

R E S O L U T I O N

WHEREAS, William Kumbar is the owner of a 15.79-acre parcel of land known as Parcel 266, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned R-55; and

WHEREAS, on April 7, 2008, William Kumbar filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 20 lots and 2 outlots; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-07094 for Kumbar's Second Addition to Suitland 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 September 11, 2008, 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 September 11, 2008, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

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/011/08), and further APPROVED Preliminary Plan of Subdivision 4-07094, Kumbar's Second Addition to Suitland, including a Variation from Section 24-130 for Lots 1-20 and Outlots A and B with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Revise general note 1 on the TCPI to provide a correct acreage for Parcel "A."
 - b. Final plat REP 216@64 was recorded for the adjacent property showing Kumbar Way serving the nine lot subdivision and intersecting with Swann Road. The preliminary plan submitted for this application shows this same street as being Kumbar Road, which is not accurate in accordance with the recorded record plat. Revise the plans to re-label the street names in accordance with final plat REP 216@64.
 - c. Re-designate Parcel "A" as Outlot "B."

- d. The limits of Outlot "A" shall be revised to include the south side of Lot 16 for the purposes of incorporating the existing driveway for Parcel 141 within the outlot.
2. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.
3. Prior to signature approval of the preliminary plan of subdivision, the applicant, the applicant's heirs, successors and/or assignees shall submit two copies of an approved stormwater management concept plan, signed by DPW&T, and two copies of the concept approval letter. The stormwater management concept plan approval number and approval date shall be delineated on the preliminary plan and TCPI. Any required stormwater management facilities shall be shown on the TCPI.
4. Prior to signature approval of the preliminary plan, the TCPI and preliminary plan shall be revised to show the same symbols shown on the NRI for streams, wetlands, wetland buffers, and floodplain, and shall use the same line weight as depicted on the NRI. Another symbol system may be used if it reflects all the elements clearly.
5. Prior to signature approval of the preliminary plan, the TCPI woodland conservation worksheet shall be revised as follows:
 - a. Revise the woodland conservation worksheet to eliminate the acreage for the "off-site mitigation being provided on this property" and only show the woodland conservation requirement for the site.
 - b. In the legend, revise the symbol identification for the off-site mitigation bank to "woodland preserved, not counted."
 - c. Have the revised plan signed and dated by the qualified professional who prepared it.
6. Development of this subdivision shall be in conformance with approved Type I Tree Conservation Plan (TCPI/011/08). The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type I Tree Conservation Plan, (TCPI/011/08), 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 Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County, Planning Department."
7. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the entire expanded buffer, except for areas of approved

impacts, and shall contain the woodland conservation areas provided for the subject property, and be reviewed by the Environmental Planning Section prior to certification. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

8. The final plat shall carry a note that any direct vehicular access to Mathilda Lane from Lots 4, 5 and 6 shall be denied.
9. Prior to approval of the final plat of subdivision, the applicant, the applicant's heirs, successors and/or assignees shall pay a fee-in-lieu of parkland dedication.
10. At the time of final plat, the applicant, the applicant's heirs, successors and/or assignees shall dedicate 10 feet of right-of-way along the frontage of Mathilda Lane, (25 feet from the ultimate centerline), as shown on the submitted preliminary plan of subdivision.
11. The applicant, the applicant's heirs, successors and/or assignees shall provide standard sidewalks along both sides of all internal public streets, unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.
12. Prior to signature approval of the preliminary plan, the applicant, the applicant's heirs, successors and/or assignees shall submit four copies of the final Phase I archeological investigation report to the M-NCPPC, Historic Preservation Section. Evidence of M-NCPPC concurrence with the final Phase I report and recommendations are required. The final Phase I report shall include the final, corrected Maryland Inventory of Historic Places form for standing structures within the developing property.

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

13. The final plat shall carry a note that any direct vehicular access to Outlot "A" (existing 20-foot-wide private farm road) from Lots 16, 17, 18 and 20 shall be denied.
14. Prior to final plat, the applicant, the applicant's heirs, successors and/or assignees shall submit executed deeds of conveyance by all parties for Outlot "A." The applicant, the applicant's heirs, successors, and/or assignees shall demonstrate due diligence in obtaining the agreement for the conveyance of Outlot "A" to the abutting property owner of Parcel 141 (Eleanor V. Purdy). Should the property owner of Parcel 141 not accept the additional land, Outlot "A" shall be retained by the applicant.

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 along the western side of the recorded, but unconstructed terminus of Kumbar Road, south of Mathilda Lane, and north of the Suitland Parkway.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-55	R-55
Use(s)	Single-Family	Single-Family
Acreage	15.79	15.79
Lots	0	20
Outlots	0	2
Parcels	1	0
Dwelling Units:		
Detached	1 (To be Razed)	20 (New)
Public Safety Mitigation Fee		No

4. **Environmental**—The Environmental Planning Section has reviewed the revised preliminary plan of subdivision for Kumbar's Addition to Suitland, and the Type I tree conservation plan (TCPI), stamped as received on July 2, 2008. Initial comments from the Environmental Planning Section were provided within a July 8, 2008, memorandum. Staff from the Subdivision and Environmental Planning Sections met with the applicant several times, along with numerous e-mail exchanges to determine the most appropriate method for allowing the excess acreage to be utilized as a future off-site woodland mitigation bank.

Background

The Planning Board has no records or previous applications for this property.

Site Description

There are streams, wetlands, 100-year floodplain, and steep slopes located on the site. Marlboro Clay does not occur on the property. The soils found to occur on the site, according to the *Prince George's County Soil Survey* are in the Aura, Beltsville, Chillum, Croom, Fallsington, Matapeake, and Sassafras series. There are no rare, threatened, or endangered species located on or within the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. There are no designated scenic and historic

roads adjacent to this property. The site is adjacent to Suitland Parkway which is listed on the National Historic Register of Historic Places. The site drains to unnamed tributaries of the Henson Creek watershed within the Potomac River basin. This property is located within the Developed Tier as delineated on the adopted General Plan.

Master Plan Conformance

The subject property is located within the limits of the *Approved Master Plan and Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*. There are no specific environmental recommendations or design standards which require review for conformance. The environmental requirements for woodland conservation and stormwater management are addressed in the Environmental Review Section below.

Conformance with the Countywide Green Infrastructure Plan

This site contains regulated areas, evaluation areas, and network gaps within the designated network of the *Approved Countywide Green Infrastructure Plan*. The regulated areas and evaluation areas consist of an extensive network of streams, wetlands, 100-year floodplain, and steep and severe slopes which are located on the western portion of the site. The gap areas are located on the eastern portion of the site, and also north of the confluence of the on-site streams located along the western portion of the site. The plan, as designed, shows the preservation of the regulated areas and evaluation areas, as well as the gap area between the two streams. The design on this site is in conformance with the Green Infrastructure Plan.

Environmental Review

A signed Natural Resources Inventory (NRI/010/08), dated March 14, 2008, was included with the preliminary plan application package. The site contains approximately 14.13 acres of woodland that were delineated into three forest stands. Stand A is a mixed hardwood forest dominated by tulip poplar and red maple. Stand B is 4.20 acres in size and is a mixed hardwood forest dominated by chestnut oak and white oak. Stand C is 2.44 acres in size and is an early successional forest that is dominated by red maple. The site contains a total of 59 specimen trees, 40 of which are within Stand A.

The NRI information is correctly shown on the TCPI and preliminary plan; however, the information on the TCPI is difficult to read because the symbols are not very distinct on the plan. The locations of the specimen trees are not visible. The TCPI and preliminary plan should be revised to show the same symbols used on the NRI for streams, wetlands, wetland buffers, and floodplain.

The property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the property is larger than 40,000 square feet in size and contains more than 10,000 square feet of woodland. A Type I tree conservation plan (TCPI) was submitted with the preliminary plan application.

The woodland conservation threshold for this site is 2.72 acres, or 20 percent of the net tract. The worksheet shows that the total woodland conservation requirement based on the proposed clearing is 7.33 acres. This requirement is incorrect because the 3.59 acres of woodland that is proposed for a future woodland conservation mitigation bank was included in the worksheet as "woodland conservation being provided on this site" to calculate the requirement. This acreage should be removed from the plan because currently, there are no legally established woodland conservation mitigation banks on this site. The total requirement based on the corrected worksheet with the proposed clearing is 3.74 acres. The worksheet needs to be revised to remove the acreage for the proposed future mitigation bank.

The plan shows the requirement being met with 3.74 acres of on-site preservation. The total requirement for the development proposed on this property is being met on-site, and all of the sensitive environmental features are being preserved with the exception of necessary impacts.

The TCPI identifies the area of the proposed mitigation bank as "off-site mitigation being provided on this property." As previously discussed, a mitigation bank has not been legally established on this site, and the label on the plan which refers to the mitigation bank may cause confusion when plans for this property are submitted in the future. This information should be removed from the plan in addition to the proposed acreage being removed from the worksheet. The label for the off-site mitigation bank should be revised to say "woodland preserved, not counted."

The applicant proposes to create the future mitigation bank on a separate outlot which they would retain ownership of as part of this subdivision application. In order to establish the bank, a Type II tree conservation plan is required, in addition to the recordation of specific documents in Land Records. Whenever woodland conservation areas or mitigation banks are established on a site by the approval of a Type II tree conservation plan, it is the responsibility of the landowner to maintain the woodland conservation area in accordance with the approved tree conservation plan. By approval of the TCPII, the mitigation bank is enforceable by the Department of Public Works and Transportation.

This property is adjacent to Metro tracks operated by the Washington Metropolitan Area Transit Authority and the Suitland Parkway right-of-way. The Metro tracks and the parkway are potential noise generators and the Metro tracks are a potential vibration hazard for the proposed residential use. For residential uses, outdoor activity areas must have noise levels of 65 dBA Ldn or less to be in conformance with Maryland standards. The outdoor activity areas are the areas on the lots that are within 40 feet of the rear of the affected houses. The interiors of all structures must have noise levels of 45 dBA Ldn or less to be in conformance with state standards.

According to the 2005 PG Atlas aerial photos, the proposed lots are approximately 600 feet from the Suitland Parkway. The area between the roadway and the lots is completely wooded with the exception of the existing Metro tracks, which are approximately 300 feet from the proposed lots. The current distance between the area of development and the noise sources, along with the

existing topography, is sufficient to impede and prevent noise levels above the state standard; therefore, noise impacts are not anticipated.

The site is adjacent to the Suitland Parkway right-of-way which is listed as a National Register Historic District within the National Register of Historic Places. The scenic viewshed along this roadway consists of wooded buffers and its viewshed is considered a cultural landscape. According to the 2005 PG Atlas aerial photos, a 200-foot-wide wooded buffer is located along the Suitland Parkway. The Metro tracks separate the Suitland Parkway right-of-way from the subject property.

The area within this application that is directly adjacent to the Metro tracks and the Suitland Parkway is completely wooded, with some of the woodland being located within the 100-year floodplain. The TCPI proposes to preserve the wooded 100-year floodplain, in addition to a 300-foot-wide area of woodland outside of the floodplain that will be counted as woodland conservation. Preservation in this area is significant in maintaining the wooded character of the Suitland Parkway and its associated viewshed.

Impacts to significant environmental features that are required to be protected by Section 24-130 of the Subdivision Regulations will require variation requests in conformance with Section 24-113 of the Subdivision Regulations. The design should avoid any impacts to streams, wetlands and their associated buffers unless the impacts are essential for the development as a whole.

The Type I tree conservation plan shows impacts to the expanded stream buffer for a stormwater management outfall and a sewer connection. These types of impacts are considered essential to the development of the site.

A revised variation request dated June 17, 2008, has been submitted which describes two proposed impacts to the expanded buffer totaling 3,056 square feet. The following is a summary of the requested impacts.

Impact No. 1

Impact No. 1 is for the construction of a stormdrain outfall that is necessary to safely convey stormwater from the site to the nearby stream. The area of impact is located along the west side of proposed Lot 14, and the total area of impact is 1,000 square feet.

Impact No. 2

Impact No. 2 is necessary for the connection to an existing sewer. The area of impact is located along the west side of proposed Lots 11 and 12, and the total area of impact is 2,056 square feet.

The following is an analysis of conformance with Section 24-113 of the Subdivision Regulations. The **bold** text are quotes from the Subdivision Regulations.

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property;**

Stormdrain outfalls are reviewed by the appropriate county agency to ensure compliance with the regulations. These regulations require that the designs are not injurious to other property. The sanitary sewer connection is necessary for the construction of the site, as it is a requirement of the County's Department of Public Works and Transportation.

- (2) The conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The variations sought are unique based on the existing site features. The existing sewer line on the site is wholly within the expanded buffer. Therefore, any connection to the existing sewer line would require the approval of a variation request. The stormdrain outfall would have to encroach into the limits of the expanded buffer in order to safely convey the stormwater runoff from the developed portions of the site into the existing stream.

- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation; and**

The proposed impacts are not a violation of any other applicable law, ordinance or regulation. Permits from the appropriate agencies will be required prior to construction.

- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out.**

The proposed impacts are dictated by the topography of the site and streams, wetlands, 100-year floodplain, and steep slopes currently exist on the property. The existing sewer line on the property is located within the expanded buffer. The Department of Environmental Resources (DER) is requiring the site to be served by public sewer, and the topography of the site would not allow an alternative connection to be implemented that would eliminate the proposed impact. The construction of the stormdrain outfall is being required by the Department of Public Works and

Transportation (DPW&T) in order to safely convey stormwater from the site.

The Environmental Planning Section supports the variation requests for the stormwater management outfall and the sanitary sewer for the reasons stated above.

If a woodland mitigation bank is proposed in the future on the outlot being retained by the property owner, the woodland conservation should be contained within a conservation easement.

A stormwater management concept plan was submitted with the review package; however it was not signed by DPW&T. According to the concept plan, stormwater will be conveyed directly to the existing on-site stream without any pre-treatment. If additional stormwater management structures are proposed in the future, they cannot be placed in areas of the site where additional impacts to the regulated areas would be required.

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 the site will therefore be served by public systems.

5. **Community Planning**—The property is located in Planning Area 75A within the Suitland Community, and is located within the limits of the 1986 *Approved Master Plan and Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*. The master plan recommends a medium-suburban residential land use. This application proposes a medium-suburban residential land use that is consistent with the land use recommendation within the 1986 *Approved Master Plan and Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*, as it proposes 20 lots for single-family homes, and 2 outlots on 15.79 acres of land.

The 2002 General Plan locates the subject property within the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This application proposes a medium density neighborhood that is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier.

The 1986 *Approved Master Plan and Sectional Map Amendment for Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*, retained the subject property within the R-55 Zone.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the Park Planning and Development Division recommends that the applicant pay a fee-in-lieu of parkland dedication because the land available for dedication is unsuitable due to its size and location.
7. **Trails**—There are no master plan trails issues identified within the Approved Suitland-District

Heights and Vicinity Master Plan which impact the subject property. The National Park Service has studied the feasibility of completing a trail along the Suitland Parkway adjacent to the subject property. If constructed, the trail will be located on National Park Service property, which is beyond the scope of this preliminary plan application. A variety of roadway cross sections exist within the vicinity of the subject property. Some streets have sidewalks along one or both sides, while other streets are open section with no sidewalks provided. The Transportation Planning Section recommends that standard sidewalks be provided along both sides of all proposed internal streets, unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.

8. **Transportation**—The Planning Board has reviewed the preliminary plan application for Kumbur’s Second Addition to Suitland. The applicant proposes a residential subdivision consisting of 20 detached single-family dwellings. The property is improved with one, detached single-family dwelling that is currently generating traffic. The existing dwelling is proposed to be razed to make way for new development. Therefore, the proposed new development would result in 19 net single-family dwellings that would impact the adjacent roadways.

The Planning Board determined that a traffic study was not warranted by the size of the proposed development. Traffic counts were requested at the critical intersection of Suitland Road and Swann Road, which the applicant submitted on May 14, 2008. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

Growth Policy—Service Level Standards

The subject property is located within the Developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Ordinance, is permitted at signalized intersections subject to meeting the geographical criteria within the Guidelines.

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 subdivision would impact the intersection of Suitland Road and Swann Road, which is unsignalized. The applicant's traffic consultant submitted a traffic count taken in May, 2008. The Transportation Planning Section is basing its findings on the submitted traffic count.

The application is for 20 detached single-family residential units with a net increase of 19 residential units. The proposed development would generate 14 AM (3 in, 11 out) and 17 PM (11 in, 6 out) peak hour vehicle trips as determined using the Guidelines.

The traffic generated by the proposed plan would primarily impact the unsignalized intersection of Suitland Road and Swann Road. Within the Guidelines, the Prince George's County Planning Board has defined an upper limit of 50.0 seconds of delay in any movement as the lowest acceptable operating condition on the transportation system.

The following conditions exist at the critical intersection: AM peak hour, maximum delay of 29.8 seconds, 31.1 seconds, and 31.6 seconds under existing, background, and total traffic conditions. During the PM peak hour, a maximum delay of 24.2 seconds, 25.5 seconds, and 25.9 seconds under existing, background, and total traffic conditions. Background conditions reflect a growth rate of three percent along Suitland Road for through traffic movements. Based on the Guidelines, with the addition of the proposed development, the critical intersection operates acceptably.

Access to the new lots will be from Kumbar Road, a 50-foot-wide right-of-way that connects to Swann Road, approximately 450 feet south of Mathilda Lane. Kumbar Road was previously dedicated to public use per record plat REP 216@64. The street was stubbed along the subject property's common property line in anticipation of future development occurring on the property. The access point was approved by the Planning Board on September 30, 2004, in conjunction with Preliminary Plan 4-04039, which subdivided the original nine lots within Kumbar's Addition to Suitland. The Planning Board's actions for Preliminary Plan 4-04039 are contained within PGCPB Resolution No. 04-228(A).

There are no master plan roads in the immediate vicinity of the site which require dedication. The property does abut Mathilda Lane along the site's northern property line. The applicant will be required to dedicate 10 feet of right-of-way along Mathilda Lane (25 feet from the ultimate centerline, as shown on the submitted preliminary plan). Mathilda Lane is currently a 40-foot-wide, substandard street that is further reduced to a 30-foot-wide right-of-way where the street abuts the subject property's northern property line. The additional right-of-way dedication will assist DPW&T in eventually meeting the county's urban secondary residential roadway standards along this substandard street. No access to Mathilda Lane is proposed from the subject property, and due to the limited right-of-way available for future upgrades along this roadway, any future access from the proposed subdivision to Mathilda Lane should be denied. The Transportation Planning Section also notes that the Metrorail Orange Line, which is owned and operated by the Washington Metropolitan Area Transit Authority (WMATA), directly abuts the subject property along the site's southern property line.

Transportation Conclusions

Based on the preceding findings, the Planning Board 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.

9. **Schools**—The Special Projects Section has reviewed the preliminary plan for school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CR-23-2003 and have concluded the following;

Impact on Affected Public School Clusters			
Affected Schools Cluster No.	Elementary School Cluster 7	Middle School Cluster 4	High School Cluster 4
Dwelling Units	20 DU	20 DU	20 DU
Pupil Yield Factor	.24	.06	.12
Subdivision Enrollment	4.8	1.2	2.4
Actual Enrollment	33,058	13,185	17,855
Completion Enrollment	215.76	52	104
Cumulative Enrollment	33.36	8.34	16.68
Total Enrollment	33,311.92	13,246.54	17,978.68
State Rated Capacity	39,187	11,256	16,332
Percent Capacity	85.00%	117.68%	110.07%

Source: Prince George's County Planning Department, M-NCPPC, January 2007

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between I-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 \$7,870 and \$13,493 to be 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 Special Projects Section finds that this project meets the adequate public facilities policies for school facilities contained in Section 24-122.02, CB-31-2003 and CR-23-2003.

10. **Fire and Rescue**—The Special Projects Section has reviewed the preliminary plan for fire and rescue services in accordance with Section 24-122.01(a)(2), Section 24-122.01(d), and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

The Special Projects Section has determined that the subject property is within the required 7-minute response time for the first due fire station, Silver Hill, Company No. 29, using the *7-Minute Travel Times and Fire Station Locations Map* provided by the Prince George's County Fire/EMS Department.

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

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

11. **Police Facilities**—The subject property is located in Police District IV. The standard for priority calls response is 10 minutes and the standard is 25 minutes for non-priority calls. The times are based on a rolling average for the proceeding 12 months. The preliminary plan was accepted for processing by the Planning Department on April 7, 2008.

Reporting Cycle	Previous 12 Month Cycle	Priority Calls	Non-priority Calls
Acceptance Date April 7, 2008	3/07 - 3/08	10 minutes	15 minutes
Cycle 1			
Cycle 2			
Cycle 3			

The response time standards of 10 minutes for priority calls and 25 minutes for non-priority calls were met on April 25, 2008.

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, the Prince George's County Council and the County Executive suspended the provisions of Section 24-122.01(e)(1)(A, B) regarding sworn police personnel staffing levels.

12. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Kumbar's Second Addition to Suitland and have the following comments to offer:

Once the existing house is razed, the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be located on the preliminary plan.

Prior to the removal of any of the existing structures, a raze permit must be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in the structures must be removed and properly stored or discarded prior to the structures being razed. A note needs to be affixed to the preliminary plan which requires that the structure be razed and the well and septic systems properly abandoned prior to the release of the grading permit.

13. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater management concept plan has been submitted, but not yet approved. Prior to signature approval of the preliminary plan, the applicant should submit two copies of an approved stormwater management concept plan, signed by DPW&T, and two copies of the concept approval letter. The stormwater management concept plan approval number and approval date should be delineated on the preliminary plan and TCPI. Any required stormwater management facilities should be shown on the TCPI. The development must be in accordance with the approved plan to ensure that development of this site does not result in on-site or downstream flooding.
14. **Historic**—The subject property is located north of the Suitland Parkway which is listed in the National Register of Historic Places. The preliminary plan application proposes the development of 20 detached single-family dwellings in the R-55 Zone.

Background

The following description and statement of significance is excerpted from the National Register nomination for Suitland Parkway:

“Description: Suitland Parkway, which links Andrews Air Force Base with Washington, D.C., is one of the parkways that make up the network of entryways into the capital. It has hosted both triumphal and mournful processions of public officials: from presidents returning from diplomatic achievements to the funeral procession of President John F. Kennedy. Presently, its use is by commuters and local traffic. The parkway consists of 9.18 miles of roadway, 2.8 of which are in Washington, DC, and 6.38 of which are in Maryland. The road travels through a park corridor comprised of 418.9 acres managed by the National Park Service and the balance managed by the District of Columbia. The roadway extends from the Anacostia River, to Marlboro Pike at the North Gate of Andrews Air Force Base.

The parkway corridor is extensively landscaped, with larger trees left standing in the medians, grassy areas, and developments screened where necessary to present a rural-like setting. Topsoil specifications included 4 inches to be placed on the cut and fill slopes outside the paved lanes and

in the median. An Italian rye was seeded on the bed; however, steeper slopes had sod applied to them. Guardrails were to be of a wood post-and-rail type, and concrete was to be colored with lamp-black.

The Public Roads Administration contracted for and had seven bridges constructed on the alignment of the Suitland Parkway during 1944. Nineteen years later a set of bridges carrying Interstate 95 over the parkway brought the total number of bridges on the parkway to nine. Concrete arch bridges with stone facing and generous parapets closely followed designs initially used on the Westchester parkways and subsequently on Mount Vernon Memorial Highway and on the Blue Ridge Parkway. All but the Interstate bridges consist of "double reinforced concrete rigid frame arches" that have stone-faced wing wall and spandrels, trimmed with "granite dimensioned masonry." Stone for facing the concrete came from quarries in Maryland; it was chosen because of its similarity to that used on the Mount Vernon Memorial Highway near the Pentagon. Granite used in the dimensional masonry came from a quarry at Mt. Airy, North Carolina, where it was cut to specifications; it was placed by numbers, with concrete poured behind them and held by steel anchor bars between the joints extending back into the concrete. Some 38 culverts are located along the parkway and include a variety of small tubes, multiple tubes, and box culverts. Most have stone-faced headwalls, some of which have been restored and tuck pointed on the newly rehabilitated portions of the parkway. Several headwalls have fallen off and are covered with silt from erosion problems which have arisen in the years since construction. There are 39 drop inlets along the parkway, 0.14 miles of stone-lined ditches, and 2.89 miles of curbing.

Significance: The various parkways of the national capital reflect the culmination of several national trends after the turn of the 20th century: the City Beautiful movements' emphasis on integrated urban green space; automobiles and the rapid development of road systems; and the decline in the quality of city living and resulting popularity of outdoor recreation. In Washington, DC, the McMillan Commission's recommendation for a series of parks and parkways was coupled with the American Institute of Architects' assessment of a cityscape badly in need of formal planning and direction--in keeping with the original 18th century urban scheme of Pierre L'Enfant. Parkway and strip parks in the Washington, D.C. area are the culmination of efforts of Maryland, Virginia, and District interests.

After the precedent-setting network of suburban New York parkways, after which it was idealized, Washington's system is the most comprehensive and monumental extant in the nation. Aesthetically unaltered, the parkways remain vital components of the regional transportation arteries and they continue to contribute to the historic symbolism and design of the nation's capital.

Conceived in 1937, the parkway was constructed in 1944 as an appropriate entryway to the federal city. Suitland Parkway is principally a route of travel between the federal installations of Bolling Air Force Base in the District of Columbia, and Andrews Air Force Base. Not originally designed as a recreational drive, Suitland Parkway represents a utilitarian roadway with design features intended to move traffic expeditiously, but with elements of design intended to convey a

scenic driving experience characteristic of earlier parkways.”

Findings

The property is located on a parcel of land (Parcel 266) adjacent to the WMATA Metro Orange Line right-of-way and Suitland Parkway to the south. The subject property includes a single-family dwelling and freestanding garage constructed before 1938, but does not include any identified historic resources within the *Prince George’s County Historic Sites and Districts Plan*. The property should be investigated to determine whether or not archeological resources are present and may be impacted by the proposed development of the property. As part of that investigation, the applicant should also complete a Maryland Inventory of Historic Places (MIHP) form for any standing structures within the developing property.

The subject application proposes the development of 20 single-family dwellings. Based on the layout of the development, new construction on most lots will likely not be visible from Suitland Parkway. However, rear and side elevations for the dwellings located on Lots 12–17 may be visible, at least seasonally, from both directions on the parkway.

Because Suitland Parkway is listed in the National Register of Historic Places, it is treated as a historic site for the purposes of the *Prince George’s County Landscape Manual*, and is subject to the requirements of Section 4.7. The Type I tree conservation plan demonstrates that all of the existing woodland adjacent to the parkway will be retained, which appears to meet or exceed the requirements of Section 4.7.

Conclusion

The applicant provided the Historic Preservation Section with a draft MIHP form for the standing structures within the developing property. Comments on the draft document were provided to the applicant, and the Historic Preservation Section expects to receive a revised and corrected MIHP form in the near future. This revised form should be received prior to signature approval of the preliminary plan.

The applicant provided an analysis of the viewshed between Suitland Parkway and the subject property. The Historic Preservation Section reviewed this analysis and determined that the proposed development would not have an adverse visual impact on Suitland Parkway.

The Historic Preservation Section recommended that the subject property be investigated for its potential to include archeological resources in compliance with Sections 24-104, 24-121 and 24-135 of the Subdivision Regulations. The existing house and garage on the property are proposed for demolition. As a part of the archeological investigation, the documentation of the existing structures on a MIHP form was required in accordance with the Maryland Historical Trust standards. The applicant submitted a draft Phase I archeological report and a MIHP form for staff review. One multi-component prehistoric and historic archeological site, 18PR947, and one prehistoric site, 18PR948, were identified on the subject property. Due to the disturbed nature

of 18PR947, and the lack of intact cultural deposits or features, no further work was recommended. Due to the small amount of material and lack of diagnostic artifacts from site 18PR948, no further archeological work was recommended. The Historic Preservation Section concurs with the conclusions and recommendations of the Phase I report, and no further archeological work is necessary on sites 18PR947 and 18PR948.

15. **Background** – The subject property is located on Tax Map 88, Grid E-1 and is known as Parcel 266. The property consists of approximately 15.79 acres within the R-55 Zone, and is currently improved with a detached single-family dwelling and an accessory garage which are proposed to be razed to make room for new development. The applicant is now proposing to subdivide the property into twenty lots, and two outlots, and proposes the development of detached single-family dwellings in accordance with the conventional standards of the R-55 Zone. No prior preliminary plan applications have been submitted for the subject property.

Access to the site is proposed from Kumbar Way, an urban secondary residential street having a 50-foot-wide right-of-way width. Kumbar's Addition to Suitland (Preliminary Plan 4-04039) was approved by the Planning Board on September 30, 2004, for the abutting property to the east. The preliminary plan approval for the abutting property consisted of nine lots and one outlot for detached single-family dwellings in accordance with the conventional standards of the R-55 Zone, and upon recordation of final plat, REP 216@64, Kumbar Way was dedicated to public use. The Planning Board's actions for Preliminary Plan 4-04039 are contained in PGCPB Resolution No. 04-228(A).

During the preliminary plan review process for the abutting property to the east, Kumbar Way was stubbed along the western property line in order to provide the subject property, an undeveloped acreage parcel, with direct access to a public street. The preliminary plan submitted incorrectly refers to this same street as "Kumbar Road," although it was recorded as "Kumbar Way" within final plat REP 216@64. However, for purposes of clarity, staff will refer to the street names that are currently shown on the submitted preliminary plan of subdivision.

The applicant is now proposing to extend Kumbar Road 180 feet west into the limits of the subject property, where it will intersect with Kumbar Way, a second proposed internal street that will run north to south with cul-de-sac bulbs provided along each end for turn-around capability.

Parcel "A" will consist of 10.13 acres of the property, which includes 2.20 acres of flood plain. This parcel does contain streams, wetlands, 100-year floodplain, and areas with steep and severe slopes. The Type I tree conservation plan that was submitted by the applicant indicates an area of excess woodland preservation that is not part of the woodland conservation requirement for this site, based on the current development proposal. The excess woodland conservation on the property is proposed as a future woodland conservation mitigation bank that is intended to benefit another developing property in the future. The woodland conservation mitigation bank is not a part of this preliminary plan of subdivision application, and any future bank will have to be legally established through the review of a Type II tree conservation plan and the recordation of specific documents within Land Records. The Environmental Planning Section has stated that if

the tree bank is legally established by the applicant in the future, the mitigation bank site would be located within the viewshed of the Suitland Parkway, which is listed on the National Register of Historic Sites, and would be an excellent location for a woodland conservation mitigation bank to maintain the scenic qualities of the parkway.

Because Parcel "A" will contain the site's required woodland conservation areas, the Subdivision Section had initially requested that a homeowners association (HOA) be established for the 20-lot subdivision and that Parcel "A" be conveyed to the future HOA at the time of final plat. However, after numerous meetings and e-mails with the applicant, and the Environmental Planning Section, it was determined that Parcel "A" should be retained by the applicant due to their desire to establish a future tree mitigation bank on the property.

As previously stated, Parcel "A" will contain a significant amount of sensitive environmental features, including two streams, wetlands, and 100-year floodplain. The decision to have the property owner retain Parcel "A" is also keeping with the Planning Board's desire to not establish homeowners associations for smaller subdivisions unless it is necessary. Although the applicant will retain Parcel "A," the areas of the parcel containing the site's woodland preservation areas and the entire expanded buffer, with the exception of areas of approved impacts, should be contained within conservation easements to ensure their permanent protection and preservation.

Parcel "A" will have approximately 31.62 feet of street frontage along Kumbar Way; however, the R-55 Zone requires a minimum lot width of 45 feet along the front street line. Because Parcel "A" does not meet the minimum standards to be considered a lot or a parcel, a condition has been established to require Parcel "A" to be designated as an "outlot" prior to signature approval of the preliminary plan. Section 24-101(a)(9) of the Subdivision Regulations defines an outlot as "A piece or parcel of land that remains with a subdivision, but which does not meet the minimum requirements of the Zoning Ordinance for a buildable lot and is, therefore, not usable as a legal building site. The outlot designation would restrict any future development from occurring on this portion of the property without the approval of a new preliminary plan of subdivision application, and the subsequent removal of the outlot designation.

An existing, 20-foot-wide farm road is shown on the submitted plans along the southeast portion of the property. This roadway provides abutting Parcel 141 with access to a public street (Swann Road). Although the acreage parcel abuts the Orange Line and Suitland Parkway to the south, it has no direct access to a public street except through the 20-foot-wide farm road. The applicant is proposing to contain the existing farm road within an outlot, and convey the outlot to the property owner of Parcel 141 at the time of final plat.

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 date of notice of 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 Cavitt, seconded by Commissioner Clark, with Commissioners Cavitt, Clark, Vaughns and Parker, voting in favor of the motion, and with Commissioner Squire absent at its regular meeting held on Thursday, September 11, 2008, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of October 2008.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:JF:bjs