The 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 4-06064 & VP-06064

Application	**General Data**	
Project Name: **ADNELL PROPERTY, ADDITION TO**	Date Accepted:	09/05/06
	Planning Board Action Limit:	11/14/06
	Plan Acreage:	0.86
Location: On Chestnut Avenue, 250 feet southeast of Crutchfield Avenue.	Zone:	R-R
	Lots:	2
	Parcels:	0
Applicant/Address: PDC Adnell, LLC. 5840 Banneker Road, Suite #110 Columbia, Maryland 21044	Planning Area:	71B
	Tier:	Developing
	Council District:	04
	Municipality:	N/A
	200-Scale Base Map:	212NE11

Purpose of Application	**Notice Dates**	
RESIDENTIAL SUBDIVISION Including variances from the required minimum net lot area in the R-R Zone (20,000 square feet) and the required lot width at the front building line (80-feet). Section 27-442(b) Table-I and Section 27-442(d) Table-III	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-58-2003)	06/06/06
	Sign(s) Posted on Site and Notice of Hearing Mailed:	10/10/06

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 4-06064

Adnell Property, Addition to, Lots 13 & 14, Block D

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), which was recorded in February of 1999. The subject property was intentionally not part of the Adnell Cluster Subdivision because it was owned by the Washington Suburban Sanitary Commission (WSSC) and contained an existing 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 two-lot proposal was the subject of two prior preliminary plan of subdivision applications. Preliminary Plan 4-04203 (PGCPB No.05-144) was denied by the Planning Board on June 23, 2005, due to inadequate fire, rescue and police staffing levels pursuant to Section 24-122.01(e)(2) of the Subdivision Regulations. On April 20, 2006, The Planning Board granted a continuance for Preliminary Plan 4-05134, as this application was also experiencing inadequate fire, rescue and police staffing levels, and the granting of the continuance would allow the applicant additional time to meet the staffing requirements. However, the case was withdrawn prior to the public hearing. The applicant withdrew the application in anticipation of a disapproval recommendation, and due to the inability to obtain Planning Board approval within that application's mandatory review time period.

The preliminary plan that has now been submitted for this case is basically identical in nature to the prior submissions. However, the prior preliminary applications for the property proposed the development of two detached single-family dwelling utilizing the optional design approach of a cluster subdivision. Council Bill CB-4-2006 (DR-3) was adopted by the District Council on July 18, 2006, amending the subdivision regulations to allow the use of cluster subdivision's for preliminary plans of subdivision accepted prior to July 1, 2006. This application was accepted on September 5, 2006, and therefore could not utilize the optional cluster design approach.

Revised plans were submitted that proposed development in accordance with the conventional standards of the R-R Zone. However, because this is an in-fill development that is utilizing the existing infrastructure, there is inadequate land available to provide two, conventional lots that have a minimum net lot area of 20,000 square feet, as required in the R-R Zone. This is due to all the surrounding properties already being developed under the cluster design approach, and due to the land surrounding the subject property on all sides being a recorded parcel that was previously conveyed to the Adnell Homeowners

Association (HOA). The surrounding HOA land was intended to provide a buffer between the adjacent dwellings and the WSSC water tower.

For these reasons, variances were requested from the required minimum net lot area (20,000 square feet), and for the required lot width at the front building line (80-feet) for both of the proposed lots. Staff does support the variances requests because the two lots, as proposed, will still be considerably larger than most of the surrounding lots that were developed under the optional cluster approach. The two lots proposed are 18,727 square feet and 18,713 square feet respectively. The adjacent lots, previously approved under a cluster subdivision, average between 10,500 square feet and 13,291 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 90-foot-high WSSC water tower. The property is also directly adjacent to an open space parcel, which surrounds the property on all sides, except for its street frontage along Chestnut Avenue. The preliminary plan submitted demonstrates that the chain-link fencing that surrounded the previous water tower site will now be removed as a part of the development of the two single-family dwellings.

Although a detailed site plan is no longer required due to the inability to develop under an optional cluster approach which requires a detailed site plan, staff support of the requested variances was dependent on a revision to the approved detailed site plan to ensure architectural compatibility with the adjacent, existing dwellings that were developed under a detailed site plan. Staff had previously informed the applicant at the Subdivision Review committee meeting for this case on September 22, 2006, that a revision to the prior approved detailed site plan will be required. The applicant has requested that the detailed site plan revision be completed at a staff level (limited detailed site plan) for the purposes of including the two lots. The Urban Design Section does concur with the applicant's request, and a condition of approval has been established in this report to require the approval of the limited detailed site plan revision prior to the issuance of any building permits for the two lots.

SETTING

The site is located on the east side of Chestnut Avenue, approximately 20 feet north of its' intersection with Myrtle Avenue. Except for the subject property's 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
Use(s)	Vacant	Detached Single-Family Dwellings
Acreage	.86	.86
Lots	0	2

Parcels	1	0
Dwelling Units:		
Detached	0	2
Public Safety Mitigation Fee		No

2. **Environmental**—The Environmental Planning Section has reviewed revised plans for Preliminary Plan of Subdivision, 4-06064, stamped as received on October 12, 2006. A valid letter of exemption to the Prince George's County Woodland Conservation and Tree Preservation Ordinance is on file. Because this proposal will be developed under a conventional subdivision and this is not an addition to the Adnell Property cluster, the exemption to the ordinance is valid. The Environmental Planning Section recommends approval of Preliminary Plan 4-06064 because all environmental requirements have been met.

   The Environmental Planning Section previously reviewed development plans that completely surround the subject property. A WSSC-operated water tower was located on the property until several years ago. The water tower has been dismantled and removed. WSSC sold the land to the developer of the Adnell Property Subdivision.

   On March 2005, Preliminary Plan of Subdivision 4-04203 was reviewed for the site. The Planning Board denied the plan based mainly on inadequate public facilities. The Board's action is found in PGPB Resolution No. 05-144. In February 2006, Preliminary Plan of Subdivision 4-05134 was reviewed for this site. The applicant withdrew the application prior to review by the Planning Board. The current proposal is to create two lots for single-family detached dwellings under conventional R-R Zone standards with variances for lot width and size requirements.

   There are no regulated environmental features associated with this site, such as: streams, wetlands and areas of 100-year floodplain. No woodland exists on the property. According to the Countywide Green Infrastructure Plan, the site is not within the designated network. The site is in the Newstop Branch watershed of the Patuxent River basin, the Bowie and vicinity planning area, and the Developing Tier of the adopted General Plan.

   A signed copy of the Natural Resources Inventory (NRI/009/06) was included in the initial submittal of the preliminary plan. The NRI has been reviewed in relation to the revised preliminary plan and all the required information on NRI/009/06 has been correctly shown on the latter plan. No further information is required regarding the NRI.

   On January 13, 2005, the Environmental Planning Section issued a standard letter of exemption from the Woodland Conservation Ordinance because a note on the Adnell Woods TCPI indicates that the 0.86 acres owned by WSSC was not included in the overall Adnell Woods boundary. This exemption letter is valid through January 13, 2007. This letter must be submitted with all county permit applications for these two lots. No further information regarding woodland conservation is required.

   Information regarding the proposed method of stormwater management has been submitted. The stormwater management concept plan shows two dry wells on each lot to control stormwater runoff. A DER stormwater management concept approval letter 2154-2005-00 has been submitted with the preliminary plan for this case. No further information regarding stormwater management is necessary.

Water and Sewer Categories

The water and sewer service categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003, and will therefore be served by public systems.

3. **Community Planning**—The subject property is located in Planning Area 71B, and is within the limits of the 2006 *Preliminary Master Plan for Bowie and Vicinity and Proposed Sectional Map Amendment for Planning Areas 71A, 71B, 74A, 74B.* The master plan recommends a low-density residential land use. The proposed development of two detached single-family conforms to the 2006 Bowie and vicinity master plan's recommendation for low-density residential land use.

   The 2002 *Prince George's County Approved General Plan* locates the subject property 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. Since this application proposes a low- to moderate-density suburban residential community, it is consist with the 2002 General Plan Development Pattern policies for the Developing Tier.

   The 2006 Bowie & Vicinity Sectional Map Amendment retained the subject property in the R-R (Rural Residential) Zone.

4. **Parks and Recreation**—In accordance with Section 24-135(a) of the Prince George's County Subdivision Regulations, staff recommend a fee-in-lieu of mandatory park dedication.

5. **Trails**—There are no master plan trails issues identified in the adopted and approved Bowie and vicinity master plan that impact the subject property. Chestnut Road is an important pedestrian connection to Old Town Bowie, and a standard sidewalk is indicated along the subject property's street frontage.

6. **Transportation**—The following are the Transportation Planning Section's comments concerning the site access, geometric design and traffic impact of the subject application.

   The subject application involves two proposed lots that would have a minimal impact on the adjacent roadways and a traffic study was not required. Both lots have direct access to a primary residential street. This is acceptable. The site is not within or adjacent to any master plan transportation facilities.

   The application is a preliminary plan of subdivision for a residential development consisting of two detached single-family dwellings. The proposed development of two residences would generate 2 AM and 2 PM peak hour vehicle trip as determined using *Guidelines for the Analysis of the Traffic Impact of Development Proposals.*

   The site is within 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.

   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.

The traffic generated by the proposed preliminary plan would impact the intersection of Old Laurel-Bowie Road and 3rd Street. This intersection is unsignalized.

There are no projects to improve this intersection in either the county Capital Improvement Program or the state Consolidation Transportation Program.

The Transportation Planning Section has no recent available turning movement counts at the critical intersection of Old Laurel-Bowie Road and 3rd Street. Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. Therefore, The Transportation Planning Section would recommend that the Planning Board find that 2 AM and 2 PM peak hour trips will have a de minimus impact upon delay in the critical movements at the Old Laurel-Bowie Road and 3rd Street intersection.

TRANSPORTATION STAFF CONCLUSIONS

Based on the preceding findings, The Transportation Planning Section concludes that 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. No transportation-related conditions are warranted.

7. **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.

Impact on Affected Public School Clusters

Affected School Clusters #	Elementary School Cluster 3	Middle School Cluster 2	High School Cluster 2
Dwelling Units	2 sfd	2 sfd	2 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	0.48	0.12	0.24
Actual Enrollment	5137	7218	10839
Completion Enrollment	178	112	223
Cumulative Enrollment	16.80	237.78	476.64
Total Enrollment	5,332.28	7,567.90	11,538.88
State Rated Capacity	4,838	6,569	8,920
Percent Capacity	110.22%	115.21%	129.36%

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

These figures are correct on the day the referral 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 an 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 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.

8. **Fire and Rescue**—The Historic Preservation & Public Facilities Planning Section has reviewed this subdivision plan for 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 Bowie, Company 19**,** using the *Seven-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.

9. **Police Facilities—**The subject property is located in Police District II. The response standard is 10 minutes for emergency calls and 25 minutes for nonemergency calls. The times are based on a rolling average for the preceding 12 months. The preliminary plan was accepted for processing by the Planning Department on September 05, 2006.

Reporting Cycle	Date	Emergency Calls	Nonemergency
Acceptance Date	01/05/05-08/05/06	10.00	22.00
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for emergency calls and 25 minutes for non-emergency calls were met on August 5, 2006.

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

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.

10. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for the addition to the Adnell Property and has no comments to offer.

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, 2154-2005-00 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. **Historic**- The subject property was previously reviewed by Paula Bienenfeld for archeological resources on March 4, 2005, under prior case number 4-05134. The Historic Preservation Section concurs with her findings, in that a Phase I archeological survey is not recommended for this property. However, the applicant should be aware that state or federal agencies may require archeological investigation through the provisions of Section 106 of the National Historic Preservation Act.

13. **City of Bowie—**The City of Bowie has responded to a referral request for this application by letter dated September 30, 2006. The city has stated that the Adnell Subdivision, as well as the underlying parcel which is the subject of this application, are not within the corporate limits of the City of Bowie, and there is no agreement between the city and the developer to annex these properties into the city. The project is an in-fill development, and any additional traffic generated by the two lots would be insignificant when compared to the overall Adnell development. Because the property is not within the corporate limits of the city, and because the city has no jurisdiction to rule on the variances associated with this application, they have offered "no comment."

14. **Variance Request for Section 27-442(g), Lot Area and Lot Width**

Section 27-442(b), Table I and Table III of the Zoning Ordinance establish minimum lot size and minimum lot frontage respectively for lots in the R-R Zone. Variances may be granted provided the application meets the following criteria, contained within Section 27-230(a) of the Prince George's County Code.

(1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographical conditions, or other extraordinary situations or conditions;"

The property does not have exceptional narrowness, shallowness, or shape, or exceptional topographical conditions. However, the subject property has been encompassed within the Adnell Cluster Subdivision since the inception of that development. The property previously contained a WSSC water tower that was to be removed. Had the timing of that removal occurred sooner, this property could have been incorporated into the adjacent cluster development, which had additional open space to offset the required lot reduction. If it had, the minimum permitted lot size would have been 10,000 square feet. A series of unrelated legislative initiatives precluded previous actions on previous submissions. In

July 2006, the District Council precluded the future use of the cluster approach in an effort to promote the use of conservation subdivisions. The proposed size of Lot 13 (18,727 square feet) and Lot 14 (18,713 square feet) and the proposed lot width at the building line (5 feet below the minimum 80 feet required) either far exceed (lot area) or are consistent with (lot width) the lots in the adjacent cluster development. Additionally, the two lots are surrounded (except for the street frontage) by common open space in the adjacent cluster development. These factors combine to create an extraordinary situation not generally applicable to other properties in the area.

(2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property;

The hardship to the owner would be the loss of 50 percent of the development or the additional expense to attempt to resubdivide a portion of the adjacent cluster development (which was developed by the applicant for the subject property) to provide two 20,000 square foot size lots and open space that would be slightly smaller, but still in accordance with the minimum requirements. Staff considers either of these two scenarios as an undue hardship to the property owner and sees no public purpose being served if either were to be required.

(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

The granting of this variance will not substantially impair the intent, purpose, or integrity of the 2006 Master Plan and Sectional Map Amendment for Bowie and Vicinity. The plan calls for low to moderated suburban residential density, which is exactly what is proposed by the subject application.

Staff supports this variance request for these reasons.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:

   a. Verify the correct stormwater management concept approval number. The approved stormwater management concept plan and the approved concept letter have identical four digit numbers, but have a discrepancy in the year issued.

   b. Provide a general note that references the variance number (VP-06064), and further indicates the nature of the requested variances.

   c. Label the adjacent HOA Parcel to the north and to the east as Parcel A, Adnell Woods HOA, Plat VJ 187 @ 75.

   d. Provide a general note that indicates that there are no rare, threatened, or endangered species found to occur within the vicinity of the subject property.

e. Revise general note number 18 to include the receipt number (1329) of the issued woodland conservation exemption letter.

f. Delineate and label the proposed water and sewer house connections.

g. Correct the plat reference for adjacent Lots 1 thru 8, Block D to VJ 187 @ 75.

2. Development of this site shall be in conformance with the stormwater management concept plan, 2154-2005-00 and any subsequent revisions.

3. Prior to issuance of any building permits, the applicant, his heirs, successors and/or assignees shall have a limited detailed site plan approved by the Planning Board or its designee. The limited detailed site plan shall include, but not be limited to:

a. Ensuring the two proposed dwellings will be architecturally compatible with the existing subdivision that was developed under the optional cluster approach.

b. The house siting and elevations of the two proposed dwellings to ensure consistency with the prior approved detailed site plan.

c. Landscaping in accordance with the requirements of the *Landscape Manual*.

4. Prior to the approval of the final plat of subdivision the applicant, his heirs, successors and/or assignees shall pay a fee-in-lieu of mandatory park dedication for Lots 13 and 14.

STAFF RECOMMENDS APPROVAL OF PRELIMINARY PLAN 4-06064 & VP-06064