PGCPB No. 19-107 File No. SDP-0516-02

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with approval of Specific Design Plans pursuant to Part 8, Division 4 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 26, 2019, regarding Specific Design Plan SDP-0516-02 for Bevard East, the Planning Board finds:

1. **Request:** The subject application is for approval of an amendment to a specific design plan (SDP), for a revision to Phase 4 of the residential development, including 293 single-family detached and 100 single-family attached dwelling units, to allow changes to stormwater management (SWM) facilities, resulting in the adjustment of 10 lots and one parcel.

2. **Development Data Summary:**

	EXISTING	**APPROVED**
Zone	R-L	R-L
Use	Vacant	Residential
Dwelling units:		
Single-family detached	0	293
Single-family attached	0	100
Total Dwelling Units	**0**	**393**
Total Gross Acreage	**195.97**	**195.97**

3. **Location:** The Bevard East development is located on the east side of MD 223 (Piscataway Road), approximately four miles southwest of its intersection with MD 5 (Branch Avenue) and bounded on the east by Thrift Drive. The site is in Planning Area 81B and Council District 9.

4. **Surrounding Uses:** Bevard East is bounded to the north by vacant and existing developed properties in the Residential-Estate (R-E) Zone; to the east by Thrift Drive and developed properties in the Residential-Agricultural Zone; to the south by developed properties in the R-E and Rural Residential (R-R) Zones; and to the west by MD 223 and existing properties in the R-E and R-R Zones beyond.

5. **Previous Approvals:** The subject property was rezoned from the R-E Zone to the Residential Low Development (R-L) Zone through the approval of Zoning Map Amendment (Basic Plan) A-9967-C by the Prince George's County District Council, Zoning Ordinance No. 7-2006, on March 28, 2006.

The Prince George's County Planning Board approved Comprehensive Design Plan CDP-0504 and Type I Tree Conservation Plan TCPI-053-04 (PGCPB Resolution No. 05-269) on December 22, 2005, with 30 conditions of approval. The District Council adopted the findings of the Planning Board and approved CDP-0504 on June 6, 2006, with all 30 conditions.

On January 19, 2006, the Planning Board approved Preliminary Plan of Subdivision (PPS) 4-05050 and a revised TCPI-053-04-01 (PGCPB Resolution No. 06-16) for 827 lots and 33 parcels, with 36 conditions.

SDP-0516 and TCPII-074-06, for Phase 4, were approved by the Planning Board on July 27, 2006 (PGCPB Resolution No. 06-191), for 293 single-family detached and 100 single-family attached dwelling units, with 23 conditions. The District Council subsequently reviewed this case and on October 31, 2006, affirmed the Planning Board decision. This SDP was amended at the director level on October 5, 2007, to accommodate the expansion and realignment of master plan right-of-way A-65 (Silken View Road).

SDP-0605 was accepted on May 4, 2006, for umbrella architecture of single-family detached models by K Hovnanian Homes, Caruso Homes, and Ryan Homes. A decision was never rendered due to litigation between US Home Corporation and Settlers Crossing, LLC. This application is currently dormant.

SDP-1801 was approved by the Planning Board on May 2, 2019 (PGCPB Resolution No. 19-59), for Bevard East umbrella architecture. The District Council subsequently reviewed this case and on September 10, 2019, affirmed the Planning Board decision.

6. **Design Features:** Phase 4 of the Bevard East residential development is accessed from Piscataway Road. The main access point and main spine road connects to Piscataway Road and terminates at the future clubhouse. The Phase 4 road network provides access to Phases 2 and 5, to the east and south respectively. Single-family detached dwellings front Piscataway Road and the main spine road. The proposed approximately 14-acre park flanks one side of the spine road. A gatehouse and traffic circle are located at the first intersection traversed after entering the subdivision from Piscataway Road.

   This project was originally approved in 2006, prior to the adoption of the 2010 SWM program. The property was not vested under the old regulations, so this amendment serves to replace the previously approved SWM ponds with submerged gravel wetlands, to bring the site into compliance with the current stormwater best management practices (BMPs). The design of these new BMPs resulted in necessary refinements to the grading, which require minor adjustments to internal roads, and ten of the platted lots. The affected lots remain within the lot size and dimension requirements established with the CDP.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Map Amendment (Basic Plan) A-9967-C:** This application rezoned approximately 562.85 acres of land in the R-E Zone to the R-L Zone and was approved by the District Council on March 28, 2006, in accordance with Zoning Ordinance No. 7-2006. Relative conditions of approval were addressed with the previous SDP and are not proposed to be revised with this amendment.

8. **Prince George's County Zoning Ordinance:** The subject SDP is in general compliance with the applicable requirements of the Zoning Ordinance, as follows:

   a. This SDP is in general conformance with the requirements of the R-L Zone as the single-family detached and attached homes are permitted uses**.**

   b. According to Part 10 B, Section 27-548.42 of the Zoning Ordinance, in Aviation Policy Area (APA) 6, no building permit may be approved for a structure higher than 50 feet, unless the applicant demonstrates compliance with Federal Aviation Regulation, Part 77. This requirement has been addressed with the umbrella architecture SDP-1801.

   c. Section 27-480, General development regulations, of the Zoning Ordinance, includes various additional standards relative to townhouse lots and architecture. Conformance with all applicable development regulations was found through the previous SDP for site development, and the subject amendment does not change that finding.

   d. Section 27-528(a) of the Zoning Ordinance contains the following required findings for the Planning Board to grant approval of an SDP:

      (1) The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(l .1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(l)(B) and (a)(l l), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);

      The SDP is in conformance with the approved CDP and each of the conditions of approval, the 2010 *Prince George's County Landscape Manual* (Landscape Manual), and the applicable design guidelines for townhouses.

(1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;

The SDP does not contain property designated as a regional urban community.

(2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club;

The subject property of Bevard East is governed by an approved and valid PPS that meets the adequacy test for the required public facilities serving this development. Further discussion of this is provided in Finding 15 below.

(3) Adequate provision has been made for draining surface water so that there are no adverse effects on either the subject property or adjacent properties;

The application included an approved SWM concept plan and the subject SDP is in conformance with it. Therefore, adequate provision has been made for draining surface water and ensuring that there are no adverse effects on the subject property or adjacent properties.

(4) The plan is in conformance with an approved Type 2 Tree Conservation Plan; and

Type II Tree Conservation Plan TCPII-074-06-02 was reviewed, and conditions of approval are included in this resolution.

(5) The plan demonstrates that the regulated environmental features are preserved and/or restored to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

The SDP is exempt from this requirement as it has a valid PPS that was approved prior to September 1, 2010.

9. **Comprehensive Design Plan CDP-0504:** CDP-0504 was approved by the Planning Board on January 12, 2006. The CDP was appealed by a party of record to the District Council, and on June 6, 2006, the District Council affirmed the Planning Board's approval. The following conditions of approval are relevant to this SDP:

10. Prior to acceptance of the applicable specific design plans, the following shall be shown on the plans:

a. The APA designation area shall be shown.

This phase is within APA zones 3 and 6. The APA designation and restrictions are referenced in the general notes, however, the area is not shown on the plan. A condition has been included in this resolution.

b. The community building shall be shown as a minimum of 5,000 square feet, in addition to the space proposed to be occupied by the pool facilities.

The plan shows conformance with this condition.

c. The swimming pool shall be approximately 25 meters long and 40 feet wide with a 30-foot by 30-foot training area.

The plan shows conformance with this condition.

11. On the appropriate specific design plan, the applicant shall provide the following:

e. A wide asphalt shoulder along the subject site's entire road frontage of MD 223 in order to safely accommodate bicycle traffic, unless modified by SHA.

The plans do not reflect this requirement, so a condition has been included in this resolution.

f. Standard sidewalks along both sides of all internal roads, unless modified by DPW&T.

The plan shows conformance with this condition.

17. Prior to acceptance of each specific design plan, the applicant shall submit an overall open space plan with calculations for areas of tree preservation, wetlands, and floodplain, to ensure preservation of areas approved as open space per CDP-0504.

TCPII-074-06-02 was provided with this application and demonstrates conformance to the preservation of open space per CDP-0504.

19. The recreational facilities shall be bonded and constructed in accordance with the following schedule:

PHASING OF AMENITIES		
FACILITY	**BOND**	**FINISH CONSTRUCTION**
Public Park	**Prior to the issuance of any building permits**	**Complete by 50th building permit overall**
Recreation center Outdoor recreation facilities	**Prior to the issuance of the 200th building permit overall**	**Complete by 400th building permit overall**
Recreation Center Building and pool	**Prior to the issuance of the 200th building permit overall**	**Complete before the 400th building permit overall**
Pocket Parks (including Playgrounds) within each phase	**Prior to the issuance of any building permits for that phase**	**Complete before 50% of the building permits are issued in that phase**
Trail system Within each phase	**Prior to the issuance of any building permits for that phase**	**Complete before 50% of the building permits are issued in that phase**
It is occasionally necessary to adjust the precise timing of the construction of recreational facilities as more details concerning grading and construction details become available. Phasing of the recreational facilities may be adjusted by written permission of the Planning Board or its designee under certain circumstances, such as the need to modify construction sequence due to exact location of sediment ponds or utilities, or other engineering necessity. The number of permits allowed to be released prior to construction of any given facility shall not be increased by more than 25%, and an adequate number of permits shall be withheld to assure completion of all of the facilities prior to completion of all the dwelling units.		

A private recreational facilities agreement (RFA) was recorded in the county land records in Liber 27606 at folio 522. Per this RFA, Phase 4 is to include the provision of one open play area, one community building, one community pool, one soccer field, one tot lot and one pre-teen lot (combined), two double tennis courts, and private trails. These recreational facilities are shown on homeowners association Parcel HH, on sheets 10, 11, and 16 of the SDP. The arrangement and location of stormwater and recreational facilities on Parcel HH differs from the previously approved SDP-0516, to accommodate the modifications to stormwater facilities.

21. The following standards shall apply to the development:

Bevard East Standards Proposed

	SFA	SFD		
Lot Size	**1,800 sf**	**6,000-10,000 sf**	**10,000-19,999 sf**	**20,000+ sf**
Minimum width at front street R-O-W* **	**N/A**	**50 feet***	**60 feet***	**70 feet***
Minimum frontage on cul-de-sacs	**N/A**	**30 feet***	**30 feet***	**35 feet***
Maximum lot coverage	**400 sf yard area****	**60%**	**50%**	**40%**
Minimum front setback from R-O-W	**15 feet**	**20 feet**	**25 feet*****	**25 feet**
Minimum side setback	**None**	**5 feet**	**17/8 feet**	**17/8 feet**
Minimum rear setback	**None**	**20 feet**	**25 feet**	**25 feet**
Minimum corner setback to side street R-O-W	**10 feet**	**15 feet**	**15 feet**	**15 feet**
Maximum residential building height	**40 feet**	**35 feet**	**35 feet**	**35 feet**
Approximate percentage of total lots	**20 percent**	**60 percent**	**10 percent**	**10 percent**

Variations to the standards may be permitted on a case-by-case basis by the Planning Board at the time of specific design plan if circumstances warrant.
***Except minimum lot frontage for flag lot configurations shall be 25 feet.**
****Except that the yard area may be reduced to 300 sf for decks.**
*****Except that the minimum lot width at the front street line shall be no less than 80 feet for the lots adjacent to Piscataway Road, the main entrance drive from Piscataway Road to the first intersection, and along the secondary entrance from Tippett Road to the second intersection.**
******Except that on the lots across from the park, the front yard setback shall be no less than 30 feet.**

The applicant proposes the adjustment of 10 lots and one parcel (Parcel EE) with this SDP, and has provided a table on sheet 1 of the SDP to demonstrate that the lots, indicated as proposed Lots 1-4 of Block C and Lots 1-6 of Block D, will meet the standards of this condition. These requirements will be enforced at the time of building permits.

22. Every specific design plan shall include on the cover sheet a clearly legible overall plan of the project on which are shown in their correct relation to one another all phase or section numbers, all approved or submitted specific design plan numbers, all approved or submitted tree conservation plan numbers, and the number and percentage.

The SDP cover sheet contains a clearly legible overall plan of the project. The cover sheet does not have the corresponding TCPII numbers because tree conservation plan numbers are assigned only after applications have been submitted. A condition to include the TCPII numbers for each companion SDP has been included in this resolution.

10. **Preliminary Plan of Subdivision 4-05050:** PPS 4-05050 was approved by the Planning Board on January 19, 2006. PGCPB Resolution No. 06-16(C) was then adopted by the Planning Board on February 16, 2006, formalizing the approval. The following conditions apply to this SDP application:

2. A Type II Tree Conservation Plan shall be approved with the specific design plan.

TCPII-074-06-02 was reviewed with this application and conditions of approval have been included in this resolution.

3. Development of this site shall be in conformance with the Stormwater Management Concept Plan #25955-2005-00 and any subsequent revisions.

An approved SWM concept plan and letter, case number 328-2018-00, dated August 21, 2018, was provided with this application and shows the lotting pattern and the location of SWM facilities consistent with what is shown on the instant SDP.

10. The applicant, his heirs, successors and/or assignees shall submit three original recreational facilities agreements (RFAs) to DRD for construction of recreational facilities on homeowners land, for approval prior to the submission of final plats. Upon approval by DRD, the RFA shall be recorded among the county land records.

A private recreational facilities agreement was recorded in the county land records. The arrangement and location of stormwater and recreational facilities on Parcel HH differs from the previously approved SDP-0516, to accommodate the modifications to stormwater facilities. However, all recreational facilities, including one open play area, a community building, a community pool, a soccer field, a tot lot and pre-teen lot (combined), two double tennis courts, and private trails established in the recorded recreational facilities agreement are provided with the changes proposed to the SWM facilities.

11. **Specific Design Plan SDP-0516:** SDP-0516 was approved by the Planning Board on July 27, 2006 (PGCPB Resolution No. 06-191), with 23 conditions. The District Council affirmed the Planning Board's decision on October 31, 2006, with all 23 conditions. The umbrella architecture, SDP-1801, by Lennar Homes, superseded the townhouse models in SDP-0516. All conditions of the previous approval are still applicable, except for those required prior to certification of the SDP.

12. **2010 Prince George's County Landscape Manual:** Per Section 27-528(a)(1) of the Zoning Ordinance, an SDP must conform to the applicable standards of the Landscape Manual. The landscape and lighting plan provided with the subject SDP contains the required schedules demonstrating conformance to these requirements.

13. **Prince George's County Woodland Conservation and Tree Preservation Ordinance:** This application is not subject to the 2010 Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has a TCPI and TCPII approved prior to September 1, 2010. This site is subject to the provisions of the 1993 Woodland Conservation and Tree Preservation Ordinance because conformance with the woodland conservation requirements were established with the initial TCPII-074-06 and carried forward with the approval of subsequent revisions.

    The current application is for Phase 4 of the overall project. The Woodland Conservation Threshold for the overall 562.85-acre property is 25 percent of the net tract area, or 134.92 acres. The overall woodland conservation requirement, based on the amount of clearing proposed on the entire site, is 178.26 acres. This overall requirement is proposed to be met with 159.84 acres of preservation, 14.92 acres of reforestation, and 3.50 acres of off-site woodland conservation. The current application is for Phase 4, which consists of 181.87 acres gross tract area and proposes 40.98 acres of net tract clearing, 0.14 acre of floodplain clearing, and 0.92 acre of off-site clearing. Phase 4 shows 24.60 acres of on-site preservation, and 6.93 acres of reforestation plantings. Conditions of approval are included in this resolution.

14. **Prince George's Country Tree Canopy Coverage Ordinance:** The SDP is subject to the requirements of the Tree Canopy Coverage Ordinance. Section 25-128 of the County Code requires a minimum percentage of tree canopy coverage on projects that propose more than 5,000 square feet of disturbance. In the R-L Zone, the coverage requirement is 20 percent, which for this application equates to 39.19 acres. The subject SDP does not provide the required schedule demonstrating conformance to these requirements. A condition has been included in this resolution, to provide a schedule demonstrating conformance.

15. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:

a. **Transportation Planning**—The Planning Board adopted, herein by reference, a memorandum dated September 4, 2019 (Masog to Burke), indicating that the elimination of a portion of Parsley Sprig Road between Baroque Boulevard and Basil View Way will have a minimal effect on overall circulation, and determined that the proposal meets the findings required for an SDP, as described in the Zoning Ordinance.

Conformance to Section 24-124 of the Subdivision Regulations was found with the approval of PPS 4-05050, and it is noted that this application will not change that prior finding. Several off-site transportation improvements are included as conditions of the PPS approval, and these conditions will need to be met at the time of building permit. Therefore, it is determined that the development will be adequately served within a reasonable period of time, with existing or programmed transportation facilities.

b. **Environmental Planning**—The Planning Board adopted, herein by reference, a memorandum dated August 19, 2019 (Schneider to Burke), with conditions relating to technical issues on the TCPII, which can be found in this resolution. Additional summarized comments were provided, as follows:

Natural Resources Inventory/Existing Conditions
An approved Natural Resources Inventory, NRI-040-05-01, was submitted with the application. The NRI indicates that streams, wetlands, associated buffers, and areas of steep slopes are found to occur within the limits of the SDP and comprise the primary management area. The existing features of the site, as shown on the TCPII and the SDP, are in conformance with the NRI.

Stormwater Management
A SWM Concept Approval Letter (No. 328-2018-00) and associated plan were submitted with the application for this site. The approval was issued on August 21, 2018, with this project from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The concept plan shows the entire Phase 4 development, and proposes to construct two micro-bioretention ponds, three submerged gravel wetlands, rainwater harvesting, and one wet pond. A SWM fee of $284,917.00 for on-site attenuation/quality control measures is required. No further action regarding SWM is required with regard to this SDP.

Noise
Piscataway Road is the nearest source of traffic-generated noise and is designated as an arterial in the 1993 *Approved Master Plan and Sectional Map Amendment for Subregion V, Planning Areas 81A, 81B, 83, 84, 85A and 85B*. Section 24-121(a)(4) of the Subdivision Regulations requires that residential lots adjacent to existing, or planned roadways of arterial classification or higher be platted to a minimum depth of 150 feet, and that adequate protection and screening from traffic nuisances be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line for new residential structures.

The noise model used by the Environmental Planning Section predicts that the unmitigated 65 dBA Ldn noise contour will be about 168 feet from the centerline of Piscataway Road in 10 years. Based upon dedication of 60 feet from the centerline of existing Piscataway Road, the predicted 65 dBA Ldn contour is approximately 118 feet from the edge of the proposed right-of-way, and clearly not impacting any proposed lot within the phase of the development.

c. **Subdivision Review**—The Planning Board adopted, herein by reference, a memorandum dated August 22, 2019 (Davis to Burke), which contains conditions of approval, included in this resolution.

d. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopted, herein by reference, a memorandum dated July 15, 2019 (Giles to Burke), in which DPIE commented that the grade establishment for several roadways do not meet County minimum standards with waivers, or revisions needed at the time of grading permit; however, DPIE stated no objection to the approval of the instant SDP for changes to the SWM facilities.

e. **Special Projects:** The Planning Board adopted, herein by reference, a memorandum dated September 3, 2019 (Hancock to Burke), which is summarized as follows:

The Planning Board reviewed this SDP, in accordance with Section 27-528(a)(2) of the Zoning Ordinance, which requires the Planning Board to find that the development will be adequately served within a reasonable period with existing, or programmed public facilities, either shown in the appropriate Capital Improvement Program, or provided as part of the private development.

To determine adequacy, the Planning Board used the adequacy test contained in the Subdivision Regulations in Section 24-122.01.

Fire and Rescue
This SDP was reviewed for adequacy of fire and rescue services, in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(C) and (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-minutes travel time."

The proposed project is served by Clinton Fire/EMS Station 825, located at 9025 Woodyard Road. The Fire Chief, as of May 16, 2016, has outlined the adequacy of personnel and equipment as required by Section 24-122.01 (e). The Assistant Fire Chief, James V. Reilly, Emergency Services Command of the Prince George's County Fire/EMS Department, has reaffirmed in writing that as of September 3, 2019, only a portion of the project is within a seven-minute travel time from the first due station. The applicant may offer to mitigate for the failed portion.

Planning Board Mitigation Requirements
The Public Safety Mitigation Fee will be assessed when the applicant applies for grading permits with DPIE.

A. Public Safety Mitigation Fee

i. The fees per dwelling unit would consist of $3,780 per unit if the test has failed in any of the police districts. This number was derived from the costs associated with building and equipping police stations to house the police officers that are necessary to help meet the response times associated with CB-56-2005.

ii. If the application fails in a fire service area, the fee per dwelling unit would consist of $1,320 per unit. This number was derived from the costs associated with building and equipping fire stations to house the fire and EMS personnel that are necessary to help meet the response times associated with CB-56-2005.

iii. If the application fails both the police and fire test, the applicant shall pay the combined fee of $5,100 per dwelling unit.

iv. The Public Safety Surcharge shall not be reduced by the payment of any Public Safety Mitigation Fee.

Beginning in Fiscal Year 2007, the fee shall be adjusted by July 1 of each year by the percentage change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor from the previous fiscal year. The fee shall be paid at the time of issuance of a grading permit for development.

B. In Kind Services

An applicant may offer to provide equipment and/or facilities that equal, or exceed the cost of the Public Safety Mitigation Fee, or offer a combination of in-kind services and supplemental payment of the Public Safety Mitigation Fee. Acceptance of in-kind services are at the discretion of the County based on the public safety infrastructure required to bring the subdivision in conformance with the standards mandated by CB-56-2005.

C. Pooling Resources

Applicants may pool together with other applicants to purchase equipment, or build facilities that would equal, or exceed the cost of paying the Public Safety Mitigation Fee. Acceptance of pooled resources to provide in kind services are at the discretion of the County based on the public safety infrastructure required to bring the subdivision in conformance with the standards mandated by CB-56-2005.

D. Use of Funds

The Public Safety Mitigation Fee shall be used in the police districts, or fire service areas that are failing the response time requirements of CB-56-2005.

For example, guidance provided by the Approved Operating Expense and Capital Budgets, Tri Data Final Report dated May 2004, the Maryland-National Capital Park and Planning Commission, and the Approved Public Safety Master Plan will be considered.

The Planning Department has established a practice regarding the designation of lots that are split by the seven-minute travel time response line. If any portion of a proposed lot is beyond the response time, the lot will be considered as beyond the response time and mitigation will be required. At the time of PPS 4-05050, 827 lots were identified and required to pay Safety Mitigation Fees per Condition 18. Specifically, 88 lots in Phase 4 are required to pay both the police and fire fee, while 305 are required to pay the police fee because they are considered beyond the seven-minute response time line, and the fee per dwelling unit would consist of either $4,968 and/or $1,736 per unit for a total of $6,704. This fee is adjusted by July 1 of each year by the percentage change in the Consumer Price Index for All Urban Consumers published by the U.S. Department of Labor from the previous fiscal year. The fee will be paid at the time of issuance of a grading permit for development. The fee was derived from the costs associated with building and equipping fire stations to house Fire and EMS personnel that are necessary to help meet response times associated with CB-56-2005. The PPS condition requiring the mitigation fee remains applicable to address this issue.

Capital Improvement Program (CIP)

Based on the Prince George's County FY 2019-2024 CIP, there are no projects for public safety facilities proposed near the subject site.

Police Facilities

The Prince George's County Planning Department has determined that the subject property is located in the service area of District 7, in Fort Washington. Police facilities have been determined to be adequate.

Schools

Single-Family Attached and Two-Family Attached

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 6	High School Cluster 6
Dwelling Units	103	103	103
Pupil Yield Factor	.145	.076	.108
Subdivision Enrollment	15	8	11
Actual Enrollment 2018	4,795	1,923	2,471
Total Enrollment	4,801	1,917	2,478
State Rated Capacity	6,401	2,490	3,754
Percent Capacity	75%	77%	66%

Single-Family Detached

Affected School Clusters #	Elementary School Cluster 6	Middle School Cluster 6	High School Cluster 6
Dwelling Units	290	290	290
Pupil Yield Factor	.177	.095	.137
Subdivision Enrollment	51	28	40
Actual Enrollment 2018	4,795	1,923	2,471
Total Enrollment	4,801	1,917	2,478
State Rated Capacity	6,401	2,490	3,754
Percent Capacity	75%	77%	66%

County Council Bill CB-31-2003 established a school facilities surcharge in the amounts of: $7,000 per dwelling if a building is located between I-495 and the District of Columbia; $7,000 per dwelling if the building is included within a basic plan or conceptual site plan that abuts an existing or planned mass transit rail station site operated by the Washington Metropolitan Area Transit Authority; or $12,000 per dwelling for all other buildings.

CB-31-2003 allows for these surcharges to be adjusted for inflation and the current amounts are $9,741 and $16,698 to be paid at 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.

Water and Sewerage
Section 24-122.01(b)(1) 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 or final plat approval."

Based on the 2008 *Approved Water and Sewer Plan*, the subject property is in Water and Sewer Category 3, Community System.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Type II Tree Conservation Plan TCPII-074-06-02, and further APPROVED Specific Design Plan SDP-0516-02 for the above-described land, subject to the following conditions:

1. Conditions of approval in the District Council decision for Specific Design Plan SDP-0516 are still applicable, unless previously fulfilled.

2. Prior to certification of this specific design plan (SDP) the applicant shall:

    a. Revise the plans to re-label Lots 1-3 of Block C, Lots 1-6 and 10 of Block D, and Parcel EE to Lots 4-7 of Block C, Lots 7-12 of Block D, and Parcel KK, respectively.

    b. Revise the overall plan on the coversheet to include the Type II tree conservation plan numbers for each companion SDP.

    c. Show the Aviation Policy Area designation area boundaries.

    d. Provide a wide asphalt shoulder on the plan along the subject site's entire road frontage of MD 223 (Piscataway Road), in order to safely accommodate bicycle traffic, unless modified by the Maryland State Highway Administration.

    e. Clearly label Parcel HH and its acreage on each applicable sheet. Currently it is only labeled on sheet 11.

    f. Provide a tree canopy coverage schedule demonstrating conformance to the requirements.

    g. Revise the Type II tree conservation plan, as follows:

        (1) Revise the key plan view on Sheet 1 to add the sheet numbers to the delineated page areas.

        (2) Correct the approval blocks on Sheets 4, 16, and 17 to conform to the other approval blocks.

(3) Add the noise contour to the plan view and legend to the appropriate sheets.

(4) Show all stormwater outfall structures and impact area on Sheets 12, 19, and 22.

(5) Show limit of disturbance of stormwater outfall structure on Sheet 16.

(6) Have the revised plan signed and dated by the qualified professional who prepared the plans.

3. Prior to the approval of permits for lots in Block C and Block D for Phase 4, the applicant, and the applicant's heirs, successors, and/or assignees shall obtain approval of a vacation petition to vacate a segment of Parsley Sprig Road, and obtain approval of a final plat to reflect the revised lotting pattern, as shown on SDP-0516-02.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

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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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, September 26, 2019, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of October 2019.

Elizabeth M. Hewlett
Chairman

By Jessica Jones
Planning Board Administrator

EMH:JJ:TB:gh