

# Certificate of Adequacy

ADQ- \_\_\_\_\_

**General Information**

Project Name: \_\_\_\_\_  
 Case Number: \_\_\_\_\_  
 Associated Preliminary Plan of Subdivision or Final Plat: \_\_\_\_\_  
 Use Type: \_\_\_\_\_  
 Dwelling Unit Type and Number: \_\_\_\_\_ Gross Floor Area (nonresidential): \_\_\_\_\_

**Project Location**

Project Location: \_\_\_\_\_  
 Lot/Parcel: \_\_\_\_\_ Tax Account: \_\_\_\_\_  
 Property Zone: \_\_\_\_\_ Council District: \_\_\_\_\_  
 Planning Area: \_\_\_\_\_ Municipality: \_\_\_\_\_  
 Election District: \_\_\_\_\_ Transportation Service Area: \_\_\_\_\_  
 Police District: \_\_\_\_\_ School Cluster Area: \_\_\_\_\_

**APPLICABILITY OF PUBLIC FACILITY ADEQUACY STANDARDS**

Facility	Level of Service Required	Adequacy Met (Yes/No/NA)	Conditions of Adequacy Approval (Yes/No)
Transportation:			
Pedestrian and Bikeway	Public Facilities provided in accordance with Section 24-4506		
Parks and Recreation ( <i>Transit-Oriented/ Activity Center Zones and Employment Areas</i> )	2.5 acres per 1,000 residents		
Parks and Recreation ( <i>All Other Zones</i> )	15 acres per 1,000		
Police—Residential Use	25 minutes for non-emergency calls; 10 minutes for emergency calls		
Fire and Rescue—Residential Use	7 minutes travel time		
Fire and Rescue—Non-Residential Use	5 minutes response time		
Schools	<105% capacity or mitigation in accordance with Section 24-4510(c)		

This Certificate of Adequacy is issued in accordance with Section 24-4503 of the Subdivision Regulations of Prince George's County, Maryland and in accordance with the analysis contained in the following memorandums attached hereto:

**Based on the forgoing analysis, this Certificate of Adequacy is:**

- Approved      Approved with the conditions (indicated here):
- Denied

**SIGNATURE**

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Planning Director

Date of Approval

**This certificate of adequacy is valid for 12 years from the date of approval, subject to the additional expiration provisions of Section 24-4503(c).**

301-952-3680

December 4, 2023

**MEMORANDUM**

TO: Eddie Diaz Campbell, Subdivision Section, Development Review Division

FROM: *BAP* Benjamin Patrick, Transportation Planning Section, Countywide Planning Division

VIA: *NS* Noelle Smith, Transportation Planning Section, Countywide Planning Division

**SUBJECT: PPS-2022-030, HOK Subdivision – Ager Road Townhomes**

**Proposal**

The referenced Preliminary Plan of Subdivision (PPS) application proposes to construct five single-family attached dwelling units. The site has frontage on Ager Road and is located within the Residential Single Family Attached (RSF-A) zoning district. The transportation planning section's review of the referenced PPS application was evaluated using the standards of Section 24 of the current Zoning Ordinance.

**Prior Conditions of Approval**

The subject property has no prior conditions of approval.

**Master Plan Compliance**

**Master Plan Roads**

The subject site fronts Ager Road and is identified in the *2009 Approved Countywide Master Plan of Transportation (MPOT)* and the *2006 Approved Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* as a master-planned arterial roadway with an ultimate right-of-way of 100 feet.

**Comment:** The applicant's submission displays the ultimate right of way of 100 feet and no additional right-of-way dedication is being pursued with this application.

**Master Plan Pedestrian and Bike Facilities**

The *2009 Approved Countywide Master Plan of Transportation (MPOT)* recommends a bike lane along the property's frontage.

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

**Policy 1: Provide standard sidewalks along both sides of all new road construction**

**within the Developed and Developing Tiers.**

**Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

**Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.**

**Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.**

The 2006 *Approved Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone* the following policies that are applicable to the subject property (page 81):

**Provide safe pedestrian and bikeway access along all streets**

**Develop walkable neighborhoods with contiguous linkages that support residential sociability, commercial activity, and the use of alternative modes of transportation.**

**Comment:** The master planned bike lane is currently installed along the site's entire frontage and fulfills the recommendation of the master plans.

#### **Transportation Planning Review**

Section 27-6104 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for the review of PPS development applications. Additionally, section 27-6200 provides specific requirements for the current applications. The relevant sections are 27-6204, 27-6206, 27-6207 and 27-6208 which details the requirements for vehicular, pedestrian and bicycle cross access. listed below:

**Comment:** Regarding Section 27-6204, the applicant has submitted a site plan that demonstrates all circulation through the site is provided via an eighteen-foot-wide driveway. There is a single access point proposed along Ager Road, and a six-foot-wide sidewalk along the site's entire frontage. The submitted site plan meets the requirements for this section. Regarding Section 27-6206, the subject site is zoned RSF-A and would not be required to provide vehicular cross-access. Regarding Sections 27-6207 and 27-6208, the subject site is adjacent to a multifamily building. The applicant explains in the statement of justification that pedestrian cross access would not be feasible given the size of the rear yard and open space requirements for the property. Additionally, the applicant is proposing a fence around the perimeter of the development. The multifamily building to the north faces 29<sup>th</sup> Avenue but has frontage along Ager Road as well. If a connection were able to be provided it would only lead to the rear of the multifamily building and staff believe it would not improve pedestrian routes required by cross access. The applicant further explains that the connection to the adjacent property is ultimately fulfilled via the proposed and existing

sidewalk along Ager Road. Staff agrees that due to the reasons provided, bicycle and pedestrian cross access is not feasible.

Based on the 2022 *Transportation Review Guidelines Supplement*, the proposed application will generate 5 AM and 5 PM trip during each peak hour. Pursuant to provisions in the Guidelines, staff finds that the transportation impacts are de minimis. A de minimis development is defined as one that generates 5 trips or fewer in any peak period. The Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-4505 of the Prince George's County Code if the application is approved.

**Conclusion**

Based on the preceding findings, adequate transportation facilities will exist to serve the proposed subdivision, as required in accordance with Section 24-4505 of the Subdivision Regulations and conform to the 2009 *Approved Countywide Master Plan of Transportation*, and the 2006 *Approved Transit District Overlay Zoning Map Amendment for the West Hyattsville Transit District Overlay Zone*.



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division  
Special Projects Section

14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772  
TTY: (301) 952-4366  
www.mncppc.org/pgco

November 30, 2023

**MEMORANDUM**

**TO:** Eddie Diaz-Campbell, Planner III, Subdivision Section, DRD

**FROM:** *TW* Tineya Walker, Planner I, Special Projects Section, CWPD

**VIA:** *BR* Bobby Ray, AICP, Supervisor, Special Projects Section, CWPD

**SUBJECT:** PPS-2022-030 – HOK Subdivision Ager Road - ADQ-2022-062

**Project Summary:**

This project proposes to develop approximately five single-family attached dwellings on two lots totaling 0.392-acres located at 5713 and 5715 Ager Road, Hyattsville, MD.. This preliminary plan of subdivision (PPS) application was accepted for processing by the Planning Department on October 31, 2023.

**PPS-2022-030**

The Certificate of Adequacy associated with preliminary plan PPS-2022-030 is being reviewed for public facility adequacy standards per Section 24-4502 as follows:

**24-4502. Applicability**

**(b) Applicability of Public Facility Adequacy Standards**

- (2) An application listed in Section 24-4502(a) above<sup>1</sup> shall not be approved until a certificate of adequacy or conditional certificate of adequacy is approved in accordance with the procedures and standards of this Section. No certificate of adequacy or conditional certificate of adequacy shall be approved unless and until it is reviewed and approved in conjunction with one of the applications or subdivision reviews identified in Section 24-4502(a) above and Section 24-4503(a).

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<sup>1</sup> **24-4502. Applicability**

(a) **Applications / Approvals Subject to this Section**

This Section applies to:

(1) An application for a preliminary plan of subdivision (minor or major).

**Water and Sewer:**

**24-4404.**

In accordance with the Sustainable Growth and Agricultural Preservation Act (Map 3 of Plan 2035 Prince George's County Sustainable Growth and Agricultural Preservation Act of 2012 (SB236) Map, Adopted November 20th, 2012, as may be amended from time to time), the water and sewer standard for residential subdivisions is:

- (a)** A subdivision in the Sustainable Growth Tier I in the General Plan or applicable Functional Master Plan shall be served by public sewer.

The property is within Tier I of the Sustainable Growth Act. Tier I includes those properties served by public sewerage systems.

**24-4405.**

For purposes of determining whether water and sewerage complies with the standards of this Section, the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage and compliance with the standards for the provision of public sewer and water.

The 2018 Water and Sewer Plan placed this property in the Water and Sewer Category 3, "Community Systems". Category 3 comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer.

**Capital Improvement Program (CIP):**

The subject site is located in Planning Area 68 – "Hyattsville-Riverdale-Mt. Rainer-Brentwood". The *2024-2029 Fiscal Year Approved CIP* identifies the following new facility proposed for construction in the planning area:

- Hyattsville Fire/EMS Station #801

**Conformance to the Master Plan:**

**24-4101. General**

**(b) Conform to Comprehensive Master Plan**

- (1)** Preliminary plans of subdivision (minor and major) and final plats shall be consistent with the General Plan and shall conform to all applicable Area Master Plans, Sector Plans, or Functional Master Plans, and as referenced in Sections 24-3402(d) and 24-3402(e) of this Subtitle.

The 2006 Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone identifies the following policy:

1. Plan and provide public facilities to support and fit into the Developed Tier's development pattern.

The proposed development will not impede achievement of the above-referenced goal. The analysis provided in this memo illustrates that, pursuant to adopted tests and standards, public safety facilities and Water & Sewer service are adequate to serve the proposed development. There are no police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, however, none of its recommendations affect the subject site.

## **ADQ-2022-062**

### **Police Facility Adequacy:**

Per Section 24-4508 of the current Subdivision Regulations, the Planning Board's test for police adequacy involves the following:

#### **24-4508. Police Facility Adequacy**

##### **(b) Adopted LOS Standard-Police**

**(2)** To demonstrate compliance with this LOS standard, the Chief of Police shall submit the following information, on an annual basis, to the Planning Director:

**(A)** A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the *Public Safety Master Plan* for police stations in the vicinity of the area of the proposed subdivision; and

**(B)** A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.

The subject property is served by Police District I, Hyattsville located at 5000 Rhode Island Avenue, Hyattsville, MD 20781. Consistent with the provisions of Section 24-4508 correspondence was received from representatives of the Prince George's County Police Department dated October 18, 2023, that stated the Department "has an adequate amount of equipment for our current sworn officers".

Pursuant to Section 24-4508.B the subject police response times for the site meet the standard of 25 minutes for non-emergency calls and 10 minutes for emergency calls. The test is applied on the date the application is accepted or within the following three (3) monthly cycles. The times are based on a rolling average for the preceding 12 months. The application was accepted by the Planning Department on October 6, 2023.

**Police Response Times (Section 24-4508.B) District I**

<b>Reporting Cycle</b>	<b>Reporting Month</b>	<b>Priority</b>	<b>Non-Priority</b>
Acceptance Date	October 2023	7:13 minutes	8:57 minutes

**Fire and Rescue Adequacy:**

Per Section 24-4509 of the current Subdivision Regulations, the Planning Board’s test for fire and rescue adequacy involves the following:

**24-4509. Fire and Rescue Adequacy**

**(b) Adopted LOS Standard for Fire and Rescue**

- (1)** The population and/or employees generated by the proposed subdivision, at each stage of the proposed subdivision, will be within the adequate coverage area of the nearest fire and rescue station(s) in accordance with the *Public Safety Guidelines*.
- (2)** The Fire Chief shall submit to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Director:
  - (A)** A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the *Public Safety Master Plan* for fire stations in the vicinity of the area where the subdivision is proposed to be located; and
  - (B)** A statement by the Fire Chief that the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.
- (3)** Subsection (b)(2), above, does not apply to commercial or industrial applications.

Table 24-4502 (“Summary of Public Facility Adequacy Standards”) of the current Subdivision Regulations requires a fire and rescue standard of seven (7) minutes response time for any residential uses. The Fire Department uses the metric of “travel time” in their evaluation. Response time adds one minute of ‘turn-out” time which is assessed at the time the station receives notice and initiates a response. Therefore, the six-minute travel time is the same metric as the seven-minute response time.

The subject property is served by Hyattsville Fire/EMS Station #801 located at 6200 Belcrest Road, Hyattsville, MD 20781, as the first due station. Prince George’s County Fire and EMS Department representative, James V. Reilly, stated in writing (via email) that as of November 13, 2023, the subject project passes the 7-minute response time test from the closest Prince George’s County Fire/EMS Station, Hyattsville Co. 801.

**Schools Adequacy:**

Per Section 24-4510 of the current Subdivision Regulations, the Planning Board’s test for school adequacy involves the following:

**24-4510. Schools Adequacy**

**(b) Adopted LOS Standard for Schools**

(2) The adopted LOS standard is that the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity, as adjusted by the School Regulations, of the affected elementary, middle, and high school clusters.

The subject property is located within Cluster 2, as identified in the *Pupil Yield Factors & Public-School Clusters 2022-2023 Update*. The project proposes to add 5 single family attached units.

The adopted “level of service” standard is the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity of the affected elementary, middle, and high school clusters. All of the school levels within Cluster 2 currently exceed 105% of State Rated Capacity and therefore don’t pass the level of service. Section 25.4510 (c) of the Subdivision Regulations states:

**(c) Mitigation**

When conditioned upon payment of the schools facility surcharge, or when otherwise exempt from the schools facility surcharge pursuant to Section 10-192.01, School Facilities Surcharge, of the County Code, the subdivision may be approved regardless of actual or projected school capacity.

Therefore, payment of the school facility surcharge mitigates the failure to meet the adopted level of service standard.

**Impact on Affected Public School Clusters**

	Affected School Cluster		
	Elementary School Cluster 2	Middle School Cluster 2	High School Cluster 2
Single-Family Attached Dwelling Units	5	5	5
Pupil Yield Factor (PYF) – SFA	0.146	0.069	0.087
SFD x PY=Future Enrollment	1	0	0
Adjusted Student Enrollment 9/30/22	20,969	9,781	10,074
Total Future Student Enrollment	20,970	9,781	10,074
State Rated Capacity	19,705	7,969	8,494
Percent Capacity	106%	123%	119%

Section 10-192.01 establishes school surcharges and an annual adjustment for inflation, unrelated to the provision of Subtitle 24. The current amount is **\$11,560** per dwelling if a building is located between Interstate 495 and the District of Columbia; **\$11,560** 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 **\$19,826** per dwelling for all other buildings. This project is located between Interstate 495 and the District of Columbia; thus, the surcharge fee is **\$11,560**. This fee is to be paid to Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) at the time of issuance of each building permit.

**CONCLUSION**

Conditioned upon payment of the School's Facility Surcharge, per Section 25.4510 (c), the Special Projects Section finds that the applicable public facility standards are met pursuant to 24-4500 of the Subdivision Regulations.



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Department of Parks and Recreation

6600 Kenilworth Avenue Riverdale, Maryland 20737

## MEMORANDUM

DATE: November 1, 2023

TO: Eddie Diaz-Campbell, Planner III  
Subdivision Section  
Development Review Division, Planning Department

VIA: Sonja Ewing, Division Chief [SME](#)  
Land Management and Environmental Stewardship (LMES)  
Department of Parks and Recreation

FROM: Dominic Quattrocchi, Supervisor [DAQ](#)  
Ivy R. Thompson, AICP, Planner III [IRT](#)  
Land Acquisition/Management & Development Review Section  
Land Management and Environmental Stewardship  
Department of Parks and Recreation

SUBJECT: **Preliminary Plan of Subdivision PPS-2022-030  
Hok Subdivision – Ager Road Townhomes (Minor)**

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The Department of Parks and Recreation (DPR) has reviewed and evaluated this Preliminary Plan of Subdivision (PPS) application as it pertains to public parks and recreational facilities.

### **PROPOSAL**

This application is for the subdivision of land for the development of attached residential dwellings.

### **BACKGROUND**

The subject property zoned Residential, Single Family-Attached (RMF-A), is 0.39 acres. The site addressed as 5713 and 5715 Ager Road, is located 200 feet south of the intersection of 29<sup>th</sup> Avenue and Ager Road, and is subject to the 2013 *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2014 *Plan Prince Georges 2035 Approved General Plan (Plan 2035)* and the 2006 *Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone*. This property, currently unimproved, is within Park Service Area 2. Nearby developed park facilities include Heurich Park, the Northwest Branch Stream Valley Park, Riggs Manor Park, and the Northwest Branch Trail. 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County* indicates that Service Area 2 is well served by trails, and neighborhood and community parks.

***Parks & Recreation Adequacy [Section 24-4507]***

Staff analysis has determined that the project, as shown, will generate an additional 14 people in the local community.

Per 24-4507(b)(1)(B) of the Prince George's County Subdivision Regulations 15 acres of improved public parks per 1,000 residents is the adopted Level of Service standard for Parks and Recreation in Prince George's County. The 2022 Land Preservation, Parks, and Recreation Plan (LPPRP) shows that there are 35 acres of improved public parkland per 1,000 persons in the county.

Therefore, Parks staff finds the LOS is adequate.

Separate from the evaluation of Parks & Recreation Adequacy, the Mandatory Dedication requirements must be met, as discussed below.

**Master Plan Conformance**

The property is subject to the 2013 *Formula 2040, Functional Master Plan for Parks, Recreation and Open Space*, the 2022 *Land Preservation, Parks and Recreation Plan for Prince George's County*, the 2014 *Plan Prince George's 2035 Approved General Plan (Plan 2035)* and the 2006 *Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone*. Parks staff reviewed this preliminary plan of subdivision for conformance to the master plan per Sections 24-4101(b) and 24-4402 of the Subdivision Regulations. 2006 *Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone* provides goals and policies related to parks and recreation (pages 11-15). The proposed development has no impact on the master plan park and open space recommendations. The master plan identifies residential uses for this property.

**FINDINGS & DISCUSSION:**

Subdivision Section 24-4600 addresses the Mandatory Dedication of Parkland requirement for residential development. The regulation provides for the dedication of land, the payment of a fee-in-lieu, or onsite recreational facilities. The Prince George's County Subdivision Regulations Section 24-4601, which relates to the Mandatory Dedication of Parkland, provides for the dedication of land, the payment of a fee-in-lieu, and/or the provision of private onsite recreational facilities.

The proposal is for the development of 5 lots. Based on the proposed density of development, 5 percent of the net residential lot area should be required to be dedicated to M-NCPPC for public parks, which equates to 0.02 acres for public parklands. The subject property is not adjacent or contiguous to any property currently owned by M-NCPPC. Therefore, the 0.02 acres of dedicated land would not be sufficient to provide for the types of active recreational activities that are needed.

The recreational guidelines for Prince George's County also set standards based on population. The projected population for the development is 14 new residents. Per Section 24-4601(b)(4)(B) of the Prince George's County Subdivision Ordinance, the Planning Board may approve the payment of fees in place of Parkland dedication. DPR staff recommends the payment of a fee in lieu of the mandatory dedication of parkland for the five lots created.

**RECOMMENDATION**

The Land Management and Environmental Stewardship Division of DPR recommends the following conditions for the Hok Minor Subdivision PPS-2022-030:

1. A payment of a fee in lieu of mandatory dedication of parkland for 5 lots in Service Area 2 because the land available for dedication and private recreational facilities provided is not sufficient to meet the recreational needs of the projected population. The fee in lieu payment shall be paid prior to the recordation of the record plat.
2. Add a note on the Preliminary Plan to state that the mandatory dedication of parkland requirement is being addressed by providing a payment of a fee-in-lieu for Service Area 2 because the land available for dedication is not sufficient to meet the recreational needs of the projected population.

cc: Alvin McNeal