



*Note: Staff reports can be accessed at [www.mncppc.org/pgco/planning/plan.htm](http://www.mncppc.org/pgco/planning/plan.htm).*

## Preliminary Plan 4-06018

Application	General Data
<b>Project Name:</b> <b>GHOUSE PROPERTY</b>  <b>Location:</b> Northeast side of Surratts Road, at the intersection with Moores Lane.  <b>Applicant/Address:</b> Tristate Development & Construction, Inc. 14100 Sullyfield Circle, Suite #250 Chantilly, VA. 20151	Date Accepted: 03/24/06
	Planning Board Action Limit: 09/11/06
	Plan Acreage: 9.13
	Zone: R-R
	Lots: 14
	Parcel: 1
	Planning Area: 81A
	Tier: Developing
	Council District: 09
	Municipality: N/A
200-Scale Base Map: 214SE07	

Purpose of Application	Notice Dates
RESIDENTIAL SUBDIVISION	Adjoining Property Owners Previous Parties of Record Registered Associations: 02/23/06 (CB-58-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 06/27/06

Staff Recommendation		Staff Reviewer: Ivy R. Thompson	
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 4-06018  
Ghouse Property, Lots 1-14 and Parcel A

OVERVIEW

Located on Tax Map 126, Grid A-2, the subject property consists of approximately 9.13 acres of land that is currently underdeveloped. Two parcels, Parcel 92 and Parcel 35, form the property that is zoned R-R and is shaped like an arrowhead. The proposal is to develop the property into a 14-lot subdivision. All of the lots are proposed for single-family dwelling residences and one parcel for a stormwater management pond, all fronting on, and with access to, a cul-de-sac extending from Surratts Road across from Moores Lane.

At the writing of this staff report, in accordance with Section 24-124 of the Subdivision Regulations, staff is compelled to recommend disapproval of the subject application, as discussed further in finding seven of this report due to inadequate transportation facilities.

SETTING

Located in the developing tier, the subject property is situated along the northeast side of Surratts Road at its intersection with Moores Lane and consists of approximately 9.13 acres of land. Abutting properties north, south and west of the subject property are also zoned R-R. Abutting properties east of the subject property are zoned R-E. Most of the surrounding properties are developed with single-family detached dwelling units.

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
Use(s)	Residential	Residential
Acreage	9.13	9.13
Lots	0	14
Outlots	0	0
Parcels	2	1
Dwelling Units:	0	14
Public Safety Mitigation Fee		Yes

2. **Environmental**—The Environmental Planning Section has reviewed the revise Preliminary Plan of Subdivision for the Ghouse Property, 4-06018, and the revised Type I Tree Conservation Plan, TCPI/14/06, stamped as received by the Environmental Planning Section on June 27, 2006. The

Environmental Planning Section recommends approval of 4-06018 and TCPI/14/06 subject to the conditions listed at the end of this memorandum.

## **BACKGROUND**

The Environmental Planning Section has no records of any previous applications for the subject property.

## **SITE DESCRIPTION**

There are no streams, wetlands or 100-floodplain on the property. The site eventually drains into Piscataway Creek in the Potomac River watershed. According to the "Prince George's County Soils Survey" the principal soils on this site are in the Beltsville, Matapeake and Westphalia series. Marlboro clay does not occur in this area. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, rare, threatened, or endangered species do not occur in the vicinity of this property. No designated scenic or historic roads will be affected by the proposed development. There are no nearby sources of traffic-generated noise. Based on the most recent Air Installation Compatible Use Zone Study released to the public in August 1998 by the Andrews Air Force Base, aircraft-related noise is significant. The proposal is not expected to be a noise generator. This property is located in the Developing Tier as reflected in the *Prince George's County Approved General Plan*. The property contains evaluation areas as identified in the approved *Green Infrastructure Plan*.

## **ENVIRONMENTAL REVIEW**

Based on the most recent Air Installation Compatible Use Zone Study released to the public in August 1998 by the Andrews Air Force Base, aircraft generated noise is significant. The study indicates that the noise threshold is within the 65-70 dBA (Ldn) noise contours. This noise level is above the State Acceptable Noise Level for residential land uses. It will not be possible to mitigate noise in the outdoor activity areas; however, the use of proper construction materials must be used to ensure that the noise inside of the residential structures does not exceed 45dBA.

A certification by a professional engineer with competency in acoustical analysis should be required prior to the approval of building permits. This certification on the building permits should state that building shells of structures have been designed to reduce interior noise levels to 45 dBA or less. A note should also be placed on the Final Plat indicating that the properties within this subdivision have been identified as possibly having noise levels that exceed 65 dBA Ldn due to military aircraft overflights and that this level of noise is above the Maryland designated acceptable noise levels for residential uses.

An approved Natural Resources Inventory, NRI/010/06, was submitted with the application. There are no streams, wetlands or 100-year floodplain on the property. The FSD indicates one forest stand totaling 8.97 acres and notes the species, size and condition of 13 specimen trees.

Immature upland hardwoods, including white oak, tulip poplar and red oak, with an average of 16.2 inches diameter at breast height cover approximately 8.97 acres. The understory includes highbush blueberry, American holly and flowering dogwood. Although there is some Japanese honeysuckle, the proportion of invasive species is low. The property contains evaluation areas as

identified in the approved Green Infrastructure Plan. No further action regarding sensitive environmental features is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site is more than 40,000 square feet in area and there are more than 10,000 square feet of existing woodland.

Unless there are woodlands rating a high priority for preservation, the encumbrance of lots with woodland conservation areas is not consistent with the purposes of the Woodland Conservation Ordinance. The woodland areas remaining after clearing for development are fragments that are contrary to the preservation policies established in the Ordinance and those of the Countywide Green Infrastructure Plan. Because the woodlands are of a good quality with few invasive species, woodlands may be retained on lots but do not need to be calculated as cleared. If a future homeowner desires to clear additional area, they will need to revise the Type II Tree Conservation Plan or pay a fee-in-lieu for the additional area of woodland cleared. It appears some off-site clearing and grading will be necessary with the stormwater outfall.

Prior to signature of the Preliminary Plan, the Type I Tree Conservation Plan should be revised. A note should be placed on the Final Plat of Subdivision stating that the Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/14/06), 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 would mean a violation of an approved Tree Conservation Plan and would make the owner subject to mitigation under the Woodland Conservation Ordinance. The property is subject to the notification provisions of CB-60-2005.

According to the "Prince George's County Soils Survey" the principal soils on this site are in the Beltsville, Matapeake and Westphalia series. Beltsville soils may have impeded drainage and a high water table. Matapeake soils pose no special problems for development. Westphalia soils are highly erodible. This information is provided for the applicant's benefit. The Prince George's County Department of Environmental Resources will require a soils report in conformance with CB-94-2004 during the permit process review.

Copies of the Stormwater Management Concept approval letter and/or plan were not submitted with this application. The TCPI shows a proposed pond with an outfall that will create overland flow on adjacent properties; however, an approved CSD is required to establish that this is acceptable to the Prince George's County Department of Environmental Resources. Prior to signature of the Preliminary Plan, copies of the approved Stormwater Management Concept Plan and letter shall be submitted.

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

### **Water and Sewer**

The Department of Environmental Resources (DER), Development Services Division, has determined that the 2001 Water and Sewer Plan designated this property in Water and Sewer Category 4. Category 3 must be obtained prior to final plat. Water and sewer line extensions are required to serve the property and must be approved by the Washington Suburban Sanitary Commission before approval of a final plat.

3. **Community Planning**—This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. This application conforms to the suburban residential land use recommendation of the 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V*. This application is located in the Developing Tier. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable.
4. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location.
6. **Trails**—There are no master plan trails issues identified in the Subregion V Master Plan. Surratts Road is open section with no sidewalks in the vicinity of the subject site. Most roads in the vicinity are open section with no sidewalks due to the relatively large size of most of the lots.
7. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 9.13 acres of land in the R-R zone. The property is located on the northeast side of Surratts Road at its intersection with Moores Lane. The applicant proposes a residential subdivision consisting of 14 single-family detached residences.

Due to the size of the subdivision, staff has not required that a traffic study be done. The staff did requested counts at the critical intersection that were provided. Therefore, the findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals."

### **Growth Policy - Service Level Standards**

The subject property is in the developing tier, as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

**Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the developing tier.

**Unsignalized intersections:** The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

### **Staff Analysis of Traffic Impacts**

The intersection of MD 5 and Surratts Road is determined to be the critical intersection for the subject property. This intersection is the nearest signalized intersection to the site, and would serve a majority of the site-generated traffic. The turning movement counts indicate that the

critical intersection operates at Level-of-Service (LOS) F, with a critical lane volume (CLV) of 1,766, during the AM peak hour. During the PM peak hour, the intersection operates at LOS E with a CLV of 1,576.

There are no funded capital projects at this intersection in either county Capital Improvement Plan or the state Consolidated Transportation Program that would affect the critical intersection. Since the intersection was counted, improvements have been built by a private developer that provide double left-turn lanes on the northbound and southbound approaches of MD 5; these improvements were built as a part of a mitigation package, and they are completed. There are sixteen approved but unbuilt developments totaling 1,200 residences (plus a small amount of commercial space) that would affect the intersection. Through traffic growth has also been considered along MD 5. With background growth added, the critical intersection would operate as follows: AM peak hour-LOS F, with a CLV of 1,951; PM peak hour-LOS F, with a CLV of 1,787.

With the development of 14 single-family detached residences, the site would generate 12 AM (2 in and 10 out) and 13 PM (10 in and 3 out) peak hour vehicle trips. The site was analyzed with the following trip distribution: 65 percent north along MD 5, 10 percent northeast along Dangerfield Road, 5 percent east along Surratts Road, 10 percent west along Surratts Road, and 10 percent south along MD 5. Given this trip generation and distribution, staff has analyzed the impact of the proposal. With the site added, the critical intersection would operate as follows: AM peak hour-LOS F, with a CLV of 1,952; PM peak hour-LOS F with a CLV of 1,788. Therefore, the critical intersection operates unacceptably under existing, background, and total traffic.

The applicant has not discussed mitigation with staff although the intersection is eligible for the use of mitigation. However, given that double left-turn lanes and free right-turn lanes have been constructed on each approach, staff does not believe that the addition of turning lanes beyond what exists would be feasible or effective. The primary issue with the operations at this intersection is the heavy through traffic along MD 5. Adding additional through lanes through the intersection would not be practical for an applicant of this size, nor does the State Highway Administration (SHA) desire such an improvement. SHA currently plans to construct a grade-separated interchange at this location, and while the interchange has conceptual environmental approval there is no current funding for its design or construction.

Given the levels of service determined, the degree to which the current at-grade intersection has been built out, and the current lack of funding for the interchange improvements at the MD 5/Surratts Road intersection, the transportation staff believes that there is little option to the finding that adequate transportation facilities do not exist to support this development. It is noted that the impact of this site on the MD 5/Surratts Road intersection is very small—approximately 10 AM and 11 PM peak hour vehicle trips and only one critical lane volume unit in each peak hour. Nonetheless, the proposal is too large to be properly considered to have a de minimus impact (the "Guidelines for the Analysis of the Traffic Impact of Development Proposal" describe a de minimus development on page 3 as generating "five or fewer peak hour trips"), and this intersection is clearly the critical intersection for this site. These issues were identified at the Subdivision Review Committee meeting on April 7, 2006.

Surratts Road is a master plan collector. The plan must show dedication of 40 feet from centerline.

### **Transportation Staff Conclusions**

Based on the preceding findings, the Transportation Planning Section cannot conclude that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code. The service level at the MD 5/Surratts Road intersection is the sole issue. In summary, staff has determined:

- A. The intersection operates unacceptably under existing, background, and total traffic.
- B. While the applicant has not proffered any strategy to attempt to resolve the inadequacy, there are likely no at-grade improvements that can be made to the intersection that will be effective or feasible.
- C. SHA currently plans to construct a grade-separated interchange at this location, and while the interchange has conceptual environmental approval there is no current funding for its design or construction.

For these specific reasons, the transportation staff recommends disapproval of this application.

- 8. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this preliminary plan for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded the following.

**Finding**

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 5	Middle School Cluster 3	High School Cluster 3
Dwelling Units	14 sfd	14 sfd	14 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	3.36	0.84	1.68
Actual Enrollment	4145	5489	9164
Completion Enrollment	97	64	127
Cumulative Enrollment	397.92	106.80	213.60
Total Enrollment	4643.28	5660.64	9506.28
State Rated Capacity	3771	6114	7792
Percent Capacity	123.13%	92.58%	122.00%

Source: Prince George's County Planning Department, M-NCPPC, December 2005

These figures are correct on the day this memo was written. They are subject to change under the provisions of CB-30-2003 and CR-23-2003. Other projects that are approved prior to the public hearing on this project will cause changes to these figures. The numbers shown in the resolution will be the ones that apply to this project.

County Council bill CB-31-2003 establishes a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between interstate highway 495 and the District of Columbia; \$7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts on existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or \$12,000 per dwelling for all other buildings. Council bill CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are \$7,671 and \$13,151 to be a paid at the time of issuance of each building permit.

The school surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

The Historic Preservation and Public Facilities Planning Section staff finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-30-2003 and CB-31-2003 and CR-23-2003.

9. **Police Facilities**—The Prince George’s County Planning Department has determined that this preliminary plan is located in Police District V.

The standard for emergency calls response is 10 minutes and 25 minutes for non-emergency calls. The times are based on a rolling average for the proceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on **03/24/06**.

Reporting Cycle	Date	Emergency Calls	Non-emergency
Acceptance Date	01/05/05-02/05/06	12.00	21.00
Cycle 1	01/05/05-03/05/06	12.00	21.00
Cycle 2	01/05/05-04/05/06	12.00	20.00
Cycle 3	01/05/05-05/05/06	11.00	20.00

Based on the data above, average response times for emergency service are inadequate. The applicant may enter into a mitigation plan with the county and file such plan with the Planning Board to overcome this inadequacy. The Planning Board may not approve this preliminary plan until a mitigation plan is submitted and accepted by the county.

Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels. The Police Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

10. **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 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 **Clinton, Company 25**, using the *7 Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire Department.

Pursuant to CR-69-2006, Prince George’s County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police and fire and rescue personnel staffing levels.

The Fire Chief has reported that the department has adequate equipment to meet the standards stated in CB-56-2005.

11. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that private stormwater management is required. Stormwater Management Concept Plan 3026-2006-00 has been approved with the conditions that the proposed stormwater pond is to provide one-inch water quality and channel protection volume; a landscape plan is required at technical review for the proposed pond; and at the time of building permits, a geotechnical report is required as per CB-94-1994.
12. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the Ghouse property and has no comments to offer.
13. **Archeology**—Phase I archeological survey is not recommended by the Planning Department on the above-referenced property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates no known archeological sites within a one-mile radius of the property, and no known historic structures within the vicinity of the subject property. The applicant should be aware that the 1938 aerial photo (attached) shows a rural road leading to what appears to be a structure (possibly a residence). This structure does not appear on the 2000 aerial photo.

Section 106 review may require archeological survey for state or federal agencies, however. Section 106 of the National Historic Preservation Act requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when federal monies, federal properties, or federal permits are required for a project.

14. **Historic Preservation**—The Historic Preservation and Public Facilities Planning Section has reviewed the subject area and has found that there is no effect on historic resources.

## **RECOMMENDATION**

Staff recommends **DISAPPROVAL** of Preliminary Plan 4-06018 and TCPI/14/06, because of inadequate transportation facilities as required under Section 24-124 of the Prince George's County Code.