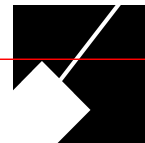


Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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.

Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm

PRELIMINARY PLAN

4-02052

Application	General Data
Project Name: SAINT JAMES PROPERTY Location: East and west sides of Livingston Road, approximately 1,000 feet north of Farmington Road and Berry Road. Applicant/Address: Haverford Homes, Inc. 6525 Belcrest Road, #380 Hyattsville, MD 20782	Date Accepted 06/17/02
	Planning Board Action Limit N/A
	Tax Map & Grid 142/B-02
	Plan Acreage 400.07
	Zone V-M
	Lots 182
	Parcels 6
	Planning Area 84
	Council District 09
	Municipality N/A
	200-Scale Base Map 218SE02

Purpose of Application		Notice Dates	
By memorandum dated August 23, 2002, the staff of the Prince George's Planning Department requests reconsideration of Condition 12.		Adjoining Property Owners (CB-15-1998)	N/A
		Previous Parties of Record (CB-13-1994)	N/A
		Sign(s) Posted on Site	N/A
		Variance(s): Adjoining Property Owners	N/A
Staff Recommendation		Staff Reviewer: Del Balzo	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
X			

August 23, 2002

MEMORANDUM

TO: The Prince George's County Planning Board

FROM: Joe Del Balzo, Subdivision Section

SUBJECT: Preliminary Plan 4-02052
St. James Property

The Planning Board approved the subject application on July 25, 2002. The staff is requesting a reconsideration of Condition 12 on the basis of mistake.

Per the staff recommendation, the Planning Board imposed a three-year waiting period for building permits, pursuant to Section 24-122.02(a)(6) of the Subdivision Regulations. Condition 12 reads as follows:

No building permits shall be issued for this subdivision until the percent capacity, as adjusted pursuant to the School Regulations, at all the affected school clusters are less than or equal to 105% or 3 years have elapsed since the time of the approval of the preliminary plan of subdivision; or pursuant to the terms of an executed school facilities agreement where by the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.

This condition was imposed as a standard condition relating to school inadequacy. A three-year waiting period applies to all new preliminary plan applications when one or more school clusters exceeds 105 percent of capacity and a school or school addition is funded in the CIP for all affected school clusters. If one or more school clusters exceeds 105 percent and there is no funded school associated with any of those affected clusters, then a six-year wait is required.

In this case, the High School Cluster (which has a funded school) exceeded 105 percent capacity before the application was submitted. With the approval of the subject application, a portion (33) of the total number (182) of lots cause the Elementary School Cluster to exceed 105 percent. Because there is no funded school in the Elementary School Cluster, a six-year waiting period should be required for those lots (33) that cause the capacity to exceed 105 percent.

Given this technical error, staff requests the Planning Board reconsider Condition 12 of its approval of Preliminary Plan 4-02052.