

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plat 4-99054
Addition to Berwyn Heights, Lots 49 - 50, Block 11

OVERVIEW

The proposed subdivision consists of approximately 0.55 acres, or 24,062 square feet, of land in the R-55 Zone. It is improved with two single-family detached homes. The property is known as Lots 1 through 5, Block 11, of the Greater Washington Realty Corporation's Addition to Berwyn, recorded at BDS 1 @ 14. The plat, recorded in 1906, includes 25-foot-wide lots, the subject lots being 25 feet wide by 192.5 feet deep. Over time, record lots have been combined to make development sites. Currently, Lots 1, 2 and 3 create one building site and Lots 4 and 5 create the second building site. The applicant proposes to resubdivide the site into three lots with lot size ranging from 6,500 to 9,312 square feet. Proposed Lot 49 would include the front portion of existing Lots 1, 2 and 3 (8,250 square feet) and contain one existing dwelling; proposed Lot 50 would include the front portion of existing Lots 4 and 5 (6,500 square feet) and contain one existing dwelling; proposed Lot 51 would include the rear portion of all existing. Access would be provided to the existing dwellings from 48th Avenue and to the new lot from Pontiac Street.

Because this is a subdivision in which new lots will be created, the relationship between the existing structures and the proposed lot lines is altered. Variances are required. The existing home on proposed Lot 50 will have seven-foot-wide side yards; a minimum of eight feet is required on one side with a combined setback of 17 feet required. The side yards on proposed Lot 50 will fall short of Zoning Ordinance requirements by one foot for the individual side yard and three feet for the combined side yard requirements.

Since this property is within the City of College Park, the City has ultimate jurisdiction regarding the disposition of the variances. The applicant has filed variance petitions with the City of College Park. While the preliminary plat application may move forward, the applicant should be aware that variance approval from the City of College Park will be required prior to final plat approval.

SETTING

The property is located at the southeast corner of the 48th Avenue/Pontiac Street intersection in the City of College Park. It is surrounded by single-family detached dwellings in the R-55 Zone, with commercial uses in the C-O Zone to the west.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental - This site is not subject to the provisions of the Woodland Conservation Ordinances because the site is less than 40,000 square feet and does not have a previously approved Tree Conservation Plan. A Tree Conservation Plan is not required. There are no wetlands, streams, or floodplain on this site. The principal soils are in the Sunnyside-Urban Land Complex. These pose no special problems for development. There are

no noise impacts associated with this proposal. There are no designated Historic or Scenic roads associated with this proposal.

There are no other environmental issues associated with this property.

2. Community Planning - The property is found in Planning Area 66/College Park-University Park. The *1989 Approved Langley Park-College Park-Greenbelt Master Plan* recommends that the subject property be developed for single-family detached residential uses in the ■Medium Suburban■ density of a maximum of 6.7 dwelling units per acre. The *1990 Adopted Langley Park-College Park-Greenbelt Sectional Map Amendment* (Planning Areas 65, 66 and 67) retained the subject in the R-55 Zone. The proposed resubdivision of the site into three lots raises no master plan issues.
3. Parks and Recreation - The proposal is subject to the requirements of Section 24-134(a) of the Prince George's County Subdivision Regulations for mandatory park dedication because the proposed lots are less than one acre in size, the property is in a residential zone, and the previous subdivision occurred prior to this requirement. However, proposed Lots 49 and 50 contain existing homes; one new dwelling may be located on proposed Lot 51. Since the property is unsuitable for parkland due to its size and location, staff recommends the applicant be required to pay a fee-in-lieu of park dedication, for Lot 51 only, at the time of final plat approval.
4. Trails - There are no master plan trails issues associated with application.
5. Transportation - The proposed subdivision presents no impact on master plan roadways. Both 48th Avenue and Pontiac Street are existing 30-foot right-of-way streets maintained by the City of College Park.

The proposed additional development (one additional lot created for a third single-family detached home) would generate 1 AM and 1PM peak hour vehicle trip as determined by the *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*. The traffic generated by the proposed subdivision would Impact the intersection of US 1 and Pontiac Street.

Given the configuration of the existing US 1/Pontiac Street intersection, staff believes that the development generating one trip in any peak hour would not have a calculable impact on the intersection. A type and quantity of development generating no more than one trip in either peak hour could be approved with no need for further analysis of the intersection.

Given this discussion, staff believes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Subdivision Regulations if this application is approved.

6. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised August 1999) (CR-4-1998) concluded that the proposed subdivision is exempt from the Adequate Public Facilities test for schools because it contains fewer than 36 dwelling units and located in a Revitalization Tax District.

7. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities. Fire engine, ambulance and paramedic service will be provided to this site from the College Park Fire Station, Company 12, located at 8115 Baltimore Avenue. The proposed subdivision will be within the adequate coverage area of the nearest existing fire/rescue facilities for engine, ambulance and medic service. With a service response time of 0.62 minutes:
 - a. The existing fire engine service at College Park Fire Station, Company 12, is within the 5.25 minutes response time guideline.
 - b. The existing ambulance service at College Park Fire Station, Company 12, is within the 6.25 minutes response time guideline.
 - c. The existing paramedic service at College Park Fire Station, Company 12, is within the 7.25 minutes response 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*.

8. Police Facilities - The proposed development is within the District I-Hyattsville service area. In accordance with Section 24-122.01(c)(1)(A) and (B) of the Subdivision Regulations of Prince George's County, the staff concludes that the existing County police facilities will be adequate to serve the proposed Addition to Berwyn Heights development. This police facility will adequately serve the population generated by the proposed subdivision.
9. Health Department - The Prince George's County Health Department has reviewed the application and offered no comments.
10. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan has been submitted but not yet approved. To ensure that development of this site does not result in on-site or downstream flooding, this concept plan must be approved prior to signature approval of the preliminary plat. Development must be in accordance with this approved plan.
11. Required Variances - Several variances are required to allow this development, all involving existing structures. Proposed side yards are inadequate for the existing structure on proposed Lot 50. Since this property is within the City of College Park, the City has final authority on variance cases. Staff believes the variances are warranted given the unique nature of this application, but the required findings will need to be made ultimately by the College Park City Council. The variance requests were DENIED by the College Park Planning Board. The City Planning Board had difficulty

making the findings for lots that had yet to be created though the subdivision process. This is akin to putting the cart before the horse. It does not appear that the City Planning Board had difficulty with the proposed lotting pattern or the variances at face value, but that the difficulty was created by the timing of the steps in the process. The City Planning Board's decision is appealable to the City Council, and staff is aware that the applicant has appealed the decision. While staff recommends approval of the preliminary plat, the applicant should be aware that the approval is valid only upon final approval of the variances by the City. If the variances are ultimately denied, final plats can not be approved.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. Prior to signature approval of the preliminary plat, the applicant shall receive approval of all necessary variances from the City of College Park. If variances are denied, final plats will not be approved and may not be processed.
2. Prior to signature approval of the preliminary plat, a stormwater concept plan shall be approved by the Department of Environmental Resources and the preliminary plat shall be revised to include the number and approval date of the approved stormwater concept plan. Development of this site shall be in accordance with the approved stormwater concept plan.