

RESOLUTION

WHEREAS, Elizabeth Seton High School, Inc. is the owner of a 7.09-acre parcel of land known as Tax Map 51 in Grid A-3, and is also known as Parcel L, said property being in the 2nd Election District of Prince George's County, Maryland, and being zoned Multifamily High Density Residential (R-10); and

WHEREAS, on September 5, 2014, Bladensburg Commons LLP filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-14004 for Gateway Center, Parcel L 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 December 11, 2014, for its review and action in accordance with the Land Use Article of the 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 December 11, 2014, 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 1 Tree Conservation Plan (TCP1-006-14), and further APPROVED Preliminary Plan of Subdivision 4-14004, Gateway Center, Parcel L, including a Variance to Section 25-122(b)(1)(G), for 1 parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised to make the following technical corrections:
 - a. Change the title block to say "Gateway Center – Parcel L" instead of "Gateway Center – Parcel M."
 - b. Label and dimension 57th Avenue as a 100-foot-wide right-of-way.
 - c. Revise General Note 24 to state the following: "Mandatory Park Dedication requirement to be fulfilled by provision of private on-site recreational facilities."
 - d. Add "To be vacated" to the "Easement for Tree Conservation and Landscape Area" reference.

2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant and reestablish a ten-foot-wide public utility easement along the public right-of-way, in conformance with approved preliminary plan of subdivision.
3. Development of this site shall be in conformance with the Stormwater Management Concept Plan 15725-2014-00, approved June 27, 2014, and any subsequent revisions.
4. Prior to certification of the Type 2 Tree Conservation Plan, the Declaration of a Tree Conservation/Landscape Easement and Agreement that was recorded in Prince George's County Land Records at Liber 10250, Folio 182 shall be vacated.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. The following note shall be added to the plan:

"The Declaration of a Tree Conservation/Landscape Easement and Agreement that was recorded in the land records at L. 10250 F. 182 for an area of 0.24 acre. A portion (0.15 acre) of the easement was established to meet the off-site woodland conservation requirement of the Elizabeth Seton High School Site (Parcel A) on the subject site. The easement shall be vacated prior to certification of the Type 2 Tree Conservation Plan however; the 0.15 acre of off-site woodland conservation shall continue to be reflected as a requirement of the subject site."
 - b. Revise the woodland conservation worksheet as follows:
 - (1) To account for the additional 0.15 acre of woodland conservation previously approved to be met on this site for the requirements of Type II Tree Conservation Plan TCP11-062-95.
 - (2) To provide a column for each parcel included on the plan.
 - c. All reforestation shall be removed from within ten feet of any utility line and/or structure.
 - d. Reforestation Areas 1, 3, and 4 shall be removed from the plan, in addition to any areas that do not meet the minimum dimensional requirements to be counted as woodland conservation.
 - e. Have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.
6. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-006-14). The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-006-14), or as modified by the Type 2 Tree Conservation Plan (TCP11-062-95), 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 and Wildlife Habitat 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. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and Folio reflected on the Type 2 Tree Conservation Plan, when approved."
8. Prior to certification of the detailed site plan (DSP), the conceptual erosion and sediment control plan shall be submitted. The limits of disturbance (LOD) shall be consistent between the plans.
9. Prior to submission of final plats, the applicant and the applicant's heirs, successors, and/or assignees shall submit three original recreational facilities agreements (RFA) to the Development Review Division (DRD) for construction of recreational facilities on-site for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records, and the liber/folio indicated on the final plat prior to recordation. The detailed site plan shall establish appropriate triggers for construction for the recreational facilities.
10. Prior to issuance of building permits, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for the construction of private on-site recreational facilities. The recreational facilities shall be determined at the time of detailed site plan.
11. A financial contribution of \$210 shall be submitted to the Town of Bladensburg for the installation of one bicycle warning sign assembly (W11-1 sign over a "Share the Road" plaque W16-1) on 57th Avenue to warn motorists of the presence of bicyclists. A note shall be placed on the final plat that payment of the fee will take place prior to issuance of the first building permit, unless payment is declined by the Town of Bladensburg.
12. Prior to approval of any building permit for the subject property, as designated below, the applicant and the applicant's heirs, successors, and/or assignees shall demonstrate that the following required adequate pedestrian and bikeway facilities, in accordance with Section 24-124.01 of the Subdivision Regulations, have (a) full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c)

have an agreed-upon timetable for construction and completion with the appropriate operating agency. If any of these improvements are deemed not feasible by the appropriate operating agency, the applicant shall provide alternative off-site improvements within one-half mile of the site of comparable value equivalent in the amount of the proposed improvements:

- a. Bus shelter pad and prefabricated bus shelter on 58th Avenue.
 - b. Painted pedestrian crosswalk on 58th Avenue at the bus stop location across from the subject property.
 - c. Sidewalk ramps to serve the bus shelter on 58th Avenue.
13. Total development shall be limited to uses which generate no more than 52 AM peak-hour trips and 60 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision and a new determination of adequate transportation facilities.

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 with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 51 in Grid A-3 and is known as Parcel L, recorded in Plat VJ 169-85 on July 15, 1994 in the Prince George's County Land Records. The property consists of 7.09 acres within the Multifamily High Density Residential (R-10) Zone. The site is currently undeveloped and located within the municipal boundary of Bladensburg. The preliminary plan of subdivision (PPS) proposes to construct 100 multifamily dwelling units on the property. Preliminary Plan of Subdivision 4-94032 (PGCPB Resolution No. 94-177) was originally approved for Parcel L and adjacent Parcel K (5.12 acres) on June 2, 1994. A development cap was conditioned with the PPS approval (Condition 4) which states the following:
 4. **Total development of this 12.2181-acre site shall be limited to 250 units of elderly housing. Any development other than that identified herein above which would generate AM and PM trips above those cited above shall require an additional Preliminary Plat of Subdivision in order to determine adequacy of transportation facilities.**

Parcel K has been developed since the approval of PPS 4-94032. It has been determined that, in addition to the existing development on Parcel K, the proposed development would generate more trips than what was approved for the two parcels with the previous PPS; therefore, a new PPS is required, resulting in this application. Upon approval, this PPS will supersede 4-94032 for the development of this property. This PPS is being reviewed concurrently with Detailed Site Plan DSP-14012 for the subject site.

This application is located within the Established Communities area per the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) Growth Policy Map and the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* (Port Towns Sector Plan and SMA). The sector plan retained the property in the R-10 Zone for multifamily residential development. The application is consistent with the sector plan land use recommendations. This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because tree conservation plans (TCPs) were previously approved for the site. A Type 1 Tree Conservation Plan (TCP1-006-14) was submitted with the application. A variance was filed for the removal of one specimen tree which is approved, as discussed further.

3. **Setting**—The subject site is located at the northeast quadrant of the intersection of 57th and 58th Avenue in Bladensburg. Surrounding the site on the south, east, and west is R-10 zoned property developed with multifamily dwelling units. Abutting to the north is the Elizabeth Seton High School. Also, adjacent to the site, across 57th Avenue to the west, is Bladensburg High School.
4. **Development Data Summary**—The following information relates to the subject PPS application and the proposed development.

| | EXISTING | APPROVED |
|-----------------|-------------|--------------------------------|
| Zone | R-10 | R-10 |
| Use(s) | Undeveloped | 100 multifamily dwelling units |
| Acreage | 7.09 | 7.09 |
| Lots | 0 | 0 |
| Outlots | 0 | 0 |
| Parcels | 1 | 1 |
| Dwelling Units: | 0 | 100 |
| Public Safety | No | No |
| Variance | No | Yes |
| | | Section 25-122(b)(1)(G) |
| Variation | No | No |

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) meeting on September 26, 2014.

5. **Community Planning**—This application is located within the Established Communities area per the Plan Prince George's 2035 Growth Policy Map. The vision for established communities in Prince George's County is to have context-sensitive infill and low- to medium-density development. The site is also located in the Port Towns Sector Plan and SMA. The sector plan retained the property in the R-10 Zone for multifamily residential development. The application is consistent with the sector plan and *Plan Prince George's 2035 General Plan* land use recommendations.

6. **Town of Bladensburg**—The PPS is within the municipal boundary of the Town of Bladensburg. A referral has been sent to the Town accordingly. Comments have not been received at the time of writing of this staff report. However, a copy of a letter from Mayor Walter L. James, Jr., dated June 13, 2014 (Williams to Ratnow), was supplied to staff that indicates the Town's full support of the project.
7. **Urban Design**—In the R-10 Zone, a DSP is required for all proposed multifamily dwellings (110 feet high and under), including any associated community building or recreational facilities, in accordance with Part 3, Division 9, of the Prince George's County Zoning Ordinance. Multifamily dwellings higher than 110 feet shall be governed by an approved special exception site plan. Therefore, prior to final plat, the proposed multifamily residential buildings will require a DSP if the proposed building(s) is 110 feet high and under. The submitted Type 2 tree conservation plan (TCP2) indicates that a building height of 52 feet is proposed and no special exception approval is necessary.

Multifamily dwelling units, in accordance with the bedroom percentages in Section 27-419 of the Zoning Ordinance, are a permitted use in the R-10 Zone, as follows:

(a) **Requirements for multifamily dwellings.**

- (1) **The maximum percentages of two (2) or more bedrooms per apartment unit in a separate building or project are as follows:**
 - (A) **For two (2) bedroom apartments, forty percent (40%); and**
 - (B) **For three (3) (or more) bedroom apartments, ten percent (10%). Unused percentages for three (3) (or more) bedroom apartment units may be added to the maximum allowed percentages for two (2) bedroom apartment units;**

Development in excess of the applicable bedroom percentages requires approval of a special exception site plan. Conformance with the bedroom percentage requirement will be reviewed at the time of DSP. In addition, at the time of DSP review and approval, the development is required to conform with additional regulations of the Zoning Ordinance including, but not limited to, the following: Section 27-442, Regulations (Residential Zones); Section 27-582 of Part 11 Parking and Loading; and Part 12, Signs.

Conformance with the 2010 Prince George's County Landscape Manual

The property is subject to the requirements of the 2010 *Prince's George's County Landscape Manual* (Landscape Manual). Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements. Compliance with these regulations for the proposed multifamily residential development will be determined at the time of DSP review.

The PPS indicates an "Easement for Tree Preservation and Landscape Area" along the northern property line of Parcel L. Upon further investigation, it was found that this area of the site was subject to an alternative compliance application, AC-95042, for the adjacent private school property to the north, known as Parcel A. Site improvements on Parcel A encroached into the required Section 4.7 bufferyard, so a 35-foot-wide tree preservation/landscape easement was required to be provided on the subject Parcel L. This shall be correctly shown and labeled on the PPS, including the liber/folio of the conservation easement, which is to be abandoned as discussed further herein. At the time of DSP, if this area is proposed to include site improvements, such as grading or parking areas, a revision to the previously approved AC application will be required to be filed and approved.

Conformance with the Prince George's County Tree Canopy Coverage Ordinance

This application is subject to the requirements of the Tree Canopy Coverage Ordinance in accordance with Section 25-128(b) of the Prince George's County Code because more than 5,000 square feet of gross floor area and/or site will be disturbed. In the R-10 Zone a minimum tree canopy coverage (TCC) of 15 percent of the property is required. The applicant shall demonstrate conformance to the TCC requirements at the time of DSP review.

The submitted TCP shows a conceptual site layout for one proposed multifamily residential building that presents some urban design concerns. These issues are discussed now for informational purposes, as final design review will be done at the time of DSP when additional information is available.

Pedestrian improvements and amenities including, but not limited to, sidewalk connections, bus shelters, benches, trash receptacles, bike racks, and pedestrian-scaled lighting fixtures should be incorporated into the site design and will be reviewed at the time of DSP.

In Section 27-442, Footnote 6 (regulations table for the R-10 Zone) requires that at least 80 percent of the total number of dwelling units of the multifamily project shall be within buildings having a minimum height of 52 feet. Not more than 20 percent of the total number of dwelling units of the multifamily project may be in buildings of a lesser height. Conformance with this requirement will be evaluated at the time of DSP review.

8. **Environmental**—PPS 4-14004 and the Type 1 Tree Conservation Plan, TCP1-006-14, stamped as received on November 7, 2014 have been reviewed. The project is subject to the environmental regulations contained in Subtitles 24, 25, and 27 of the County Code that came into effect on September 1, 2010 because the application is for a new PPS.

Type 1 Tree Conservation Plan TCP1-006-14 was submitted with the application. The Environmental Planning Section previously reviewed a Type II Tree Conservation Plan, TCP11-030-94, which covered the subject Parcel L and the adjacent Parcel K. The site was also previously reviewed by the Environmental Planning Section (EPS) as Natural Resources Inventory NRI-058-14, which was approved on May 16, 2014.

The property is zoned R-10 and totals 7.09 acres; however, because the overall TCP contains both the subject Parcel L and the adjacent Parcel K, the land area covered by the TCP is 12.21 acres. No regulated environmental features are located on-site. The predominant soils found to occur according to the U.S. Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS), Web Soil Survey, include the Christiana-Downer complex and the Russett-Christian-Urban land complex. According to available information, Marlboro clay is not found to occur on this property; however, Christiana complexes are mapped on-site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or in the vicinity of this property. No forest interior dwelling species (FIDS) is mapped on-site. The site has frontage on 58th Avenue and also has frontage on 57th Avenue, which is a designated collector roadway; neither roadway is regulated for noise. The site is within close proximity to the Baltimore-Washington Parkway (MD 295), a designated freeway, and Annapolis Road (MD 450), a designated arterial roadway, which are both regulated for noise; however, according to the Environmental Planning Section's noise computation formula based on the 2013 State Highway Administration (SHA) annual average daily traffic (AADT) counts, the site is far enough from these roadways that noise is not an issue for the current application. The site does not front on any scenic or historic roadway. The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map as designated by Plan Prince George's 2035. According to the 2005 *Approved Countywide Green Infrastructure Plan* (Green Infrastructure Plan) the site is not mapped within the network.

Master Plan Conformance

The Port Towns Sector Plan does not indicate any environmental issues associated with this property. However, environmental requirements for woodland conservation are further discussed in this section.

Conformance with the 2005 Approved Countywide Green Infrastructure Plan

Neither the subject property nor any adjacent properties are within the designated green infrastructure network.

Environmental Review

An approved Natural Resources Inventory, NRI-058-14, was submitted with the application. The NRI indicates that there are no regulated environmental features such as streams, wetlands, or 100-year floodplain on the subject property. The TCP1 and the PPS are in conformance with the NRI. The forest stand delineation indicates one forest stand totaling 5.43 acres and one specimen tree are located on Parcel L. There are no priority preservation areas on the site.

The TCP submitted with the subject application includes the land area of the subject application, Parcel L, as well as the adjacent Parcel K. It is necessary to include a greater land area on the TCP1 than the land area covered under the subject application because a majority of the woodland conservation for the previously approved clearing on adjacent Parcel K was shown on the subject Parcel L; and because the current application proposes to clear a majority of this woodland.

Additionally, a portion of the woodland conservation requirement of the Type II Tree Conservation Plan TCP11-062-95 for the Elizabeth Seton High School site located on Parcel A to the north was previously approved to be met on the subject site. This requirement was combined with a landscape buffer requirement and recorded in a Declaration of a Tree Conservation/Landscape Easement and Agreement that was recorded among the Land Records at Liber 10250, Folio 182. The easement covered an area of 10,252 square feet or 0.2354 acre; however, only 0.15 acre of that area was established for woodland conservation purposes on the subject site to meet a portion of the requirement of the adjacent Elizabeth Seton High School site. The TCP submitted with the subject application must not only account for the woodland conservation requirement incurred for the proposed on-site clearing, but must also continue to account for the previously approved clearing and for the additional woodland conservation requirement from the Elizabeth Seton High School site. Prior to certification of the Type 2 Tree Conservation Plan, the conservation easement must be vacated and the 0.15 acre of woodland conservation must be appropriately addressed in the worksheet. A note must be shown on the TCP2 to reference the vacated easement and to state that the woodland conservation requirement will continue to be accounted for on this TCP.

The woodland conservation threshold for this 12.21-acre property is 20 percent of the net tract area or 2.44 acres. The total woodland conservation requirement, based on the amount of clearing proposed, as shown on the plan is 5.92; however, this does not include the entire 0.15 acre of additional requirement for the adjacent Elizabeth Seton High School site that was previously approved and must continue to be accounted for on the plan. The woodland conservation requirement is proposed to be satisfied with on-site preservation and reforestation and off-site woodland conservation credits.

The plan requires technical revisions to be in conformance with the WCO. The woodland conservation worksheet has been shown as a phased worksheet and correctly reflects the gross tract area as approved on previous TCPs; however, the worksheet must be revised to show a column for each parcel included on the plan. The worksheet shall be further revised to account for the 0.15 acre woodland conservation requirement from the Elizabeth Seton High School site, as previously approved.

The plan shows areas of proposed reforestation over stormdrain pipes, stormdrain outfalls, private sewer lines, and retaining walls. Per the TCP preparation checklists found in the Environmental Technical Manual, reforestation must not be shown over any structures or utilities because access is necessary for maintenance purposes. Planting in these areas would also be in direct conflict with the maintenance agreements required by the county for stormdrain systems. Reforestation must be removed from within five feet on either side of any existing or proposed utility line and/or structure. Additionally, reforestation areas have been shown on the plan that are not within a priority planting area and are not contiguous to other existing woodland. As these reforestation areas are reconfigured to remove planting from utilities, they will no longer meet the dimensional requirements to be considered woodland conservation. For these reasons, it is required that Reforestation Areas 1, 3, and 4 be removed from the plan as reforestation.

The plan also shows reforestation proposed on Parcel K that was not shown on the previously approved and implemented TCP1. At the time of certification of the TCP2, the standard owner's awareness signature block shall be shown on the TCP2 and signed by the current owner of the parcel to acknowledge the change in the woodland conservation on the parcel.

Note 9 of the TCP1 shall be revised to reflect the standard language. After all revisions have been made, the qualified professional who prepared the plan shall sign and date it.

Specimen Tree Variance

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010.

Type 1 tree conservation plan applications are required to meet all of the requirements of Subtitle 25, Division 2, Section 25-122(b)(1)(G), which includes the preservation of specimen trees. Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the Environmental Technical Manual for guidance on each species' ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees there remains a need to remove any of the specimen trees, a variance from Section 25-122(b)(1)(G) is required. Applicants can request a variance from the provisions of Division 2 of Subtitle 25 (the WCO) provided all of the required findings in Section 25-119(d) can be met. An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings.

The site contains one specimen tree. A Subtitle 25 Variance application and a statement of justification in support of a variance were stamped as received by Environmental Planning Section on October 15, 2014, for the removal of Specimen Tree 1. The TCP shows the proposed removal of the only specimen tree that exists on-site; a white oak in fair condition. The tree is located in the south central portion of the site, which is proposed to be graded in order to balance the site and provide the elevations necessary to support the proposed multifamily development.

Section 25-119(d)(1) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for the specimen tree.

(A) **Special conditions peculiar to the property have caused the unwarranted hardship;**

The tree is located in the south central portion of the site, which is proposed to be graded in order to balance the site and provide the elevations necessary to support the proposed

multifamily development. The site is constrained by steep slopes which are peculiar to the three parcels located on the north side of 58th Avenue.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

Because the tree is located centrally, avoidance of the tree would not allow the grading of the site necessary to support reasonable development. If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;

Because the tree is located centrally, avoidance of the tree would not allow the grading of the site necessary to support reasonable development. If other constrained properties encountered trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant;

The existing conditions or circumstances are not the result of actions by the applicant.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property;

The request to remove the tree does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality

All proposed land development activities will require sediment control and stormwater management measures to be reviewed and approved by the county. The project proposes to meet water quality and quantity requirements in accordance with an approved stormwater management concept plan.

The variance for the removal of Specimen Tree 1 is approved.

Section 24-130(b)(5) of the Subdivision Regulations requires subdivision applications to demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. There are no regulated environmental features on the subject property; therefore, no primary management area is located on the subject property and no findings with regard to Section 24-130(b)(5) are required.

The county requires the approval of an erosion and sediment control plan. The TCP must reflect the ultimate limits of disturbance not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure, including erosion and sediment control measures. A copy of the erosion and sediment control concept plan shall be submitted prior to certification of the DSP so that the ultimate limits of disturbance (LOD) for the project can be verified and shown on the TCP2.

9. **Stormwater Management**—The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) has approved a Stormwater Management Concept Plan, 15725-2014-00 (approval date June 27, 2014), to ensure that development of this site does not result in on-site or downstream flooding. The approved concept shows water quality control requirements being met with extended detention in the form of rainwater harvesting and underground storage. The water quantity controls are required for attenuation of the 100-year storm. The concept plan shows a pond located in the southwestern corner of the site; this pond has been constructed under previous approvals. The concept also shows two proposed underground storage areas to be used for irrigation of landscape areas. No further action regarding stormwater management is required.

The 2010 *Approved Water Resources Functional Master Plan* contains policies and strategies related to the sustainability, protection, and preservation of drinking water, stormwater, and wastewater systems within the county, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, county ordinances for stormwater management, 100-year floodplain and woodland conservation, and programs implemented by the Department of Permitting, Inspections and Enforcement (DPIE), the Prince George's County Department of Health, the Prince George's County Department of the Environment, the Prince George's Soil Conservation District, the Maryland-National Park and Planning Commission (M-NCPPC) Planning Department, and Washington Suburban Sanitary Commission (WSSC) are also deemed to be consistent with this master plan.

10. **Parks and Recreation**—In accordance with Section 24-135(b) of the Subdivision Regulations, appropriate on-site recreational facilities shall be provided for future residents and reflected on the DSP. Recreation areas shall be centrally located on the site and should include active and passive recreational facilities, such as playgrounds, amenity rooms/clubhouses, and walking trails. Appropriate triggers shall be established with the DSP for the construction of the facilities.
11. **Trails**—This PPS has been reviewed for conformance with Section 24-123 of the Subdivision Regulations, the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), and the Port Towns Sector Plan and SMA in order to implement planned trails, bikeways, and pedestrian improvements. The subject property is located within the Annapolis Road General Plan corridor based on the Plan Prince George's 2035 transition maps and is therefore subject to Section 24-124.01 of the Subdivision Regulations (County Council Bill CB-2-2012).

The vision for the area within which the subject property is located is described in the sector plan. One of the major goals of the plan (page 59) is to "Provide adequate accessibility to all existing and proposed development and activities." The area master plan specifically recommends that 57th Avenue be improved as a shared-lane road for bicyclists.

A financial contribution of \$210 to the Town of Bladensburg is required for the installation of one bicycle warning sign assembly (W11-1 sign over a "Share the Road" plaque W16-1) on 57th Avenue to warn motorists of the presence of bicyclists. This road is recommended for a shared-use roadway in the functional master plan. A note shall be placed on the final plat that payment of the fee will take place prior to the issuance of the first building permit, unless declined by The Town of Bladensburg.

Adequate Public Pedestrian and Bikeway Facilities Required in County Centers and Corridors

The adequate public pedestrian and bicycle facilities requirements of Section 24-124.01 of the Subdivision Regulations directly affect the subject property because it is contained within a General Plan corridor, as defined by the transitions maps of Plan Prince George's 2035. This ordinance requires those who establish subdivisions within centers and corridors to construct on-site and off-site pedestrian and bikeway facilities and other public streetscape improvements as part of any development project.

The Bicycle and Pedestrian Impact Statement (BPIS) Scoping Agreement, signed on July 17, 2014, set the cost cap for the off-site public pedestrian and bicycle access improvements that will be provided by the subdivision. The cost cap for the improvements described in the scoping agreement is \$30,000.00. This money will be utilized by the applicant to construct public improvements for bicycle or pedestrian access and transit improvements, where necessary.

The applicant provided a BPIS that defines the public improvements that will be associated with the development as required by Section 24-124.01. These improvements must (a) have full financial assurances, (b) have been permitted for construction through the applicable operating agency's access permit process, and (c) have an agreed-upon timetable for construction and completion with the appropriate operating agency.

The subject application for development of the site is subject to the adequate public facilities review procedures that are described in Section 24-124.01, which applies to any development project requiring the subdivision or re-subdivision of land located in a General Plan Corridor and as defined by the Adequate Public, Pedestrian and Bikeway Facilities map contained in the appendices of Plan Prince George's 2035.

- (a) **Statement of Legislative Intent.** This Section establishes general criteria by which to ensure the adequacy of public pedestrian and bikeway facilities in County Centers and Corridors as designated by the General Plan (or as designated, defined, or amended by a subsequent master plan or sector plan). It also sets forth the requirements for those who establish subdivisions within Centers and Corridors to

construct on-site and off-site pedestrian and bikeway facilities and other public streetscape improvements as part of any development project. The Approved 2002 General Plan states that the County should provide for a multimodal pedestrian-friendly transportation system at Centers and Corridors that is integrated with the desired development pattern. Accomplishing this requires the incorporation, to the maximum extent possible, of appropriate pedestrian, bicycle and transit-oriented design (TOD) and transit-supporting design (TSD) features in all new development within Centers and Corridors. Such features include integrated sidewalk, trail, and bikeway networks to divert as many trips as possible from automobile travel and increase the multimodal accessibility and attractiveness of trips to transit stops, schools, parks, libraries, stores, services and other destinations for all users. Pedestrian and bikeway facilities should be designed to increase safety, reduce travel time and offer the most direct routes to destinations for persons of all abilities. These concepts are further articulated in the "complete streets" principles and policies set forth in the 2009 Approved Countywide Master Plan of Transportation.

- (b) Except for applications for development projects proposing five (5) or fewer units or otherwise proposing development of 5,000 or fewer square feet of gross floor area, before any preliminary plan may be approved for land lying, in whole or part, within County Centers and Corridors, the Planning Board shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.

- (1) The finding of adequate public pedestrian facilities shall, at a minimum, include the following criteria:

- (A) The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area.

The MPOT recommends transit, bicycle, and pedestrian improvements in the county to improve mobility options for the general public and provide access to area schools, parks, jobs, government, and housing. The BPIS describes the degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the MPOT and applicable area master plans or sector plans have been constructed or implemented in the area. There are intermittent sidewalks, non-sheltered bus stops, and some crosswalks needed in this area. Street lights exist on the roads in this area and are maintained by the county. The applicant proposes a coordinated Capital Improvement Program (CIP) project that

includes sidewalks, crosswalks, and a covered bus shelter to reduce the number of missing adequacy elements.

- (B) The presence of elements that make it safer, easier, and more inviting for pedestrians to traverse the area (e.g., adequate street lighting, sufficiently wide sidewalks on both sides of the street buffered by planting strips, marked crosswalks, advance stop lines and yield markings, "bulb-out" curb extensions, crossing signals, pedestrian refuge medians, street trees, benches, sheltered commuter bus stops, trash receptacles, and signage).**

The applicant proposes to construct the missing segment on the subject property frontage of 58th Avenue, which is conditioned with this PPS approval. The developer does not propose new pedestrian-scale decorative street lights; however, adequate street lighting does exist in the area.

The roadways, 57th and 58th Avenues, are relatively low-volume roads. There are no curb extensions in this area. Marked crosswalks are present at the intersection of 57th and 58th Avenues at Bladensburg High School. Trash receptacles are present on 58th Avenue. There are no street-side benches in the area.

The applicant proposes a coordinated CIP project that includes sidewalks, a crosswalk, and a covered bus shelter on 58th Avenue to reduce the number of missing adequacy elements, which will be coordinated with the appropriate agencies.

- (2) The finding of adequate public bikeway facilities shall, at a minimum, include the following criteria:**
- (A) the degree to which the bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and applicable area master plans or sector plans have been constructed or implemented in the area;**
 - (B) the presence of specially marked and striped bike lanes or paved shoulders in which bikers can safely travel without unnecessarily conflicting with pedestrians or motorized vehicles;**
 - (C) the degree to which protected bicycle lanes, on-street vehicle parking, medians, or other physical buffers exist to make it safer or more inviting for bicyclists to traverse the area; and**

The MPOT recommends that all major roadways in the county contain sidewalks and bicycle facilities, and that that all road frontage improvements and road capital improvement projects within the Developed and Developing Tiers be designed to accommodate all modes of transportation, including bikeways. Continuous sidewalks and on-road bicycle facilities should be included in the county to the extent feasible and practical.

The roads in the subject area are generally low-volume and they do not contain specific bikeway elements such as striping. Bikers can generally share the road with motorists. There are no CIP projects for bikeways in this area.

- (D) the availability of safe, accessible, and adequate bicycle parking at transit stops, commercial areas, employment centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.**

There is little bicycle parking within the area. Bicycle parking is not proposed for the adequacy findings. There is limited bicycle parking at the area schools, but specific counts are not available at this time. It is recommended that the applicant should consider constructing bicycle parking on the subject property because of the numerous bicyclists in the area. Bicycle parking may be anchored into a concrete base and located close to the main entrances of the building(s).

- (c) As part of any development project requiring the subdivision or re-subdivision of land within Centers and Corridors, the Planning Board shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist) throughout the subdivision and within one-half mile walking or biking distance of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including a public school, park, shopping center, or line of transit within available public rights of way. The cost of the additional off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed retail or commercial development proposed in the application and Three Hundred Dollars (\$300.00) per unit of residential development proposed in the application, indexed for inflation.**
- (d) Examples of adequate pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):**

- (1) installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;
 - (2) installing or improving streetlights;
 - (3) building multi-use trails, bike paths, and/or pedestrian pathways and crossings;
 - (4) providing sidewalks or designated walkways through large expanses of surface parking;
 - (5) installing street furniture (benches, trash receptacles, bicycle racks, bus shelters, etc.); and
 - (6) installing street trees.
- (e) For the purposes of this Section:
 - (1) "Walking or biking distance" is measured from the outer limits of the circumference of the smallest circle encompassing all the land area of the subdivision and includes the entire lot line of any property partially included within such distance; and "throughout the subdivision" includes all the land area within such circumference.
 - (2) No developer/property owner shall be required to acquire additional land not already owned by that developer/property owner in order to construct adequate pedestrian and bikeway facilities. All adequate pedestrian and bikeway facilities required under this Section shall be constructed within existing public easements and rights-of-way, or within land dedicated (or to be dedicated) by the applicant to public use.
- (f) If a conceptual or detailed site plan approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in Subsection (c) of this Section, along with the location, types, and description of major improvements, property/lot lines, and owners that are within fifty (50) feet of the subject easements and rights-of-way.
- (g) Prior to the issuance of any building permit for development within the subdivision, the developer/property owner shall show that all required adequate pedestrian and

bikeway facilities have full financial assurances, have been permitted for construction through the applicable operating agency's access permit process, and have an agreed-upon timetable for construction and completion with the appropriate operating agency.

- (h) Nothing contained within this Section shall be deemed to inhibit in any way the authority of the Planning Board to require a developer/property owner to construct pedestrian and bikeway facilities beyond those required in Subsection (c) of this Section, if such facilities relate to the implementation of "complete streets" principles on roadways required to be improved, constructed, or reconstructed to accommodate motor vehicle traffic that would be generated by proposed subdivisions. Any such pedestrian and bikeway facilities shall be subject to the cost limitations set forth in Subsection (c) of this Section.

The applicant proposes a coordinated CIP project that includes sidewalks, a crosswalk, and a covered bus shelter on 58th Avenue to reduce the number of missing adequacy elements. The covered bus shelter and associated bus pad improvements that are proposed by the applicant will be coordinated with the appropriate agencies. The projects will be bonded for construction prior to issuance of building permits.

Based on the foregoing analysis, it is concluded that adequate bicycle and pedestrian transportation facilities will exist to serve the proposed use if approved with conditions.

12. **Transportation**—The findings and recommendations outlined below are based upon a review of materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the "Transportation Review Guidelines, Part 1" ("*Guidelines*").

The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, or links in the transportation system:

- a. 57th Avenue & 58th Avenue (non-signalized)
- b. MD 450 & 57th Avenue (signalized)
- c. MD 450 & MD 295 NB Ramps (signalized)
- d. MD 450 & MD 295 SB Ramps (signalized)

A traffic study dated March 2014 was submitted by the applicant for the critical intersections. Traffic counts for the critical intersections were taken in March 2014.

The subject property is located within the Developed Tier (Transportation Service Area – TSA 1), as defined in the *Plan Prince George's 2035 Approved General Plan*. As such, the subject property is evaluated according to 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 Regulations, is permitted at signalized intersections subject to meeting the geographical criteria in the "Transportation Review Guidelines, Part 1."

Unsignalized intersections: The procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure, (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, and (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure, and (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this 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 following critical intersections identified above, when analyzed with existing traffic using counts taken in March 2014 and existing lane configurations, operate as follows:

| EXISTING TRAFFIC CONDITIONS | | | | | | |
|---|--|-------|----|---|----|----|
| Intersection | Critical Lane Volumes (CLV, AM/PM/Sunday) | | | Level of Service (LOS, AM/PM/Sunday) | | |
| 57 th Avenue & 58 th Avenue | 38.6* | 19.9* | -- | -- | -- | -- |
| MD 450 & 57 th Avenue | 1,140 | 933 | -- | B | A | -- |
| MD 450 & MD 295 NB Ramps | 872 | 748 | -- | A | A | -- |
| MD 450 & MD 295 SB Ramps | 872 | 784 | -- | A | A | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy. | | | | | | |

The critical intersections identified above are not programmed for improvements 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."

Under existing conditions all of the intersections are operating at acceptable levels of service and/or intersection delay as defined by the *Guidelines*.

For background traffic conditions there has been little or no growth over the last ten years, therefore regional growth for through movements was not applied. Background development

included The Pointe at Cheverly (244 apartments) and the Crestview Square Shopping Center (6,350 square feet). Background conditions are shown in the chart below.

| BACKGROUND TRAFFIC CONDITIONS | | | | | | |
|---|--|-------|----|---|----|----|
| Intersection | Critical Lane Volumes (CLV, AM/PM/Sunday) | | | Level of Service (LOS, AM/PM/Sunday) | | |
| 57 th Avenue & 58 th Avenue | 38.6* | 19.9* | -- | -- | -- | -- |
| MD 450 & 57 th Avenue | 1,161 | 945 | -- | C | A | -- |
| MD 450 & MD 295 NB Ramps | 906 | 775 | -- | A | A | -- |
| MD 450 & MD 295 SB Ramps | 900 | 807 | -- | A | A | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy. | | | | | | |

The new trips expected to be generated by the proposed 100 residential units (multifamily) were added to background traffic to obtain future traffic conditions. They would generate 52 new trips (10 in/42 out) during the AM peak hour and 60 new trips (39 in/21 out) during the PM peak hour. The intersections under study, when analyzed with any programmed improvements and total future traffic, including the site trip generation as described above and a distribution of 15 percent east, 20 percent west, 25 percent north, and 40 percent south, operate as follows:

| FUTURE TRAFFIC CONDITIONS | | | | | | |
|---|--|-------|----|---|----|----|
| Intersection | Critical Lane Volumes (CLV, AM/PM/Sunday) | | | Level of Service (LOS, AM/PM/Sunday) | | |
| 57 th Avenue & 58 th Avenue | 45.3* | 20.9* | -- | -- | -- | -- |
| MD 450 & 57 th Avenue | 1,190 | 981 | -- | C | A | -- |
| MD 450 & MD 295 NB Ramps | 920 | 785 | -- | A | A | -- |
| MD 450 & MD 295 SB Ramps | 911 | 818 | -- | A | A | -- |
| *In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the <i>Guidelines</i> , delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure, and should be interpreted as a severe inadequacy. | | | | | | |

Under future traffic conditions all of the intersections are operating at acceptable levels of service and/or intersection delay as defined by the *Guidelines*.

Department of Public Works and Transportation (DPW&T)

The Traffic Impact Analysis was forwarded to DPW&T on October 21, 2014. Comments were received on November 17, 2014 and are addressed below.

- a. **The volumes along eastbound and westbound MD 450 at the MD 295 ramps are not balanced.**

There are minimal differences between the ramps at MD 295 and the intersection of MD 450/57th Avenue. These will not impact the level of service (LOS) calculations.

- b. **With 20% of the trips distributed south of MD 450 along 57th Avenue, the intersection of MD 202 and 57th Avenue should have been included in the traffic study.**

This intersection was not included in the scoping agreement. The site is located north of MD 450, the intersection of MD 450 and 57th Avenue was included in the study. There are uses along 57th Avenue that would attract a minimal number of trips, making that intersection non-critical.

- c. **The site access point on 58th Avenue was not included as a critical intersection in the traffic study. Provide an acceleration lane for vehicles exiting the site. Provide a left turn bay or a by-pass lane for EB vehicles at the proposed site entrance.**

This intersection was not included in the scoping agreement. The operating and permitting agencies for the site access point may require any needed intersection improvements.

- d. **A growth factor should have been included in the traffic study.**

Minor increases in through or regional traffic movements along MD 295 and MD 450 would not impact the critical intersections significantly, the site is located north of the intersection of MD 295 and MD 450. The intersection of MD 450 and 57th Avenue is operating at LOS C, far below the threshold of LOS E.

- e. **DPW&T recommends a traffic signal warrant study at the intersection of 57th and 58th Avenues.**

Vehicular delay at this intersection does not exceed 50 seconds for any approach, a measure of inadequate traffic operations. A traffic signal warrant study or further improvements would therefore not be required according to the *Guidelines*.

- f. **A sight distance evaluation should be conducted at the proposed site entrance on 58th Avenue.**

The operating and permitting agencies for the site access point may require any needed studies to permit the access.

- g. **Provide queuing studies at the intersections of 57th and 58th Avenues and at the site access point on 58th Avenue.**

The operating and permitting agencies for the site access point may require any needed studies to permit the access.

- h. **It is imperative to provide the maximum or required number of parking spaces on-site since there is no on-street parking on 57th and 58th Avenues. The parking study is not a good representation of similar apartment complexes.**

The issue of the departure is beyond of the of this PPS review, but will be reviewed with Detailed Site Plan DSP-14012.

DPW&T further indicates that all of the studied intersections are under the jurisdiction of SHA and the Town of Bladensburg. Therefore, all final decisions, recommendations, and mitigation measures required along their respective roadways will be under their respective authority.

Maryland State Highway Administration (SHA)

No comments have been received from SHA within the 30 day review period.

Site Access and Circulation

The site will be accessed by 58th Avenue. One access point is shown on the site plan along 58th Avenue. The commercial driveway on 58th Avenue appears to meet DPW&T standards. On-site circulation, parking, pedestrian issues, etc. will be addressed at the detailed plan stage:

Master Plan Roadways

Both 57th and 58th Avenue are primary roadways. The site plan shows a right-of-way of 60 feet on 58th Avenue. The existing right-of-way of 57th Avenue, however, should be revised and shown correctly on the plan as reflected on Plat WWW 40-11, showing a 100 foot right-of-way on 57th Avenue. No further master-plan right-of-way dedication is required.

Based on the preceding findings, it is concluded that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code, with conditions.

- 13. **Schools**—The PPS has been reviewed for impact on public school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and County Council Resolution CR-23-2003 and has concluded the following:

Impact on Affected Public School Clusters
Multifamily Units

| Affected School Clusters # | Elementary School 7 Cluster | Middle School 4 Cluster | High School 4 Cluster |
|----------------------------|--------------------------------|----------------------------|--------------------------|
| Dwelling Units | 100 | 100 | 100 |
| Pupil Yield Factor | 0.042 | 0.039 | 0.033 |
| Subdivision Enrollment | 4 | 4 | 3 |
| Actual Enrollment | 32,692 | 9,421 | 14,494 |
| Total Enrollment | 32,696 | 9,425 | 14,497 |
| State Rated Capacity | 36,567 | 11,807 | 16,740 |
| Percent Capacity | 89% | 80% | 87% |

Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: \$7,000 per dwelling if a building is located between the Capital Beltway (I-95/495) 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 (WMATA); 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 \$8,862 and \$ 15,185 to be paid at the time of issuance of each building permit.

The school facilities surcharge may be used for the construction of additional or expanded school facilities and renovations to existing school buildings or other systemic changes.

14. **Fire and Rescue**—The PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(e)(1)(E) of the Subdivision Regulations. Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station in the vicinity of the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by Bladensburg Fire/EMS Company 9. This first due response station, located at 4213 Edmonston Road, is within the maximum of seven-minute travel time.

Capital Improvement Program (CIP)

There are no CIP projects for public safety facilities proposed in the vicinity of the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure.”

15. **Police Facilities**—The subject property is located in Police District I, Hyattsville. The response time standard is ten minutes for emergency calls and 25 minutes for nonemergency calls. The

times are based on a rolling average for the preceding 12 months. The PPS was accepted for processing by the Planning Department on September 5, 2014.

| Reporting Cycle | Previous 12 Month Cycle | Emergency Calls | Nonemergency Calls |
|-------------------------------|-------------------------|-----------------|--------------------|
| Acceptance Date 09/05/2014 | 8/2014-7/2013 | 6 minutes | 13 minutes |
| Cycle 1 | | | |
| Cycle 2 | | | |
| Cycle 3 | | | |

Based upon police response times, the response time standards of ten minutes for emergency calls and 25 minutes for nonemergency calls were met on September 11, 2014.

16. **Water and Sewer Categories**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “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 for preliminary plan or final plat approval.” The 2008 *Water and Sewer Plan* designates this property in water and sewer Category 3, Community System, and will therefore be served by public systems.
17. **Health Department**—The PPS was referred to the Prince George’s County Health Department for review. Review comments have not been received at the time of writing this staff report.
18. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when public utility easements (PUEs) are required by a public utility company, the subdivider should include the following statement on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

The PPS correctly delineates a ten-foot-wide PUE along the public right-of-way as required, which will be reflected on the final plat of subdivision. This PUE should be reestablished consistent with the existing PUE reflected on the current record plat and the approved PPS.

19. **Historic**—Phase I archeological survey is not recommended on the above-referenced 7.09-acre property. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. This proposal will not impact any historic sites or resources, documented properties, or any known archeological resources.
20. **Use Conversion**—This PPS was analyzed based on the proposal for residential development. The analysis includes access, noise, mandatory dedication, and views of the property, specifically relating to the residential land use proposed with this application. While the subject application is

not proposing any nonresidential development, if such a land use were proposed, a new PPS will be required.


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 Geraldo, seconded by Commissioner Bailey, with Commissioners Geraldo, Bailey, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Washington absent at its regular meeting held on Thursday, December 11, 2014, in Upper Marlboro, Maryland.

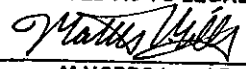
Adopted by the Prince George's County Planning Board this 11th day of December 2014.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:WM:arj

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department
Date 12/15/14