

THE MARYLAND-NATIONAL CAPITAL  
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-01035  
Indian Queen South Lot 76 Block C and Parcel Q

OVERVIEW

The proposed subdivision consists of existing Parcel P and existing Lot 71, Block C, in the Indian Queen Cluster Subdivision. The applicant is proposing a lot line adjustment between Lot 71, Block C, which is approximately 1.07 acres, and Parcel P, which is approximately 6.37 acres. The adjustment is an equal exchange of 3,650 square feet each of land area between the two properties. Parcel P is currently under the ownership of the Indian Queen Homeowners Association and Lot 71 is in private ownership.

Lot 71, Block C, is found on final plat of subdivision NLP 107 @ 31 recorded on August 28, 1980, and will be known as Lot 76, Block C, once the lot line adjustment is completed. Parcel P is found on final plat of subdivision NLP 107 @ 33 recorded on August 28, 1980, and will be known as Parcel Q once the lot line adjustment is completed. The Prince George's County Subdivision Regulations allow for a lot line adjustment to be processed as a minor plat of subdivision for which a preliminary plat is not required, in general. However, Section 24-117 requires a preliminary plan of subdivision for land located within the Chesapeake Critical Area.

The subject property is within the Chesapeake Bay Critical Area. Conservation Plan 89007 was previously approved for the entire Indian Queen Cluster Subdivision. However, a revision is required for the construction of the dwelling unit proposed on Lot 76. The applicant has submitted CP-00014, which is recommended for approval by the Environmental Planning staff.

SETTING

The subject property is zoned R-R with the majority of the lot being located within the Limited Development Overlay Zone of the Chesapeake Critical Area. The property is located on the south side of Edgewater Terrace, abutting Broad Creek to its south. The surrounding properties are generally zoned R-R, with R-80-zoned property to the northwest. Although the surrounding properties are generally subdivided, the majority of the lots have not been developed.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental The subject property is in the south-central portion of the Indian Queen Cluster Subdivision. The property is contiguous with the tidal waters of Broad Creek. Most of the property is within the 100-year floodplain. A tributary stream, tidal wetlands and nontidal wetlands are located on existing Parcel P to the east. Current air photos indicate that most of the site is wooded. However, the site is not subject to the provisions of the Woodland Conservation Ordinance because it is in the Chesapeake Bay Critical Area. A Chesapeake Bay Critical Area Plan, CP-00014, has been submitted and is recommended for approval.

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 be a noise generator. No rare/threatened/endangered species are known to occur in the project vicinity. According to the Sewer Service and Water Service maps produced by DER, the property is in categories W-3 and S-3. A Stormwater Design Plan is under review by DER. The soils information included in the review package indicates that the principal soil in the proposed building area is engineered Class 1 Fill.

2. Community Planning●The subject property is located within the limits of the 1981 *Master Plan for Subregion VII*, in Planning Area 80 in the South Potomac-Fort Foote Community. The Land Use Recommendation for this property is Low Suburban Residential @1.6-2.6 du/ac. The proposal to modify lot lines for the previously recorded single-family residential lot will result in a residential land use that conforms with the recommendations of the 1981 master plan. There are no master plan issues with this proposal.

3. Parks and Recreation●Mandatory dedication requirements pursuant to Section 24-134 of the Subdivision Regulations have previously been met through the dedication of land to the Department of Parks and Recreation, Preliminary Plan 4-75107.

The Department of Parks and Recreation currently has a 35-foot-wide easement for a hiker/biker trail, Liber 9331 Folio 189, on existing Parcel P abutting existing Lot 71, along its northwest property line. At the location described in that document the easement would cross the driveway proposed by the applicant on that portion of Parcel P to be incorporated into proposed Lot 76.

The Department of Parks and Recreation has requested that the easement be relocated further to the northwest onto proposed Parcel Q abutting Lot 76 along the adjusted lot line. The portion of the relocated easement should be shown on the final plat.

4. Trails●Staff supports the relocation of the existing trail easement as recommended by the Department of Parks and Recreation. There are no master plan trail issues associated with this proposal.

5. Transportation●The proposed subdivision involves a lot line adjustment of an existing recorded lot and parcel, which were approved under the original cluster subdivision, 4-75107. This lot would continue to have its existing access onto Edgewater Terrace, a 50-foot public right-of-way.

The subdivision would generate no net trips as a result of the resubdivision. There would be no resulting impact on traffic operations at the Fort Foote Road/Oxon Hill Road intersection, which is the development's critical intersection, as a result of the resubdivision.

The Transportation and Public Facilities Planning Division 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●The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school facilities in accordance with Section 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) and concluded the following.

The proposed subdivision is not creating any net increase in lots above what previously existed. The lot line adjustment would not constitute an additional impact on school facilities. However, in accordance with the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) the original plat, NLP 107 @ 31, recorded in August 28, 1980, which created the lot impacting school adequacy, is older than six years.

At the time of building permit an adequate public facilities test is applied if the lot being permitted is on a plat that is six years old or greater. Therefore, a building permit for construction of a dwelling unit on the original Lot 71, Block C, would be subject to an adequate public facilities test at the time of building permit. A lot line adjustment, however, altering the configuration of existing Lot 71 Block C would place the new Lot 76 on a plat recorded in 2001. In that case the applicant would not be subject to a test at building permit because the plat on which the lot is located would be less than six years old.

It is not the intent of the lot line adjustment process to extend the life of the original plat for this lot. Nor is it intended to create an environment where the applicant would not be subject to the same scrutiny, under the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998), as any other lot shown on the original final plat of subdivision. Therefore, for purposes of determining the adequacy of public facilities for schools, the recordation date of the original plat, NLP 107 @ 31 will be utilized.

7. Fire and Rescue●The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
  - a. The existing fire engine service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service response time of 4.84 minutes, which is within the 5.25-minute response time guideline.
  - b. The existing ambulance service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service response time of 4.84 minutes, which is within the 6.25-minute response time guideline.
  - c. The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road, has a service response time of 4.84 minutes, which is within the 7.25-minute response time guideline.
  - d. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance and paramedic service.

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*.

8. Police Facilities●The proposed development is within the service area for Police District IV-Oxon Hill. In accordance with Section 24-122.01(c) 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 Indian Queen South development. This police facility will adequately serve the population generated by the proposed subdivision.
9. Health Department●There are no Health Department issues with this application.
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, #938008782, was previously approved with conditions to ensure that development would not result in on-site or downstream flooding. Development must be in accordance with this approved plan or its subsequent revisions.

#### RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The final plat of subdivision shall note that for the purpose of determining adequacy of school facilities, final plat NLP 107 @ 31, recorded August 28, 1980, shall be utilized.
2. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan, #938008782.