

A M E N D E D R E S O L U T I O N

WHEREAS, W.T. Xander, et al is the owner of a 15.53-acre parcel of land known as Parcel A, NLP 154-18 and Parcels 63 and 261, Tax Map 151, Grid C-4 said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on February 5, 2003, Landmark Communities filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 23 lots and 4 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-03005 for Xander Property was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on June 12, 2003, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on June 12, 2003, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

*WHEREAS, by letter dated March 6, 2017, the applicant requested a waiver and reconsideration of Finding 8 and Condition 18 relating to the transportation adequacy; and

*WHEREAS, on March 30, 2017, the Planning Board approved the waiver and request for reconsideration for good cause in furtherance of substantial public interest (Rules of Procedure, Section 10(e)); and

*WHEREAS, on May 4, 2017, the Planning Board heard testimony regarding the reconsideration.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/45/90-01) and further APPROVED Preliminary Plan 4-03005 for Lots 3-25 and Parcels A-D the above-described land, subject to the following conditions:

*Denotes Amendment

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1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. To label Parcel D and provide the square footage. The plan shall indicate the options for dedication to be determined at the time of approval of the final plat of subdivision.
 - b. To note that mandatory dedication of parkland is being fulfilled with the conveyance of Parcel C to M-NCPPC and the construction of an eight-foot-wide asphalt trail to provide a connection from the subdivision to a point internal to the Accokeek Neighborhood Park.
2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
3. Prior to the issuance of building permits for Lots 10 and 11 and Parcel A, a Limited Detailed Site Plan shall be approved by the Planning Board or their designee. The LDSP shall evaluate landscaping and house siting to enhance the views of the SWM facilities from adjoining lots and Livingston Road.
4. Prior to the issuance of building permits for Lot 25 and Parcel B, a Limited Detailed Site Plan (LDSP) shall be approved by the Planning Board or its designee. The LDSP shall evaluate landscaping and house siting to enhance views of the SWM facility from adjoining lots and Livingston Road.
5. Prior to the issuance of building permits for Lot 16, 17 and 23, an LDSP shall be approved by the Planning Board or its designee. The LDSP shall evaluate landscaping and house siting to enhance views from adjoining lots and Livingston Road. Additional architectural elements may be required on the sides and rears of the dwellings located on these lots.
6. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall demonstrate that a homeowners association has been established and that the common areas have been conveyed to the homeowners association.
7. At the time of final plat, the applicant, his heirs, successors and/or assignees shall convey to the homeowners association 2.2 acres of land (Parcels A, B and D). Land to be conveyed shall be subject the following:
 - a. Conveyance shall take place prior to the issuance of building permits.
 - b. A copy of the unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Section of the Development Review Division (DRD), Upper Marlboro, along with the final plat.

- c. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.
 - d. The conveyed land shall not suffer the disposition of construction materials, soil filling, discarded plant materials, refuse or similar waste matter.
 - e. Any disturbance of land to be conveyed to a homeowners association shall be in accordance with an approved detailed site plan or shall require the written consent of DRD. This shall include, but not be limited to, the location of sediment control measures, tree removal, temporary or permanent stormwater management facilities, utility placement, and stormdrain outfalls. If such proposals are approved, a written agreement and financial guarantee shall be required to warrant restoration, repair or improvements required by the approval process.
 - f. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a homeowners association. The location and design of drainage outfalls that adversely impact property to be conveyed shall be reviewed and approved by DRD prior to the issuance of grading or building permits.
 - g. Temporary or permanent use of land to be conveyed to a homeowners association for stormwater management shall be approved by DRD.
 - h. Stormdrain outfalls shall be designed to avoid adverse impacts on adjacent land owned by or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by M-NCPPC, the Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to issuance of grading permits.
 - i. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to, M-NCPPC, without the review and approval of DPR.
 - j. The Planning Board or its designee shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.
8. At the time of final plat, the applicant, his heirs, successors and or assignees shall dedicate Parcel C (3,587 square feet) to M-NCPPC. Lands to be dedicated shall be subject to the following:
- a. An original, special warranty deed for the property to be conveyed (signed by the Assessment Supervisor, Washington Suburban Sanitary Commission) shall be submitted to the Subdivision Section of the Development Review Division, M-NCPPC, along with the final plat.

- b. M-NCPPC shall be held harmless for the cost of public improvements associated with land to be conveyed, including but not limited to, sewer extensions, adjacent road improvements, drains, sidewalks, curbs and gutters, and front-foot benefit charges, prior to and subsequent to the final plat.
 - c. The boundaries and acreage of land to be conveyed to M-NCPPC shall be indicated on all development plans and permits that include such property.
 - d. The land to be conveyed shall not be disturbed or filled in any way without the prior, written consent of the Department of Parks and Recreation (DPR). If the land is to be disturbed, DPR shall require that a performance bond be posted to warrant restoration, repair, or improvements made necessary or required by the M-NCPPC development approval process. The bond or other suitable financial guarantee (suitability to be judged by the General Counsel's Office, M-NCPPC) shall be submitted to DPR within two weeks prior to applying for permits.
 - e. Stormdrain outfalls shall be designed to avoid adverse impacts on land to be conveyed to or owned by M-NCPPC. DPR shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to the issuance of grading permits.
 - f. All waste matter of any kind shall be removed from the property to be conveyed. DPR shall inspect the site and verify that it is in acceptable condition for conveyance prior to final plat approval.
 - g. No stormwater management facilities or tree conservation or utility easements shall be proposed on lands owned by or to be conveyed to M-NCPPC without the prior written consent of DPR. DPR shall review and approve the location and/or design of these features. If such proposals are approved by DPR, a performance bond and an easement agreement may be required prior to the issuance of grading permits.
 - h. The applicant, his successors and/or assigns shall submit a letter to the Subdivision Section, DRD, prior to final plat indicating that the Department of Parks and Recreation has conducted a site inspection and found the land to be dedicated to M-NCPPC in acceptable condition for conveyance.
9. The applicant, his heirs, successors and/or assignees shall submit to the Park Planning and Development Division three original Recreational Facilities Agreements (RFA) for construction of recreational trail facilities on park property. The RFA shall be approved prior to the approval of final plats. Upon approval, the RFA shall be recorded among the county land records and noted on the final plat of subdivision.

10. The applicant, his heirs, successors and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee prior to building permits for the construction of recreational facilities on park property.
11. Development of this property shall be in conformance with the approved conceptual Stormwater Management Plan #1915-2003-00.
12. No building permits shall be issued for this subdivision until the percent capacity, as adjusted pursuant to the school regulations, at all the affected school clusters are less than or equal to 105 percent or six years have elapsed since the time of the approval of the preliminary plan of subdivision, or pursuant to the terms of an executed school facilities agreement whereby the subdivision applicant, to avoid a waiting period, agrees with the County Executive and County Council to construct or secure funding for construction of all or part of a school to advance capacity.
13. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Livingston Road, designated a Class III bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of Public Works and Transportation declines the signage, this condition shall be void.
14. The applicant, his heirs, successors and or assignees shall provide standard sidewalks along at least one side of internal public streets unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
15. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
16. The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/45/90-01) 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 will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy.”

17. Prior to signature approval of the Type I Tree Conservation Plan, it shall be revised to add the following notes:
 - a. This plan is conceptual in nature and is submitted to fulfill the woodland conservation requirements for 4-03005. A Type II Tree Conservation Plan, in conjunction with grading permit applications, will modify the TCPI.
 - b. The Type II Tree Conservation Plan will provide specific details on the type and location of protection devices, signs, reforestation, afforestation, and other details necessary for the implementation of the Woodland Conservation Ordinance on this site.
 - c. Significant changes to the type, location, or extent of the woodland conservation reflected on this plan will require approval of a revised Type I Tree Conservation Plan by the Prince George's County Planning Board.
 - d. Cutting, clearing, or damaging woodlands contrary to this plan or as modified by a Type II Tree Conservation Plan will be subject to a fine not to exceed \$1.50 per square foot of woodland disturbed without the expressed written consent of the Prince George's County Planning Board or designee. The woodlands cleared in conflict with an approved plan shall be mitigated on a 1:1 basis. In addition, the woodland conservation replacement requirements ($\frac{1}{4}$:1, 2:1, and/or 1:1) shall be calculated for the woodland clearing above that is reflected on the approved TCP.
 - e. Property owners shall be notified by the developer or contractor of any woodland conservation areas (tree save areas, reforestation areas, afforestation areas, or selective clearing areas) located on their lot or parcel of land and the associated fines for unauthorized disturbances to these areas. Upon the sale of the property, the owner/developer or owner's representative shall notify the purchaser of any woodland conservation areas.
 - f. Show a limit of disturbance on the plan and in the legend.
 - g. Revise the worksheet to indicate a minimum of 4.66 acres of off-site conservation.
 - h. Have the revised plan signed and dated by the qualified professional who prepared the plan.

18. Prior to issuance of building permits, the following improvements shall be in place, bonded and permitted for construction or programmed with 100 percent construction funding in the next five years in the Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.
 - a. Provide a right-turn lane*~~[, a through lane, and a double left turn lane at]~~ along the westbound approach to the MD 373/MD 210 intersection *for a distance of approximately 120 feet.
19. Prior to the signature approval of the preliminary plan, the applicant shall submit detailed construction drawings for recreational facilities on park property, including grading plan, landscaping plan, sections, and landscaping schedules for review and approval by DPR.
20. The recreational facilities shall be constructed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. All trails should be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.
21. The construction of the recreational facilities shall be completed in the Accokeek Community Park prior to the issuance of the 13th building permit.
22. Prior to the issuance of building permit for Lots 13 and 14, the portion of the trail located on Parcel C shall be completed and fencing and landscaping installed.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the south side of Livingston Road, approximately 300 feet west of Manning Road in Accokeek.

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3. **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)	Single-family	Single-family
Acreage	15.53	15.53
Lots	0	23
Parcels	3	4
Dwelling Units:		
Detached	2 (to be removed)	23

4. **Environmental**—This site was previously reviewed by the Environmental Planning Section under Preliminary Plan 4-90024 and TCPI/45/90, approved for the Xander property. The current application proposes significantly more clearing than the original TCP and constitutes a major revision to the previously approved TCP.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size, has more than 10,000 square feet of woodland, and has a previously approved Tree Conservation Plan for a portion of the total area. The plan proposes clearing 11.40 acres of the existing 13.47 acres of woodland. The worksheet correctly calculates the required woodland conservation as 6.73 acres. The plan proposes to meet the requirement by providing 2.07 acres of on-site preservation; however, the plan fails to account for 4.66 acres of required woodland conservation. The worksheet must be amended to provide for off-site conservation. The TCP does not have the standard notes required for all Type I Tree Conservation Plans. The TCP does not show a limit of disturbance.

A Forest Stand Delineation (FSD) showing 15 sample areas, one forest stand, and seven specimen trees has been reviewed. The FSD meets the requirements of the Woodland Conservation Ordinance. The FSD indicates a hardwood forest with trees less than six inches in diameter accounting for 64 percent, trees 6–12 inches in diameter accounting for 22 percent, and all larger trees forming 14 percent of the trees tabulated in the 15 sample plots. The FSD further indicates that the stand has good regeneration potential and few invasive or noxious species in the understory. The woodland is dominated by white oak, black gum, American holly, American beech, and Virginia pine, with smaller amounts of red maple, pignut hickory, and red oak. The shrub layer is dominated by American holly with some multiflora rose. This kind of woodland is desirable and suitable for on-site preservation. Preservation of woodland on-site can improve the value of the lots, reduce grading costs, and reduce the off-site woodland conservation requirement.

There are no streams, wetlands or 100-year floodplain on the property. The property eventually drains into Mattawoman Creek in the Potomac River watershed. There are no severe or steep slopes on the site. Current air photos indicate that most of the site is forested. The Subregion V Master Plan does not indicate that there are any significant environmental features on the site. No

designated scenic or historic roads are affected by this proposal. There are no nearby sources of traffic-generated noise. The proposed use is not expected to be a noise generator.

According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled, "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The *Prince George's County Soils Survey* indicates that the principal soils on the site are in the Beltsville, Leonardtown, and Mattapex soils series. Marlboro Clay does not occur in this area.

5. **Community Planning**—The subject property is located within the limits of the 1993 Subregion V Master Plan in Planning Area 83 in the Accokeek Community. The 2002 General Plan locates the property within the Developing Tier. The land use recommendation for this property is for Low-Suburban residential land use. The proposed preliminary plan is consistent with the recommendations in the master plan and General Plan.

The master plan recommends that "residential structures be designed in harmonious relationship with one another, to the terrain, and to adjacent roadways and should be situated to create interesting, useable spaces." A limited detailed site plan be utilized to evaluate views of the property from Livingston Road and the relationship of dwellings to the roads and the stormwater management facilities.

6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, staff recommends that the applicant dedicate Parcel C (3,587 square feet) to M-NCPPC toward meeting the requirement of mandatory dedication of parkland. Parcel C will provide a pedestrian access from the southernmost cul-de-sac in this subdivision to the Accokeek Neighborhood Park to the west. The amount of land required for mandatory dedication is 33,824 square feet, calculated at five percent of the land area within the subdivision. In lieu of meeting the requirements of mandatory dedication of parkland with only land, the applicant has proposed to dedicate Parcel C and construct an eight-foot-wide asphalt trail from the end of Pennino Court to the existing asphalt drive located behind the backstop in the park property.

The park access between Lots 13 and 14 should be graded and landscaped and a split-rail fence shall be installed along the property line to define the park access. Detailed construction drawings for recreational facilities on park property including grading plan, landscaping plan, sections, and landscaping schedules should be submitted to DPR for review and approval prior to signature approval of the preliminary plan.

The recreational facilities shall be constructed in accordance with the applicable standards in the *Parks and Recreation Facilities Guidelines*. All trails should be constructed to assure dry passage. If wet areas must be traversed, suitable structures shall be constructed. Designs for any needed structures shall be reviewed by DPR.

7. **Trails**—The Adopted and Approved Subregion V Master Plan recommends that Livingston Road be designated as a Class III bikeway with appropriate signage. Because Livingston Road is a county right-of-way, the applicant should provide a financial contribution to the Department of Public Works and Transportation for the placement of this signage. A note should be placed on the final plat for payment to be received prior to the issuance of the first building permit.

If road frontage improvements are required by DPW&T, wide asphalt shoulders are recommended to accommodate bicycle traffic. In addition, sidewalks are recommended along at least one side on the internal public streets to provide safe access to Parcel C and the park trail access.

8. **Transportation**—The application is a preliminary plan of subdivision for a residential development consisting of 23 dwelling units. The proposed development would generate 17 AM and 21 PM peak-hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals*.

The traffic generated by the proposed preliminary plan would impact the intersections of Indian Head Highway (MD 210) and Livingston Road (MD 373).

The intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.

The subject property is located 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: Signalized intersections: Level-of-service (LOS) "D," with signalized intersections operating at a critical lane volume (CLV) of 1,450 vehicles per hour or fewer.

The critical intersection, when analyzed with total future traffic as developed using the Guidelines, was not found to be operating at or better than the policy service level required. The LOS/CLV was computed as F/1647 during the AM peak hour and F/1892 during the PM peak hour.

~~*[In order to mitigate the inadequacy is identified above, the following improvements should be required:]~~

~~*[a. Provide a right turn lane, a through lane, and a double left turn lane at the westbound approach to the MD 373/MD 210 intersection.]~~

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~~*[The intersection, when analyzed with the improvements recommended and total future traffic, as developed using the Guidelines, was found to be operating at a LOS/CLV of E/1468 during the AM peak hour, and F/1739 during the PM peak hour.]~~

~~*[The application meets the geographic eligibility criteria for a Transportation Facilities Mitigation Plan (TFMP) established by the Prince George's County Council in CR 29 1994, "Guidelines for Mitigation Actions."]~~

~~*[The terms of CR 29 1994 provides that a TFMP must mitigate at least 100 percent of the development generated CLV if the total traffic exceeds 1,813, or 150 percent of the development generated CLV if the total traffic is found to be between 1,451 and 1,812. The Xander development will add 12 CLV trips during the AM peak and zero CLV trips during the PM peak period. Consequently, the improvements identified above must eliminate at least 12 (12 x 100 percent) CLV trips in the AM peak hour, and 0 (0 x 150 percent) CLV trips during the PM peak hour. The actual number of CLVs that were eliminated by the TFMP was 179 during the AM peak hour and 153 during the PM peak hour. Staff, therefore, concludes that the improvements recommended have met the minimum threshold pursuant to CR 29 1994. The State Highway Administration (SHA) concurs with this finding, as indicated in their memo dated May 14, 2003.]~~

*At the MD 210 and MD 373/Livingston Road intersection, the applicant has proposed the use of mitigation in accordance with Section 24-124(a)(6) of the Subdivision Regulations. The Regulations indicate that "consideration of certain mitigating actions is appropriate....," in accordance with the Guidelines for Mitigation Action and the requirements of that portion of Section 24-124. The applicant proposes to employ mitigation by means of criterion (d) in the Guidelines for Mitigation Action, which were approved by the District Council as Prince George's County Council Resolution CR-29-1994. Criterion (d) allows mitigation at intersections along MD 210 outside of the Capital Beltway (I-95/495) (among other facilities).

*At the MD 210 and MD 373/Livingston Road intersection, the applicant recommends the improvements described below to mitigate the impact of the applicant's development, in accordance with the provisions of Section 24-124(a)(6). The improvements include the addition of a westbound right-turn lane along MD 373 for a distance of approximately 120 feet.

*The impact of the mitigation action at this intersection is summarized as follows:

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<u>*IMPACT OF MITIGATION</u>				
<u>Intersection</u>	<u>LOS and CLV</u> <u>(AM & PM)</u>		<u>CLV Difference</u> <u>(AM & PM)</u>	
<u>MD 210/MD 373/Livingston Road</u>				
<u>Background Conditions</u>	<u>E/1635</u>	<u>F/1892</u>		
<u>Total Traffic Conditions</u>	<u>F/1647</u>	<u>F/1892</u>	<u>+12</u>	<u>+0</u>
<u>Total Traffic Conditions w/Mitigation</u>	<u>E/1490</u>	<u>D/1892</u>	<u>-157</u>	<u>-0</u>

*As the CLV at MD 210/MD 373/Livingston Road is between 1,450 and 1,813 during the AM peak hour, the proposed mitigation action must mitigate at least 150 percent of the trips generated by the subject property during the AM peak hour, according to the Guidelines. Also, as the CLV is greater than 1,813 during the PM peak hour, the proposed mitigation action must mitigate at least 100 percent of the trips generated by the subject property during the PM peak hour and bring the CLV to no greater than 1,813. The above table indicates that the proposed mitigation action would mitigate more than 150 percent of site-generated trips during the AM peak hour. It is agreed that the subject site has no impact on the critical movements of the intersection during the PM peak hour, and that there is no nexus to impose a condition in this circumstance. **Therefore, the proposed mitigation at MD 210 and MD 373/Livingston Road meets the requirements of Section 24-124(a)(6)(B)(i) of the Subdivision Regulations in considering traffic impacts.**

*[The improvements identified above] A larger set of improvements were previously included as conditions of approval of the Homeland Preliminary Plan of Subdivision (4-02124). *This improvement was part of that larger set of improvements that were previously approved by the Maryland State Highway Administration, so there is agency approval of the addition of this right-turn lane.

Adequate access roads will exist as required by Section 24-124 of the Prince George's County Code.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the pre-preliminary plans for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the Adequate Public Facilities Regulations for Schools (CR-23-2001 and CR-38-2002) and concluded the following:

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Finding

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 3	High School Cluster 3
Dwelling Units	23 sfd	23 sfd	23 sfd
Pupil Yield Factor	0.24	0.06	0.12
Subdivision Enrollment	5.52	1.38	2.76
Actual Enrollment	4651	4598	8393
Completion Enrollment	82	66	132
Wait Enrollment	39	15	29
Cumulative Enrollment	342.24	145.68	291.36
Total Enrollment	5119.76	4826.06	8848.17
State Rated Capacity	4492	5114	7752
Percent Capacity	113.98%	94.37%	114.14%
Funded School	N/A	N/A	Surrattsville addn.

Source: Prince George's County Planning Department, M-NCPPC, January 2003

The affected elementary and high school clusters percent capacities are greater than 105 percent. There is no funded school in the affected elementary school cluster. The Surrattsville addition is the funded school in the affected high school cluster. Therefore, this subdivision can be approved with a six-year waiting period. Based on this information, staff finds that the subdivision may be approved subject to conditions, in accordance with Section 24-122.02.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road has a service travel time of 0.66 minutes, which is within the 5.25-minute travel time guideline.
 - b. The existing ambulance service at Accokeek Fire Station, Company 24, located at 16111 Livingston Road has a service travel time of 0.66 minutes, which is within the 6.25-minute travel time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 47, located at 10900 Fort Washington Road has a service travel time of 9.50 minutes, which is beyond the 7.25-minute travel time guideline.

The above 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*.

The existing paramedic service located at Allentown Road Fire Station, Company 47, is beyond the recommended travel time guideline. The nearest fire station Accokeek, Company 24, is located at 16111 Livingston Road, which is 0.66 minute from the development. This facility would be within the recommended travel time for paramedic service.

11. **Police Facilities**—The proposed development is within the service area for Police District IV-Oxon Hill. In accordance with Section 24-122.01(c) of the Subdivision Regulations of Prince George's County, the existing county police facilities will be adequate to serve the proposed Xander property development. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department notes that an existing well and abandoned septic tank is located on the property. Prior to the approval of the final plat, the applicant should backfill and seal the well and remove or backfill the septic tank.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. Stormwater Management Concept Plan # 1915-2003-00 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.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Scott, with Commissioners Lowe, Scott, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 12, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 3rd day of July 2003.

*This is to certify that the foregoing, indicated in underline and deletion, is a true and correct copy of the reconsideration action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission relating to the transportation analysis on the motion of Commissioner Bailey, seconded by Commissioner Geraldo, with Commissioners Bailey, Geraldo, Washington, Doerner and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 4, 2017, in Upper Marlboro, Maryland. The adoption of this amended resolution based on the reconsideration action taken does not extend the validity period of the preliminary plan of subdivision.

*Adopted by the Prince George's County Planning Board this 4th day of May 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

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