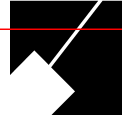


The Maryland-National Capital Park and Planning Commission
 Prince George's County Planning Department
 Development Review Division
 301-952-3530



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.mnccppc.org/pgco/planning/plan.htm

PRELIMINARY PLAN

4-02088

Application	General Data
Project Name:	Date Accepted 10/02/02
MOUNT OAK MANOR	Planning Board Action Limit 12/10/02
Location:	Tax Map & Grid 062/E-01
Southern terminus of Northern Dancer Road, approximately 200 feet south of its intersection with Dunwood Valley Drive.	Plan Acreage 5.0
Applicant/Address:	Zone R-E
Page Clagett Revocable Trust Floyd Lankford III, Trustee 1923 Ruxton Road Baltimore, MD 21204-3510	Lots 5
	Parcels 0
	Planning Area 74A
	Council District 06
	Municipality N/A
	200-Scale Base Map 204NE12

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners (CB-15-1998) N/A
	Previous Parties of Record (CB-13-1994) N/A
	Sign(s) Posted on Site 11/18/02
	Variance(s): Adjoining Property Owners N/A
Staff Recommendation	Staff Reviewer: Del Balzo
APPROVAL	APPROVAL WITH CONDITIONS
	X
DISAPPROVAL	DISCUSSION

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-02088
Mount Oak Manor, Lots 1 – 5

OVERVIEW

The subject property consists of approximately five acres of land in the R-E Zone. It is identified as Parcel "B," Block "A," of the Mount Oak Subdivision, recorded in Plat Book NLP 153 @ 22. It is an internal parcel in the Mount Oak Subdivision. When the original subdivision was created, Northern Dancer Road was extended as a stub street to this site for possible future development. There is an existing home to remain on the site, which on the original preliminary plan was marked as a "historic site," but this house is not listed on any historic registers. The applicant proposes to develop the site as a residential subdivision with four new single-family detached residences. Sole access will be from a proposed cul-de-sac, extending from the end of Northern Dancer Road.

SETTING

The property is located at the southern terminus of Northern Dancer Road approximately 800 feet east of Church Road and approximately 1,500 feet north of Mount Oak Road. To the north, east and south are single-family homes on large lots in the Mouth Oak Manor subdivision. To the west is a church, also in the R-E Zone. This is an area of large-lot, estate-type housing that extends far to the north, to the railroad right-of-way to the east, to Mount Oak Road to the south, and across Church Road to the west.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-E	R-E
Use(s)	1 Single-Family Dwelling (to remain)	4 Single-Family Dwellings
Acreage	5.00	5.00
Lots	0	5
Outlots	1	0
Detached Dwelling Units	1	5

2. **Environmental**— A review of the available information indicates that no streams, wetlands, 100-year floodplain, severe slopes, or areas of steep slopes with highly erodible soils are found to occur on the property. No adverse transportation-related noise impacts have been identified in the vicinity of this property. The soils found to occur, according to the Prince George's County Soil Survey, are

Collington fine sandy loams, which have no significant limitations. According to available information, Marlboro clays are not found to occur in the vicinity of this property. The sewer and water service categories are S-3 and W-3. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Collington Branch and Northeast Branch watersheds of the Patuxent River basin and in the Developing Tier as reflected in the adopted *General Plan*.

The revised Forest Stand Delineation (FSD) submitted on November 12, 2002, has been reviewed and was found to address the criteria for a Forest Stand Delineation in the Woodland Conservation and Tree Preservation Technical Manual. No further information is required with respect to the Forest Stand Delineation.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. The Type I Tree Conservation Plan, TCPI/51/02, date stamped as revised on November 7, 2002, has been reviewed and found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance. This 5.0-acre property has a 25 percent woodland conservation threshold of 1.25 acres and a replacement requirement of 0.51 acres, for a total requirement of 1.76 acres. The requirement is proposed to be satisfied by 0.75 acres of on-site preservation and 1.01 acres of on-site afforestation/reforestation. TCPI/51/02 is recommended for approval; however, prior to signature approval of the preliminary plan, the Type I Tree Conservation Plan needs to be revised to so that all woodland conservation areas are at least 35 feet wide.

3. **Community Planning**—The property is in Planning Area 74A. The 2002 General Plan places this property in the Developing Tier. The *Bowie-Collington-Mitchellville & Vicinity Master Plan* (1991) recommends residential land use at the Suburban Estate density. The *Bowie-Collington-Mitchellville & Vicinity Sectional Map Amendment* (1991) retained the R-E Zone on the property.

There are no master plan issues raised by the proposed subdivision. The northeast part of the property is in Aviation Policy Area 6 (APA 6) for Freeway Airport. Section 27-458.02 of the Zoning Ordinance requires that a general aviation airport environment disclosure notice accompany all residential sale contracts. It also requires that a "disclosure clause" be placed on the affected final plats. The purpose of this notice is to inform residents that they may be subject to over flights by aircraft and those conditions inherent to normal airport operations. The required disclosure notice may be obtained from the internet on the website www.mncppc.org/pgco/home.htm.

4. **Parks and Recreation**—The proposed subdivision is subject to the mandatory park dedication requirements of Section 24-134 of the Subdivision Regulations. In accordance with Section 24-134 (a)(3)(C) of the Prince George's County Subdivision Regulations, Lot 5 of the subject subdivision is exempt from mandatory parkland dedication requirements because a dwelling legally exists on the lot at the time of subdivision.

Staff recommends that the applicant pay a fee-in-lieu of dedication as applicable for the remainder of the subject preliminary plan because the size and location of available land is unsuitable for park purposes.

5. **Trails**—There are no master plan trails issues associated with this application.
6. **Transportation**— Because the site is currently improved with a single family detached dwelling, the proposed application will be creating four new lots. Consequently, the finding of adequacy will be based on four lots.

Based on the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (revised 2002) the proposed application will generate three trips during the AM peak hour and four PM peak-hour trips. Pursuant to the September 2002 revision to the *Guidelines*, the Planning Board may find that any development that generates five or fewer peak-hour trips will have a *de minimus* (or marginal) impact on the adjacent road network. However, the subject application is located in close proximity to the critical intersections of Church Road/Mount Oak Road and Church Road/Woodmore Road. Within the past 12 years, a number of subdivisions in the vicinity of the subject property have been required to make improvements to realign the two intersections, culminating in a single signalized, four-way intersection. Approximately 13 years ago, the Planning Board approved the use of a pro-rata share to allow nearby developments to pay money toward the needed improvements. Consequently, as a matter of fairness, staff is recommending that the subject application provide a similar pro-rata amount as the previously approved subdivisions.

The traffic generated by the proposed plan would impact the intersections of Church Road/Mount Oak Road and Church Road/Woodmore Road. Neither intersection is signalized. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined an upper limit of 50.0 seconds of delay in any movement as the lowest acceptable operating condition on the transportation system. The following conditions exist at the critical intersections:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Church Road/Mount Oak Road	38.1*	266.4*	--	--
Church Road/Woodmore Road	574.6*	327.3*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations.				

Seven nearby developments were included in background traffic, comprising over 3,000 residences and over 300,000 square feet of commercial space. These developments included Oak Creek Club, Woodmore at Oak Creek, Ashleigh, the Franklin Property, Kings Isle Estates, Woodmore South, and Fairwood. No annual rate of through traffic growth was used because of the great quantity of background development assumed; this amount of development should more than account for six-year growth along Church Road and the crossing facilities. There are projects in the county Capital Improvement Program to improve both Woodmore Road and Mount Oak Road; neither project has funding for construction within the next six years, however, and so these projects cannot be considered to be a part of background traffic for purposes of making adequacy findings. The following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Church Road/Mount Oak Road	730.0*	+999*	--	--
Church Road/Woodmore Road	+999*	+999*	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations.				

Typically when the transportation staff observes that an unsignalized intersection fails, the staff requests that a traffic signal warrant study be completed for the intersection. After that study has been reviewed and the responsible operating agency determines that a signal is warranted, the applicant is required to bond and install the signal.

Given that the Planning Board has, for several past developments, approved the payment of a pro-rata share for signalization and realignment of the two critical intersections, staff believes that the same condition is applicable to the subject case. With signalization and realignment, the resulting critical intersection would operate at level-of-service (LOS) D, with a critical lane volume (CLV) of 1,337 in the AM peak hour, and LOS D with a CLV of 1,414 in the PM peak hour. Therefore, the pro-rata improvements will provide adequacy at this location.

At the time of the Franklin Property preliminary plan (4-88266) and at the direction of the Planning Board, staff did develop a cost estimate for the above-mentioned improvement, along with a formula for determining pro-rata contributions from developments that would affect the intersection. The following formula was developed by staff and used as the basis for the Planning Board approval of the Franklin property and other preliminary plan applications subsequent to that approval:

$$\text{Pro-rata} = \text{Number of PM peak hour trips (vph)} / 1,276 \times \$2,000,000$$

Where,

$$\$2,000,000 = \text{total estimated cost of the realignment plus the installation of a traffic signal.}$$

$$1,276 = \text{PM base volume (vph) within the study area from Franklin property traffic study.}$$

The parameters for the analysis of the subject site are identical to those used for the Kings Isle Estates subdivision. As the pro-rata is based on proportional impacts, the subject property's pro-rata share would be identical to that earlier subdivision, at an amount of \$18,652 or \$1,332.29/lot.

Once again, these improvements identified were previously included as conditions of approval in the following Planning Board cases:

Preliminary plan	Resolution #	Preliminary Plan #
Franklin Property	89-158	4-88266
Ashleigh Cluster	92-17	4-91117
Hopkins Property	92-37	4-91122
Grove Hurst	92-51	4-92002
Kings Isle Estates	97-199	4-97020

Based on these findings, 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 the applicant to contribute a pro-rata share toward the Church Road/Woodmore Road/Mount Oak Road realignment.

7. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded the following. **These findings are subject to change in accordance with the provisions of CR-23-2001 and CR-38-2002.**

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	4 sfd	4 sfd	4 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.96	0.24	0.48
Actual Enrollment	5864	4397	12045
Completion Enrollment	339	201	412
Wait Enrollment	128	189	377
Cumulative Enrollment	159.36	96.24	192.48
Total Enrollment	6491.32	4883.48	13026.96
State Rated Capacity	5054	3648	10811
Percent Capacity	128.44%	133.87%	120.50%
Funded School	Bowie, Whitehall	Ernest Everett Just	Frederick Douglass addn.

Source: Prince George's County Planning Department, M-NCPPC, July 2002

The affected elementary, middle, and high school clusters' capacities are greater than 105 percent. Bowie and Whitehall are the funded schools in the affected elementary school cluster. Ernest Everett Just is the funded school in the affected middle school cluster. The Frederick Douglass addition is the funded school in the affected high school cluster. Therefore, this subdivision can be approved subject to conditions, including a three-year waiting period.

8. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and facilities.

- a. The existing fire engine service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service travel time of 7.58 minutes, which is beyond the 5.25-minute travel time guideline.
- b. The existing ambulance service at Bowie Fire Station, Company 43, has a service travel time of 7.58 minutes, which is beyond the 6.25-minute travel time guideline.
- c. The existing paramedic service at Bowie Fire Station, Company 43, has a service travel time of 7.58 minutes, which is beyond the 7.25-minute travel time guideline.

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*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, the Fire Department requires that a fire suppression system be installed in all residential structures in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws. Since this is a matter of county law, no condition is necessary.

The planned Bowie Emergency Services Facility, which is shown in the Capital Improvement Program, Item #LK510650, will be the first due station that will provide ambulance and paramedic service to this development. The cost of this emergency services facility is \$2,600,000.

To mitigate the ambulance and paramedic service response time deficiencies, the staff recommends that the applicant participate in providing a fair share contribution toward the construction of the Bowie Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$2,600,000), ambulance (\$129,000) and paramedic vehicle (\$129,000), divided by the total amount of residential and employment population within the entire service area in 2006 (26,998). The service area includes those areas that will be served by the planned facility. The fair share fee is \$106 per person for this development.

2006 service area population and workers =	26,998
Station Cost \$2,858,000/26,998 =	\$106 per person
\$106 x 3.10 planning area household size =	\$328.00 per dwelling

9. **Police Facilities**—The proposed development is within the service area for District II-Bowie. In accordance with Section 24-122.1(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Mount Oak Manor development. This police facility will adequately serve the population generated by the proposed subdivision.
10. **Health Department**—The Health Department noted that there are abandoned wells and an abandoned septic system on the property. These must be pumped, backfilled and sealed in accordance with COMAR 26.04.04 prior to final plat approval. Several discarded tires have been found on the site as well. These must be hauled away by a licensed scrap tire hauler prior to final plat approval as well.
11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 31473-2002-00, has been 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.

12. **Cemeteries**—The applicant’s engineer has certified that there are no cemeteries on the site.
13. **Lot Size Averaging**—24-121(a)(12) 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.** *Comment:* The design of this subdivision respects the natural features on this property. The property is relatively flat. It is surrounded by Mount Oak Manor subdivision, which was developed under the lot size averaging technique.
 - 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.** *Comment:* The property is surrounded by Mount Oak Manor Subdivision, which was developed under the lot size averaging technique. The use of lot size averaging will create an infill subdivision that is compatible with the adjacent residential lots.
 - 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.** *Comment:* The property is not affected by environmentally sensitive land. However, all of the required tree preservation is proposed on-site, enhancing the natural features of this property and providing lot development that is compatible with the surrounding 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-E Zone:

- a. **The maximum number of lots permitted is equal to the gross acreage divided by the largest minimum lot size in the zone (40,000 square feet).** *Comment:* In this case, with 5.00 acres and a minimum lot size of 40,000 square feet, the maximum number of lots allowed is five. The applicant proposes five lots.
- b. **At least 50 percent of the lots created shall equal or exceed the largest minimum lot size in the zone (40,000 square feet).** *Comment:* As proposed, three of the proposed five lots exceed 40,000 square feet. Therefore the proposed subdivision meets the minimum zoning ordinance standards for lot size averaging.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan, the Type I Tree Conservation Plan shall be revised to so that all woodland conservation areas are at least 35 feet wide.
2. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/51/02). 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 (TCPI/51/02), 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.”

3. A Type II Tree Conservation Plan shall be approved prior to approval of building permits.
4. No building permits shall be issued for this subdivision until the capacity, **as adjusted pursuant to the School Regulations, at all the affected school clusters** are less than or equal to 105 percent or three 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 whereby 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.
5. At the time of final plat, the applicant, his heirs, successors and/or assignees shall:
 - a. Pay a fee-in-lieu of mandatory park dedication requirements for proposed Lots 1–4. Lot 5 is exempt from this requirement.
 - b. Provide evidence that all the abandoned well and septic systems have been pumped, backfilled and sealed in accordance with Health Department requirements.
 - c. Provide evidence that the discarded tires on the site have been removed and disposed of in accordance with Health Department requirements.
6. An Aviation Policy Area note shall be placed on the final plat in accordance with the requirements of Section 27-548.02(b) of the Prince George’s County Zoning Ordinance.
7. Prior to the issuance of any building permit, the applicant shall pay to Prince George’s County the following share of costs for improvements to Church Road/Mount Oak Road/Woodmore Road realigned intersection:
 - a. A fee calculated as **\$1,332.29**/residence x (*Engineering News-Record* Highway Construction Cost Index at time of payment)/*Engineering News-Record* Highway Construction Cost Index for November 1991).
8. Development shall be in accordance with the approved Stormwater Management Concept Plan # 31473-2002-00, or any approved revisions thereto.
9. Prior to the issuance of each building permit, the applicant, his heirs, successors and/or assignees shall pay a fee of \$328.00 to Prince George’s County, which shall serve as a fair share contribution toward the construction of the Bowie New Town Station and acquisition of an ambulance.

STAFF RECOMMENDS APPROVAL OF THE TYPE I TREE CONSERVATION PLAN, TCPI/51/02, WITH MODIFICATIONS.