is the Riverdale Hills Neighborhood Park.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues - This site is subject to the provisions of the Woodland Conservation Ordinances because the site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required to satisfy the requirements of the Woodland Conservation Ordinances.

Tree Conservation Plan, TCP I/16/00 has been reviewed and cannot be recommended for approval. The problem in designing a Woodland Conservation Area on property zoned for small lots is apparent. A Woodland Conservation Area must be at least 35 feet wide and contain at least 2,500 square feet of woodland. None of the proposed on-site woodland

conservation areas meet these requirements. While it is desirable to retain some of the existing woodland for aesthetic reasons, none can be used to contribute to the required Woodland Conservation.

There are no wetlands, streams, and floodplain on this site. The Christiana soils pose special problems for development when associated with slopes. There are no noise impacts associated with this proposal. There are no designated Historic or Scenic roads associated with this proposal. The property is in Water and Sewer Category 3 and will be served by public systems.

2. Community Planning - The 1994 *Master Plan for Bladensburg-New Carrollton and Vicinity*, recommends the property for residential development at low-suburban density. The 1994 Sectional Map Amendment rezoned the property from R-55 to R-80. There are no master plan issues associated with this application.
3. Parks and Recreation - The proposal is subject to the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations. The plan proposes to dedicate Parcel ■A,• which is 1,317 square feet. This parcel does not meet the minimum requirement for dedication, which is 7,177 square feet for this property. Note 18 on the plan states:

■This plan is prepared under the assumption that mandatory park dedication, with the exception of Parcel ■A,• will be waived due to the size of the parcel that would be dedicated. A partial fee in lieu is proposed.■

The property abuts the Riverdale Hills Neighborhood Park to the southeast. The applicant proposes to dedicate Parcel ■A,• to provide a trail connection to the park. However, this does not meet minimum width standards. Staff has determined that a fee in lieu is not appropriate in this situation and that dedication of a larger parcel that would allow both non-vehicular and vehicular access is more desirable. Therefore, staff recommends that the applicant dedicate 7,177 square feet as shown on Staff Exhibit ■B,• in fulfillment of mandatory park dedication requirements. This dedication will be subject to several conditions.

4. Trails - There are no master plan trails issues associated with this proposal.
5. Transportation - A traffic impact study was not requested by the transportation staff. Staff did make peak hour observations at the intersection of MD 201 and Tennyson Road in support of its findings, however. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*.

The applicant proposes to subdivide the subject property into 8 lots. With one residence currently existing on the property, the subdivision would result in a net of 7 single family detached residences. The 7 net residences would generate 5 AM (1 in, 4 out) and 6 PM (4 in, 2 out) peak hour vehicle trips, using the trip rates provided in the *Guidelines*. The trips generated by the new residences would be distributed to the local roadway network as follows:

55% - northbound along MD 201

45% - southbound along MD 201

Virtually all of the vehicle trips generated by the subject property would utilize the intersection of MD 201 and Tennyson Road. This is an unsignalized intersection with a median break along MD 201. In lieu of making the applicant pay for new counts, the staff has utilized 5-year-old counts along MD 201 north and south of this location, used published growth factors along MD 201, and observed turning movements during the peak hours in and out of Tennyson Road. The MD 201 counts were done after Paint Branch Parkway was opened, and the Riverside development along River Road was either existing or has been counted as background development. Using these recent counts, this intersection operates at a maximum vehicle delay of 17 seconds during the AM peak hour, and a delay of 21 seconds during the PM peak hour. These maximum delays increase to 23 seconds and 24 seconds respectively under background traffic. These delays would remain unchanged between background and total traffic.

The Prince George's County Planning Board, in the *Guidelines*, has defined a maximum vehicle delay exceeding 45.0 seconds in any movement as an unacceptable operating condition for unsignalized intersections on the transportation system. Based on the counts that the transportation staff has at hand and the analyses documented above, the critical intersection of MD 201 and Tennyson Road will operate well within acceptable limits if the Preliminary Plat of Subdivision is approved.

On-site circulation is acceptable. The site is not affected by any planned Master Plan transportation facilities.

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

6. Schools - Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* ( revised January 2000) (CR-4-1998). The proposed subdivision is exempt from the APF test for schools because it is less than 36 dwelling units and located in a Revitalization Tax District.
7. Fire and Rescue - Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of public facilities and concluded the following.

The existing fire engine service at Riverdale Heights Fire Station, Company 13 located at 6101 Roanoke Avenue has a service response time of 2.04 minutes, which is within the 5.25 minutes response time guideline.

The existing ambulance service at Riverdale Heights Fire Station, Company 13 located at 6101 Roanoke Avenue has a service response time of 2.04 minutes, which is within the 6.25 minutes response time guideline.

The existing paramedic service at College Park Fire Station, Company 12 located at 8115 Baltimore Avenue has a service response time of 3.88 minutes, which is within the 7.25 minutes response time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for engine, ambulance and medic service.

8. Police Facilities - The proposed development is within the service area for Police District I-Hyattsville. In accordance with Section 24-122.1 (c) (1) (A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County's police facilities will be adequate to serve the proposed Parkcrest development. This police facility will adequately serve the population generated by the proposed subdivision.
9. Health Department - The Health department notes that any onsite sewage disposal system and well will need to be pumped, backfilled and sealed by a licensed scavenger.
10. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that onsite stormwater management will be required. A Stormwater Management Concept Plan, # 948005290, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. This plan is valid through March 14, 2003. Development must be in accordance with this approved plan.
11. Public Utility Easement - The plan includes the required 10-foot side public utility easements. These easements will be included on the final plat.
12. Required Variance - There is an existing home on the property. If this subdivision is approved, it will be on a newly created corner lot, proposed Lot 8, and will be setback 12 feet from its joint property line with proposed Lot 7. This property line is parallel with 60<sup>th</sup> Avenue. Section 27-107.01(a)(134) of the zoning ordinance defines the front of a corner lot as the shortest lot line that abuts a street. In Section 27-107.01(a)(140) the rear of the lot is defined as the lot line generally opposite the front line. Since Proposed Lot 8 will have frontage on 60<sup>th</sup> Avenue and proposed Tennyson Court, it is a corner lot. Its front will be along 60<sup>th</sup> Avenue, since that is its shortest frontage. Therefore, its joint property line with proposed Lot 7 is its rear yard, requiring a 20-foot setback. A variance is required.

Since the applicant has not filed the required variance, the lot line will have to be moved to allow for the required 20-foot setback. Coupled with the required park dedication, this will result in the reduction of one lot.

13. Lot Size Averaging - The proposal uses the Lot Size Averaging technique allowed by the Zoning Ordinance. Section 24-121(a)(12) or the subdivision regulations requires that the Planning Board make the following findings in permitting the use of lot size averaging:
- A. **The subdivision design provides for better access, protects or enhances historic resource or natural features and amenities, or otherwise provides for a better environment than that which could be achieved by the exclusive use of standard lots.**
  - B. **The subdivision design provides for an adequate transition between the proposed lot sizes and locations of lots and the lots, or lot size standards, of any adjacent residentially zoned parcels.**
  - C. **The subdivision design, where applicable, provides for an adequate transition between the proposed natural features of the site and any natural features of adjacent parcels.**

Given all of the other outstanding issues, it is difficult to make the finding that the use of Lot Size Averaging provides an alternative layout that would be superior to a conventional design. Very little parkland is provided, tree preservation is minimized and the natural environment is not enhanced. The use of lot size averaging in this case merely increases density and lot yield. Staff can not make the findings necessary to recommend approval of this subdivision.

In addition, Section 27-423 of the Prince George's County Zoning Ordinance sets the zoning requirements for lot size averaging. Specifically, in the R-R Zone

- A. **The maximum number of lots permitted is equal to the gross acreage divided by the largest minimum lot size in the zone (9,500 square feet).** The property is 95,396 square feet. Therefore, 10 lots would be allowed provided all other requirements were met. Eight lots are provided.
  - B. **At least 50 percent of the lots created shall equal or exceed the largest minimum lot size in the zone (9,500 square feet).** Four of the eight lots are proposed to exceed 9,500 square feet.
14. Conclusion - The applicant was made aware of these issues described in this report early on in this process. Until very recently, staff was under the impression that a revised plan was forthcoming. The plan was never revised. Staff could recommend approval subject to a list of conditions that would ultimately result in the reduction of lots, but the Tree Conservation Plan is not acceptable. Therefore, staff is compelled to recommend disapproval of this application.

## RECOMMENDATION

DISAPPROVAL, based on an inadequate Type I Tree Conservation Plan.

STAFF RECOMMENDS DENIAL OF TYPE I TREE CONSERVATION PLAN, TCP I/16/00.