



Comment [COMMENT1]: WHEN INSERTING INFORMATION AT THE @ SIGN REMEMBER TO USE INDENT FOR SECOND LINE - NOT TAB. ALSO, IT WILL LOOK LIKE THE TEXT IS GOING WACKO, BUT DON'T WORRY - IT IS FINE.

PRELIMINARY PLAT

4-01020

Application	General Data
Project Name: JORDEN'S SUBDIVISION Location: North side of Briggs Chaney Road, approximately 200 feet west of Calvert Hills Drive. Applicant/Address: Procopio Enterprises, Inc. 1046 Annapolis Road Gambrills, MD. 21054	Date Accepted 02/28/01
	Planning Board Action Limit 07/16/01
	Tax Map & Grid 012/D-1
	Plan Acreage 3.64
	Zone R-80
	Lots 10
	Outlot 1
	Planning Area 61
	Council District 01
	Municipality N/A
	200-Scale Base Map 216NE04

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners (CB-15-1998)
	Previous Parties of Record (CB-13-1994)
	Sign(s) Posted on Site 04/26/01
	Variance(s): Adjoining Property Owners
Staff Recommendation	Staff Reviewer
APPROVAL APPROVAL WITH CONDITIONS DISAPPROVAL DISCUSSION	DEL BALZO

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-01020
Jordans Subdivision, Lots 3 - 12 and Outlot A

OVERVIEW

The subject property consists of approximately 3.64 acres of land in the R-80 Zone. The applicant proposes to subdivide the property into 10 lots and an outlot, which is the present location of a deed-described cemetery. Access to the cemetery area is described by deed reference through the adjoining lot along the west side of the subject property. The 10 lots will be accessed from a proposed cul-de-sac from Briggs Chaney Road. This application is a resubmission of 4-97051, which had been approved by Planning Board Resolution No. 97-240 and expired on September 4, 2000.

SETTING

The site is located on the north side of Briggs Chaney Road approximately 2,500 feet east of the intersection of Briggs Chaney Road and Old Gunpowder Road. It is west of I-95 and east of the Montgomery County line. The area surrounding the site is zoned R-80 and R-R, primarily developed as a residential community. Cross Creek is adjacent to the site's northern property line.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental Issues The property is on the north side of Briggs-Chaney Road about 0.5 miles east of the Montgomery County line. There are no floodplains, streams, or wetlands on the site. Current air photos indicate that about one-half of the site is wooded. No Historic or Scenic roads are affected by this proposal. There are no significant nearby noise sources and the proposed use is not expected to generate significant noise. No rare/ threatened/endangered species are known to occur in the project vicinity. The property is in Water and Sewer categories W-3 and S-3, respectively. The soils map included in the review package indicate that no problematic soils occur in the proposed development area.

This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Tree Conservation Plan is required to satisfy the requirements of the Woodland Conservation Ordinance. The Forest Stand Delineation and Tree Conservation Plan, TCP I/59/96, were reviewed and approved with 4-97051. They are in conformance with the requirements of the Woodland Conservation Ordinance and should be reapproved.

There are no other significant environmental issues associated with this application.

2. Community Planning●The 1990 *Master Plan for Subregion I* recommends the property for development with residential uses at a suburban density. In keeping with that recommendation, the 1990 *Sectional Map Amendment for Subregion I* rezoned this property from R-R to R-80. Preliminary plat is consistent with the recommendations of the *Master Plan for Subregion I*.
3. Parks and Recreation●The proposed subdivision is subject to Section 24-134 of the Subdivision Regulations for mandatory park dedication. In accordance with Section 24-135, staff recommends that the applicant pay a fee-in-lieu of park dedication because the size and location of available land would be unsuitable for park use.
4. Trails●There are no master plan trails issues associated with this application.
5. Transportation●The Transportation Planning staff has reviewed the application along with relevant traffic data, and the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff that are consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)* (April 1989). To the extent possible, the review of this property is consistent with the review for the Konterra Business Campus Specific Design Plan (SDP-9019/01 et.al.). At the time that case was reviewed, the staff used a traffic impact study dated March 1997 and an extensive staff analysis to assist in the review.

Summary of Traffic Impacts

The transportation staff used past traffic counts to review conditions at the following signalized intersections:

- Old Gunpowder Road and Briggs Chaney Road
- Old Gunpowder Road and Ammendale Road
- MD 212 and Old Gunpowder Road

The existing conditions at the intersections within the study area for this application are summarized below:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 212 and Old Gunpowder Road	1610	1638	F	F
Old Gunpowder Road and Briggs Chaney Road	967	821	A	A
Old Gunpowder Road and Ammendale Road	1068	1255	B	C

With recent traffic counts, the study indicates that there are operational problems at the intersection of MD 212 and Old Gunpowder Road, which operates unacceptably during both peak hours.

A review of background development in the area was conducted by staff within area. Recently, Project No. FD666151 in the Prince George's County Capital Improvement Program (CIP) was adopted as a fully funded project by the Prince George's County Council. This project would provide major improvements to Ammendale and Virginia Manor Roads between I-95 and US 1 (project description attached). In light of the adoption of this project as a fully funded project, the transportation staff has conducted a reanalysis of traffic in the area. This improvement will have a significant change on travel patterns in the study area, and the staff's analysis of the subject applications fully accounts for these changes. Background traffic conditions (existing plus growth in through traffic plus traffic generated by background developments with funded improvements) are summarized below:

BACKGROUND CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Ammendale Road and Powder Mill/O. Gunpowder	1167	1393	C	D
Old Gunpowder Road and Briggs Chaney Road	1215	1152	C	C

This subdivision proposes 10 single-family detached units for the subject property. Using the trip rates obtained from the *Guidelines*, the development of the site under the proposed subdivision would generate 2 inbound and 6 outbound trips during the AM peak hour, and 6 inbound and 3 outbound trips during the PM peak hour. Total traffic under future conditions is summarized below:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 212 and Old Gunpowder Road	1169	1396	C	D
Old Gunpowder Road and Briggs Chaney Road	1218	1156	C	C

As this analysis shows, with funded transportation improvements in place, the critical intersections in the area of the subject property operate acceptably in both peak hours with the development of the subject property.

The 46-foot-wide public street right-of-way serving the development is substandard and requires the concurrence of the Department of Public Works and Transportation (DPW&T). The transportation planning staff does not object to the street width as long as improvements within the right-of-way are acceptable to DPW&T. Staff received an electronic mail message in 1997 regarding the previous application that DPW&T agreed to the substandard right-of-way. A new letter with a 2001 approval will be required prior to final plat approval.

There are no other outstanding transportation issues associated with this application.

Based on these findings, staff 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 with a condition requiring dedication.

6. Schools The Growth Policy and Public Facilities Planning Section 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 2001) (CR-4-1998).

Projected Impact on Affected Public Schools

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5-Year Enrollment	Adjusted Enrollment	Total Projected Enrollment	State Rated Capacity	Projected % Capacity
Calverton Elementary School	10 sfd	0.24	2.40	835	0	837.40	663	126.30%
Martin Luther King, Jr. Middle School	10 sfd	0.06	0.60	969	0	969.60	842	115.15%
High Point High School	10 sfd	0.12	1.20	2290	2290.12	2291.32	2385	96.07%

Source: Prince George's County Planning Department, M-NCPPC, January 2001

Since the affected Calverton Elementary and Martin Luther King, Jr. Middle Schools' projected percentage of capacities are greater than 105%, the Adequate Public Facilities fee is \$2,880.00 per dwelling unit. The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines.

7. Fire and Rescue The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
- The existing fire engine service at Beltsville Fire Station, Company 41, located at 3939 Powder Mill Road, has a service response time of 4.31 minutes, which is within the 5.25-minute response time guideline.
 - The existing ambulance service at Beltsville Fire Station, Company 41, has a service response time of 4.31 minutes, which is within the 6.25-minute 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 10.80 minutes, which is beyond the 7.25-minute response time guideline. The nearest fire station Beltsville, Company 41, is 4.31 minutes from the development. This facility would be within the recommended response time for paramedic service.

These 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*.

8. Police Facilities●The proposed development is within the police service area for District VI-Beltsville. In accordance with Section 24-122.1(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Jordens Subdivision development. This police facility will adequately serve the population generated by the proposed subdivision.
9. Health Department●The existing abandoned well must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller, or witnessed by a representative of the Health Department prior to final plat approval. Since the proposed Ewell Court is to be constructed over the well, it is important that the developer contact the Environmental Engineering Program to determine modified backfilling procedures so that the backfilling of the well does not interfere with the development of the road.

The applicant is reminded that a raze permit must be obtained prior to demolition of existing structures and that any hazardous materials must be removed from the existing sheds prior to demolition.

10. Stormwater Management●The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan, # 978000210, was approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
11. Public Utility Easement●The required 10-foot-wide Public Utility Easement is shown on the preliminary plat and will be reflected on the final plat.
12. Existing Cemetery●A cemetery is located on the west side of the site at its property line. The applicant has submitted a deed dated 1923 that shows this cemetery plot. The applicant has informed the staff that there are no headstones on the cemetery. Section 24-135.02 of the Subdivision Ordinance specifically address cemeteries on proposed subdivisions. When deemed appropriate, the Planning Board may require a limited review Detailed Site Plan in accordance with Section 27-286 of the Prince George's County Code, for purposes of reviewing the design of the required fencing. In this case, the applicant has submitted a design that is attractive. Given this design, a detailed site plan is unnecessary.

Section 24-135.02(a)(5) states the following:

If the cemetery is not conveyed and accepted into municipal ownership, it shall be protected by arrangements sufficient to assure the Planning Board of its future maintenance and protection. The applicant shall establish a fund in an amount sufficient to provide income for the perpetual maintenance of the cemetery. These arrangements shall ensure that stones or markers are in their original location. Covenants and/or other agreements shall include a determination of the following:

- A. Current and proposed property ownership.
- B. Responsibility for maintenance.

- C. A maintenance plan and schedule.**
- D. Adequate access.**
- E. Any other specifications deemed necessary by the Planning Board.**

These covenants must be provided prior to final plat approval.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCP I/59/96). The following note shall be placed on the Final Plat of Subdivision:
 - Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/59/96), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25.●
2. Prior to the issuance of building permits, a Type II Tree Conservation Plan shall be approved.
3. At the time of final plat, the applicant shall pay a fee-in-lieu of mandatory park dedication.
4. The final plat shall contain a note that a brick and iron fence must be constructed around the cemetery, prior to the issuance of building permits for Lots 9 and 10.
5. Covenants regarding the cemetery, in conformance with Section 24-135.02(a)(5) are required prior to final plat approval.
6. At the time of final plat approval, the applicant shall dedicate a right-of-way along Briggs Chaney Road as shown on the submitted preliminary plan. Improvements within the dedicated right-of-way shall be determined by DPW&T.
7. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assigns shall pay an Adequate Public Facilities fee of \$2,880.00 per dwelling unit for the schools, unless fully offset by a school facility surcharge payment. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines. This adequate public facilities fee would be placed in an account to relieve overcrowding at Calverton Elementary and Martin Luther King, Jr. Middle Schools
8. Prior to final plat approval, DPW&T shall approve the 46-foot-wide internal right-of-way.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCP I/59/96.