

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



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

Preliminary Plan 4-05134

| Application | General Data |
|---|---------------------------------------|
| Project Name: ADNELL PROPERTY CLUSTER, ADDITION TO Location: East side of Chestnut Avenue, approximately 20 feet north of Myrtle Avenue. Applicant/Address: PDC Adnell, LLC. 5840 Banneker Road, Suite #110 Columbia, MD. 21044 | Date Accepted: 02/9/06 |
| | Planning Board Action Limit: 04/20/06 |
| | Plan Acreage: 0.86 |
| | Zone: R-R |
| | Lots: 2 |
| | Parcel: 1 |
| | Planning Area: 71A |
| | Tier: Developing |
| | Council District: 04 |
| | Municipality: Bowie |
| | 200-Scale Base Map: 212NE11 |

| Purpose of Application | | Notice Dates | |
|-------------------------|--------------------------|--|------------|
| RESIDENTIAL SUBDIVISION | | Adjoining Property Owners | |
| | | Previous Parties of Record Registered Associations: (CB-58-2003) | 11/22/05 |
| | | Sign(s) Posted on Site and Notice of Hearing Mailed: | 3/7/06 |
| Staff Recommendation | | Staff Reviewer: John Ferrante | |
| APPROVAL | APPROVAL WITH CONDITIONS | DISAPPROVAL | DISCUSSION |
| | | X | |

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-05134
Adnell Property, Addition To, Lots 13,14 and Parcel L

OVERVIEW

The subject property is located on Tax Map 29, Grid B-1, and contains approximately 0.86 acre of land in the R-R Zone. The site is currently undeveloped. The property is a deeded parcel of land surrounded by the Adnell Cluster Subdivision (Plat Book VJ 187, Plat No. 75 recorded in February 1999). The subject property was originally not part of the Adnell Cluster Subdivision because it was owned by the Washington Suburban Sanitary Commission (WSSC) and was the site of a large water tower. The water tower has since been dismantled and removed from the site and the property acquired by the applicant. The approved detailed site plan for the Adnell Property (DSP-95023) also noted that the water tower and associated fences were to be removed from the property.

This site was the subject of a prior Preliminary Plan of Subdivision. 4-04203, which was denied by the Planning Board on June 23, 2005, due to inadequate fire, rescue and police services pursuant to Section 24-122.01(e)(2) of the Subdivision Regulations. The Planning Board's findings on this case are contained in PGCPB Resolution No. 05-144, which was adopted on July 28, 2005.

The preliminary plan that has now been submitted for this case is identical in nature to the prior submission. It consists of two detached single-family dwelling lots that are utilizing the optional design approach of a cluster subdivision, and one parcel consisting of 5,250 square feet that will be conveyed to the homeowners association. Staff does agree with the optional cluster approach, as the subject property is surrounded by, and within, a prior approved cluster subdivision.

The minimum net lot area in the R-R Zone utilizing the optional cluster approach is 10,000 square feet. Both lots that are proposed do exceed the minimum of 10,000 square feet, and in fact are over 16,000 square feet. The detailed site plan approved for the property (DSP-95023) demonstrates that a landscape bufferyard was required to the north and east of the subject property in accordance with Section 4.7 of the *Landscape Manual*. One of the purposes of the bufferyard was to help screen the surrounding single-family dwellings from the WSSC water tower site. The property is also directly adjacent to an open space parcel, which surrounds the property on all sides, except its street frontage along Chestnut Avenue. To further add to the existing open space within this area, the applicant is proposing a new parcel, (Parcel L), which will be located behind the two proposed building lots, and provide an additional 5,250 square feet of open space. The chain-link fencing that previously surrounded the water tower is now proposed to be removed.

SETTING

The site is located on the east side of Chestnut Avenue, approximately 20 feet north of Myrtle Avenue. Except for the street frontage along Chestnut Avenue, the property is completely surrounded on all

sides by an open space parcel that was dedicated to the Adnell homeowners association per record plat VJ 187@75 as part of the original cluster development. Beyond the surrounding open space areas, the properties to the north and east are zoned R-R and developed with single-family residences as part of the Adnell cluster subdivision. To the west, and across Chestnut Avenue, is the private recreational facility for the Adnell subdivision. To the south is Parcel J, which is an open space parcel in the R-R Zone.

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-R | R-R (Cluster) |
| Use(s) | Vacant | Single-Family Residences |
| Acreage | .086 | .086 |
| Lots | 0 | 2 |
| Parcels | 1 | 1 |
| Dwelling Units: | | |
| Detached | 0 | 2 |

2. **Fire and Rescue**—The Historic Preservation & Public Facilities Planning Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)-(E) of the Subdivision Ordinance. The subject application was accepted on February 9, 2006.

The Prince George's County Planning Department has determined that this preliminary plan is within the required 7-minute response time for the first due fire station Bowie, Company 19, using the 7 Minute Travel Times and Fire Station Locations Map provided by the Prince George's County Fire Department.

The Fire Chief report for adequate equipment is contained in a memorandum dated March 28, 2006. That memorandum states that the "...Department has adequate equipment and has developed an equipment replacement program to meet all the service delivery needs for all areas of the County."

The Fire Chief report for current staffing for the Fire Department is contained in a memorandum dated March 28, 2006. That memorandum states that the number of "net operational employees" is 672, which equates to 96.97 percent of the authorized strength of 692 fire and rescue personnel.

As previously noted, the subject application was accepted on February 9, 2006. Section 24-122.01(e)(2) of the Subdivision Regulations state: "If any of the required statements in this Subsection are not provided that meet the criteria specified in this Section on the date the application is accepted by the Planning Board or within the following three (3) monthly cycles of response time reports, then the Planning Board may not approve the preliminary pla[n] until a mitigation plan between the applicant and the County is entered into and filed with the Planning Board."

One key element to the ordinance language cited above is the creation of a window for the application of the fire and rescue adequacy test that runs from "...the date the application is accepted by the Planning Board or within the following three (3) monthly cycles of response time reports...." This means that an application is afforded the opportunity to pass the test in a time frame that spans approximately 90 days. With regard to data on fire and rescue staffing levels prior to the receipt of the March 28, 2006, letter from the Fire Chief, some clarity needs to be provided.

Since January 1, 2006 (the beginning of the time frame when the standard of 100 percent of the authorized strength of 692 fire and rescue personnel must be met), staff has received four memorandums from the Fire Chief (January 1, 2006, February 1, 2006, March 5, 2006 and March 28, 2006). The data presented in these four memorandums varies in the description of the personnel being counted as applicable to the percentage of the authorized strength standard. While the number of personnel presented varies only slightly (694, 694, 696 and 693 respectively), the description of the status of these personnel has changed or been clarified from memorandum to memorandum.

It seems clear to staff that since the beginning of 2006, each reporting of personnel has included certain numbers of trainees and/or recruits that were not intended to be considered applicable to the minimum percentage requirement. This becomes apparent when comparing the January 1 and February 1 memorandums. Both reflect a total authorized strength of 694 personnel, but the February 1 memorandum identifies 46 members of that complement in the training academy. The March 5 memorandum does not provide a breakdown of the 696 personnel total, but the March 28 memorandum identifies 21 recruits as part of the "Actual total strength" of 693.

Given the totality of the information identified above, staff concludes that since the acceptance of the subject application, the minimum staffing level for fire and rescue personnel, as required by Section 24-122.01(e)(1)(B)(ii), has not been met. Therefore, pursuant to Section 24-122.01(e)(2), staff is compelled to recommend disapproval of the subject application at this point in time. It should be noted, however, that with an acceptance date of February 9, 2006, more time remains in the test window for the subject application.

RECOMMENDATION

**DISAPPROVAL DUE TO INADEQUATE FIRE AND RESCUE AND POLICE SERVICES
PURSUANT TO SECTION 24-122.01(e) OF THE SUBDIVISION REGULATIONS.**