PGCPB No. 01-166(C) File No. 4-01033

C O R R E C T E D R E S O L U T I O N

WHEREAS, Joseph Poggioli is the owner of a 10.27-acre parcel of land known as Parcel C, Glenarden Apartments, 60 B-1said property being in the 13th Election District of Prince George's County, Maryland, and being zoned R-T; and

WHEREAS, on April 20, 2001, Gandolf Group, LLC filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 52 lots and 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01033 for Cottages at Glenarden, 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 July 26, 2001, 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 July 26, 2001, 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 *[~~(TCPI/20/01)~~] (TCPI/020/01A), and further APPROVED Preliminary Plat of Subdivision 4-01033, Cottages at Glenarden for lots 1-52 and Parcel A with the following conditions:

1. Review of the Detailed Site Plan shall include, but not be limited to, the following:

    a. The size, shape and location of vehicular turn-around areas at then ends of street.

    b. Providing varying house widths, with special attention given to providing larger end units. This may result in the elimination of one or more proposed lots.

    c. Conformance with the *Landscape Manual*.

*Denotes Correction
Underlining indicates new language
[Brackets] and ~~strikethrough~~ indicate deleted language

d. Appropriate setbacks.

e. Consideration of rotating proposed lots 48 through 52 to face Hamlin Street, similar to proposed lots 1 through 6. This may result in the elimination of one or more proposed lots.

2. Prior to signature approval, the preliminary plan shall be revised to graphically depict the 10-foot public-wide utility easement along all public and private streets.

3. The required 10-foot-wide public utility easement shall be included on the final plat along all public and private streets.

4. The applicant, heirs, successors and/or assigns, shall provide private recreational facilities in accordance with the standards outlined in the *Parks and Recreation Facilities Guidelines*.

5. The applicant, his heirs, successors and/or assigns, shall:

a. Submit a site plan for the recreation facilities, at the time of Detailed Site Plan review, to the Development Review Division which complies with the standards outlined in the *Parks and Recreation Facilities Guidelines.*

b. Submit three original, executed Recreational Facilities Agreements (RFA) to the Development Review Division for approval prior to the submission of a final plat application. Upon approval, the RFA shall be recorded among the land records of Prince George's County.

c. Submit a performance bond, letter of credit, or other suitable financial guarantee, in an amount to be determined by the Development Review Division, prior to applying for building permits.

d. Satisfy the Planning Board that there are adequate provisions to assure retention and future maintenance of the proposed recreational facilities.

6. Land to be conveyed to a Homeowners Association shall be subject to the following conditions:

a. A copy of an unrecorded, special warranty deed for the property to be conveyed shall be submitted to the Subdivision Review Section of the Development Review Division (DRD), Upper Marlboro, along with the Final Plat.

b. All waste matter of any kind shall be removed from the property, prior to conveyance, and all disturbed areas shall have a full stand of grass or other vegetation upon completion of any phase, section or the entire project.

c. The land to be conveyed shall not be disturbed or filled in any way without the prior, written consent of the Department of Parks and Recreation (DPR).

d. Storm drain outfalls shall be designed to avoid adverse impacts on land to be conveyed to a Homeowners Association. The location and design of drainage outfalls that adversely impact property to be conveyed, shall be reviewed and approved by DRD prior to the issuance of grading or building permits.

e. Temporary or permanent use of land to be conveyed to a Homeowners Association for stormwater management shall be approved by DRD.

f. Storm drain outfalls shall be designed to avoid adverse impacts on adjacent land owned by, or to be conveyed to The Maryland-National Capital Park and Planning Commission (M-NCPPC). If the outfalls require drainage improvements on land to be conveyed to or owned by The M-NCPPC, The Department of Parks and Recreation (DPR) shall review and approve the location and design of these facilities. DPR may require a performance bond and easement agreement prior to the issuance of grading permits.

g. There shall be no disturbance of any adjacent land that is owned by, or to be conveyed to The M-NCPPC, without review and approval of DPR.

h. The Planning Board or its designee, shall be satisfied that there are adequate provisions to assure retention and future maintenance of the property to be conveyed.

7. Prior to the approval of the initial building permit within the subject property, the applicant shall install a four-way stop control at the intersection of Brightseat Road and Ardwick Ardmore Road. In the event that the four-way stop control is unacceptable to the Department of Public Works and Transportation (DPW&T) then the applicant shall submit a traffic signal warrant study to DPW&T for the intersection of Brightseat Road and Ardwick Ardmore Road (this study requirement may be waived if DPW&T indicates, in writing, that a recent study is available for them to determine signal warrants). If deemed warranted by DPW&T, the applicant shall bond their pro rata share of the cost of the signal prior to the release of the initial building permit.

8. Prior to the issuance of a building permits, the applicant, heirs, successors and/or assigns shall pay an Adequate Public Facilities fee of $2,160.00 per dwelling unit for the elementary school, unless fully offset by a school facility surcharge payment. Any amount not offset shall be placed in an account to relieve overcrowding at Gaywood Elementary School

9. No residential building permits shall be issued for this subdivision until the projected percentage of capacities at all the affected schools are less than or equal to 130 percent or four years have elapsed since date of the adoption of the resolution of the approval of this preliminary plan of subdivision.

10. Prior to certification of the Type I TCP and signature approval of the preliminary plan, the plan shall be revised to show only those areas a minimum of 35 feet wide to be counted toward meeting the Woodland Conservation Ordinance requirements. The worksheet shall be revised as needed.

11. Prior to certification of the TCP and signature approval of the preliminary plan, the symbol for wetlands and the delineated area shall be clearly marked on the plans.

12. Prior to signature approval of the preliminary plan a copy of the Jurisdictional Determination submitted to and approved by the Corps of Engineers shall be submitted to the Environmental Planning Section.

13. Prior to signature approval, the designation ATCP I@ shall be removed from the preliminary plan.

14. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan *[~~(TCP I/13/98-01)~~] (TCPI/020/01A). The following note shall be placed on the Final Plat of Subdivision:

> "Development is subject to restrictions shown on the approved Type I Tree Conservation Plan *[~~(TCP I/20/01)~~] (TCPI/020/01A), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

15. A Type II Tree Conservation Plan shall be approved at the time of Detailed Site Plan.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.

2. The property is located on the north side of Hamlin Street, west of Brightseat Road, about one mile north of MD 202.

3. Environmental Issues - Based on aerial photographic observation, the site is vacant, undeveloped and partially wooded, with woodland on the northern and western portions of the site. The site is characterized with relatively rolling terrain to the north and west and drains into unnamed tributaries of the Beaverdam Creek Branch watershed. There are streams, wetlands, Waters of the US, and erodible soils identified on the site. There are no rare/threatened/endangered species located in the vicinity of this property. According to the Sewer Service and Water Service maps

produced by DER, the property is in categories W-3 and S-3. The predominant soil types on site are Christiana, Sassafras, and Wesphalia. These soil types generally exhibit slight limitations to development due to slow permeability, steep slopes, and high shrink-swell potential. There are no noise issues associated with the site, nor are Historic or Scenic roads affected by this proposal.

This property is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. The property does not have a previously approved Tree Conservation Plan. A revised Forest Stand Delineation (FSD) was reviewed, and was found to meet the minimum requirements for acceptance. No further information or action is required at this time with regard to the FSD.

A revised Type I Tree Conservation Plan *[~~(TCP I/20/01)~~] (TCPI/020/01A) was submitted, dated June 15, 2001. The minimum woodland requirement for the site is 1.75 acres of the net tract. Additionally, 1.03 acres is required due to the removal of woodlands, for a total minimum woodland requirement of 2.78 acres. The plan shows the requirement being met with 1.31 acres of on-site preservation, and 1.47 acres of reforestation, however, some of the preservation areas do not meet the minimum 35-foot width requirement. Prior to certification of the Type I TCP, the plan should be revised to show only those areas a minimum of 35 feet wide to be counted toward meeting the Woodland Conservation Ordinance requirements. The worksheet shall be revised as needed.

There is an area that appears to be wetlands shown on the TCP; however, the symbol used is not designated in the legend. Prior to certification of the TCP, the symbol for wetlands and the delineated area should be clearly marked on the plans.

The wetland delineation study as submitted was reviewed and found to meet the requirements. However, a copy of the Jurisdictional Determination (JD) approval by the U.S. Army Corps of Engineers is required. Prior to certification of the preliminary plan, a copy of the Jurisdictional Determination submitted to and approved by the Corps of Engineers should be submitted to the Environmental Planning Section.

The preliminary plan is labeled ATCP Type 1.@ This is an inappropriate label for this plan and should be removed from the preliminary plan prior to signature approval.

No other significant environmental impacts have been identified or associated with the site.

4. Community Planning - The 1993 *Approved Landover and Vicinity Master Plan* recommends residential development in the Low Urban Residential density range. The 1993 Sectional Map Amendment retained the property in the R-T Zone. The proposal is in conformance with the land use recommendations of the master plan.

   The western edge of the property contains a 100-year floodplain and is also shown as a Natural Reserve Area on the plan map. The western, northern and eastern edges of the property are shown as woodlands on the plan map. The master plan states land located in the Natural Reserve Area should be preserved in their natural state. But for a required stormwater management facility, this area will remain in a natural state. Most of the woodland preservation is in the natural reserve area.

5. Parks and Recreation - The Department of Parks and Recreation has reviewed the application and concurs with the applicant's proposal to provide private recreational facilities. These facilities will be subject to further review at the time of detailed site plan and also subject to several standard conditions regarding bonding and conveyance to a Homeowners' Association.

6. Trails - There are no master plan trails issues associated with this application.

7. Transportation - No traffic study was requested of the applicant, but up-to-date traffic counts were requested and supplied. The findings and recommendations outlined below are based upon a review of these and other relevant materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines).*

   Summary of Traffic Impacts

   The application is a preliminary plat of subdivision for a residential subdivision consisting of 52 townhouse lots. The proposed development would generate 36 AM (7 in, 29 out) and 42 PM (27 in, 15 out) peak hour vehicle trips as determined using the *Guidelines*. The site was analyzed using the following trip distribution:

Ardwick Ardmore Road from the east:	2%
Ardwick Ardmore Road from the west:	30%
MD 202 from the west:	20%
Brightseat Road from the south:	8%
MD 202 from the east:	40%

   The traffic generated by the proposed preliminary plan would impact the intersections of MD 202/Brightseat Road and Brightseat Road/Ardwick Ardmore Road. The Prince George's County Planning Board, in the *Guidelines*, has defined level of service D (LOS D) as the lowest acceptable operating condition on the transportation system. The existing conditions exist at the critical intersections:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202/Brightseat Road	628	1,244	A	C
Ardwick Ardmore Road/Brightseat Road	24.7*	105.2*	--	--

*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 *Guidelines,* an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

One nearby development was included in background traffic, along with an annual rate of through traffic growth of 0.6 percent along MD 202. The following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202/Brightseat Road	642	1,262	A	C
Ardwick Ardmore Road/Brightseat Road	31.4*	132.8*	--	--

*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 *Guidelines,* an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202/Brightseat Road	646	1,266	A	C
Ardwick Ardmore Road/Brightseat Road	32.9*	140.9*	--	--

*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 *Guidelines*, an average delay exceeding 45.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.

The Prince George's County Planning Board, in the *Guidelines*, has defined level of service D (LOS D) as the lowest acceptable operating condition for signalized intersections on the transportation system. Under total future traffic as developed using the *Guidelines*, adding the impact of the proposed development, the intersection of MD 202 and Brightseat Road was found to be operating with service levels of LOS D or better. Additionally in the *Guidelines*, the Planning Board has defined vehicle delay in any movement exceeding 45.0 seconds as an unacceptable operating condition at unsignalized intersections. At the Brightseat Road/Ardwick Ardmore Road intersection, which is unsignalized, the intersection operates unacceptably during the PM peak hour, and would worsen with the development of the subject property, with vehicle delay exceeding 45.0 seconds for minor street left-turn movements.

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 if it is deemed warranted by the appropriate operating agency. The warrant study is, in itself, a more detailed study of the adequacy of the existing unsignalized intersection. The staff believes that this study is needed at the intersection of Brightseat Road and Ardwick Ardmore Road, and that the applicant should be responsible for any improvements identified as necessary by the warrant study. With such a condition, the staff believes that the critical intersection will operate acceptably in both peak hours.

The transportation staff has no comments on the layout of the plan as submitted. Modifications of the ends of the internal driveways are shown on the revised plan, and they are acceptable.

Based on these, adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved with a condition requiring the applicant to provide a four-way stop sign or prepare a traffic signal warrant study and pay a pro rata share the signal if warranted.

8. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998). Projected Impact on Affected Public Schools

Affected School Name	D.U. by Type	Pupil Yield Factor	Development Pupil Yield	5-Year Projection	Adjusted Enrollment	Total Projected Enrollment	State Rated Capacity	Projected % Capacity
Gaywood Elementary School	52 Th	0.24	12.48	565	565.72	578.20	389	148.64%
Kenmoor Middle School	52 Th	0.06	3.12	736	0	739.12	842	87.78%
Charles H. Flowers High School	52 Th	0.12	6.24	2071	0	2077.24	2200	94.42%

Source: Prince George's County Planning Department, M-NCPPC, January 2001

Since the affected Gaywood Elementary School projected percentage of capacity is greater than 105 percent, the Adequate Public Facilities fee is $2,160.00 per dwelling unit. The amount of the Adequate Public Facilities fee for schools shall be offset by the School Facilities Surcharge. Any amount not offset shall be paid and divided among the schools at a rate determined by the guidelines.

Section 24-122.02(a)(4) states that if any affected school's projected percentage of capacity exceeds 130% no permits may be issued until (a) capacity exists at or below 130 percent in all affected schools; or (b) four (4) years have elapsed since the time of the approval of the preliminary plan of subdivision. Since the projected capacity of Gaywood Elementary School exceeds 130 percent, this condition is required.

9. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.

a. The existing fire engine service at Kentland Hills Fire Station, Company 33, located at 7701 Landover Road, has a service response time of 3.71 minutes, which is within the 5.25 minutes response time guideline.

b. The existing ambulance service at Kentland Fire Station, Company 46 located at 10400 Campus Way South has a service response time of 6.25 minutes, which is within the 6.25 minutes response time guideline for Lots 1-16 and 42- 52. All other Lots are beyond. The nearest fire station, Kentland, Company 33, is 3.71 minutes from the development. This facility would be within the recommended response time for ambulance service.

c. The existing paramedic service at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service response time of 6.40 minutes, which is within the 7.25 minutes response time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

10. Police Facilities - The proposed development is within the service area for Police District III-Landover. In accordance with Section 24-122.1(c) of the Subdivision Regulations of Prince George's County, existing county police facilities will be adequate to serve the proposed Cottages at Glenarden development. This police facility will adequately serve the population generated by the proposed subdivision.

11. Health Department - The Health Department reviewed the application and offered no comments.

12. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 8012220-2001-01, was approved with conditions on March 29, 2001, to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through march 29, 2004. Development must be in accordance with this approved plan.

13. Public Utility Easement - The preliminary plan does not include the required 10-foot-wide public utility easement along all public and private streets. This easement must be shown on the preliminary plan prior to signature approval. It will be reflected on the final plat.

14. Site Design Issues - Section 27-433 of the Prince George's County Zoning Ordinance, as amended by CB-55-1996, sets forth the design standards for townhouse developments. While the proposal satisfies most of these standards, a closer examination will occur at the time of detailed site plan review. These issues, outlined in part below, may cause the elimination of one or more proposed lots. In addition to typical Detailed Site Plan review, the DSP application will be reviewed for conformance with the *Landscape Manual* which will require an AA@ bufferyard along the northern and eastern boundary lines in accordance with Section 4.7, Buffering Incompatible Uses. The size and shape of proposed vehicular turn-arounds will also be examined.

Section 27-433(d)(3) of the Zoning Ordinance requires that attached groups of townhouses to provide varied widths. In each attached group attention should be given to the use of wider end units. While the proposed preliminary plan shows all the units to be the same width, the Detailed Site Plan will need to provide varied widths and larger units on the end of attached sticks of townhouses.

Finally, proposed Lots 48 through 52 are oriented toward the internal street system, though they are close to Hamlin Street. Motorists traveling westbound along Hamlin Street will be faced with the rears of units. This should be avoided at all costs. Lots 48 though 52 should be redesigned to

face Hamlin Street in the same fashion as Lots 1 through 6. This will yield an attractive entrance to the subdivision while limiting views into backyards.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 26, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of September 2001 *and corrected administratively on December 24, 2015.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:WC:rpg

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[Brackets] and ~~strikethrough~~ indicate deleted language