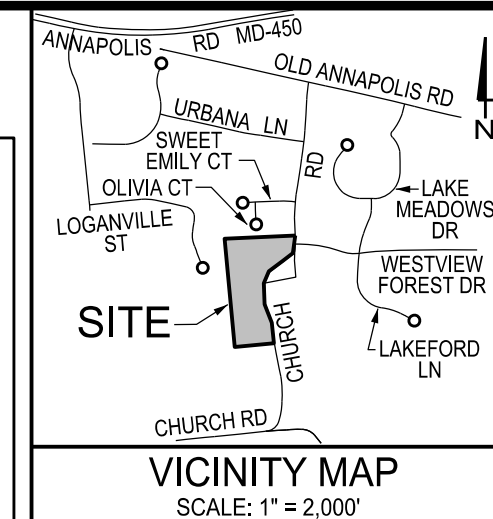


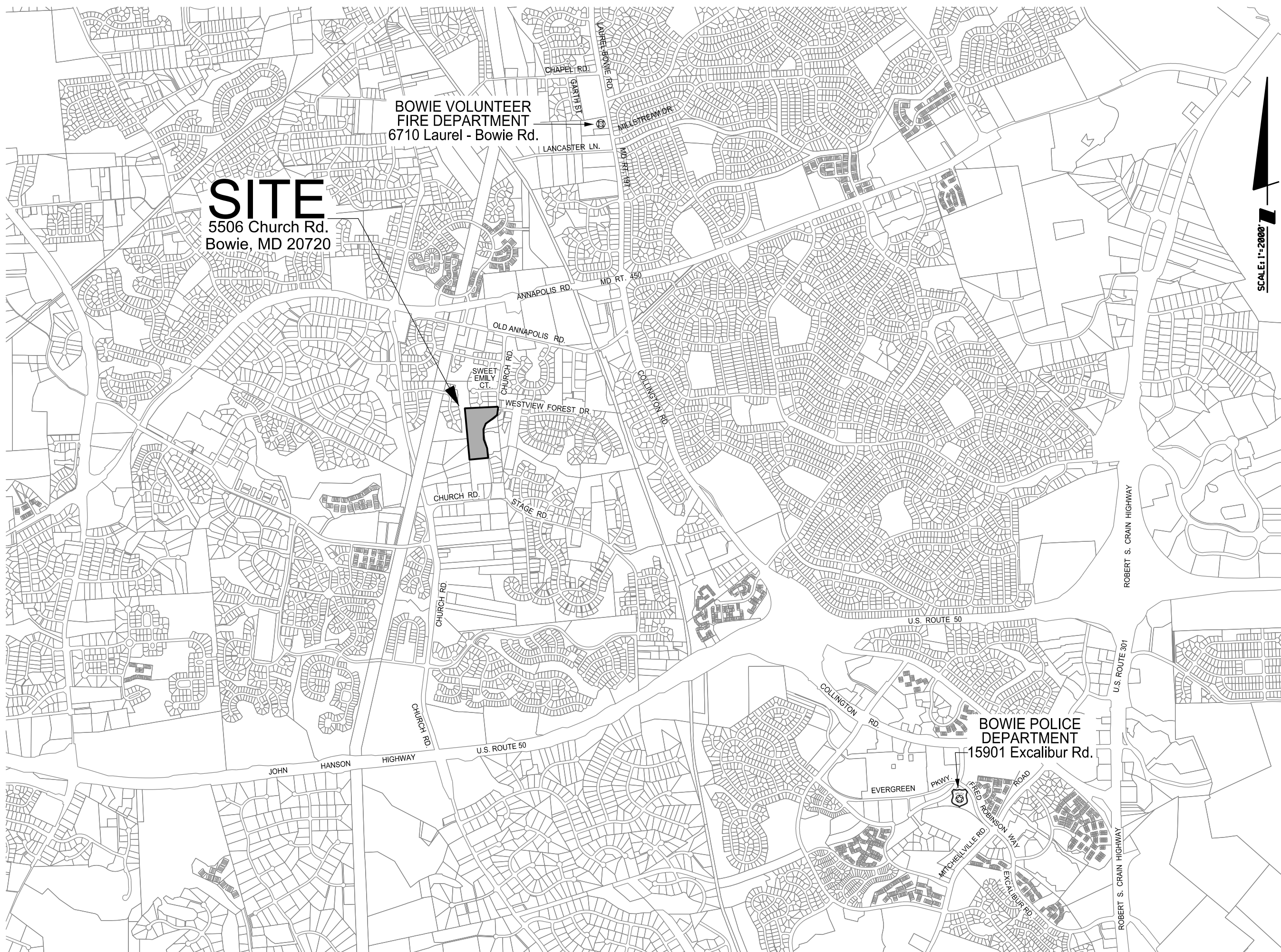
MOUNTAIN OF FIRE
AND MIRACLES CHURCH
PROPOSED LOT 1
7TH. ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND
PRELIMINARY PLAN
PRELIMINARY PLAN NO. 4-23047

APPLICANT / OWNER
MFM BOWIE MD
5506 CHURCH ROAD
BOWIE, MD 20720
CONTACT: BOLAJI OGUNDERU
PHONE: (404) 488-6164

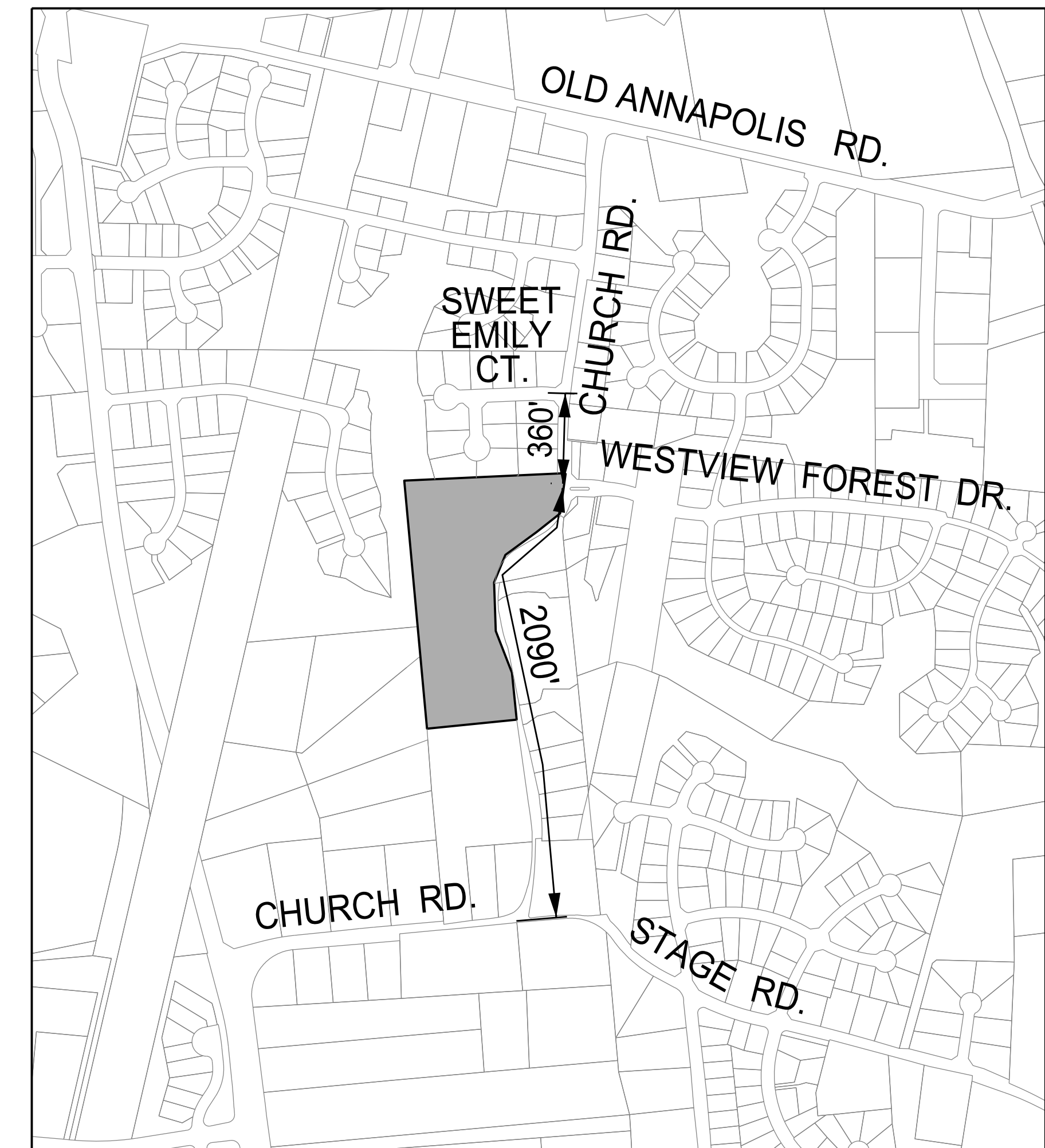


PLAN DRAWINGS INDEX

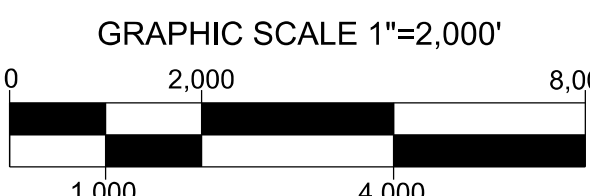
PRELIMINARY PLAN	
1	COVER SHEET
2	PRELIMINARY PLAN



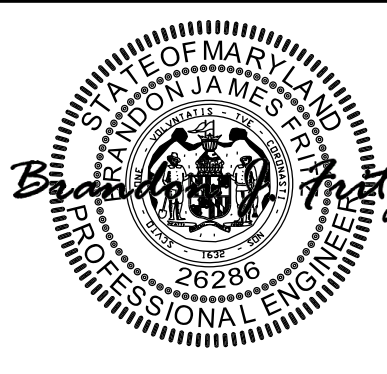
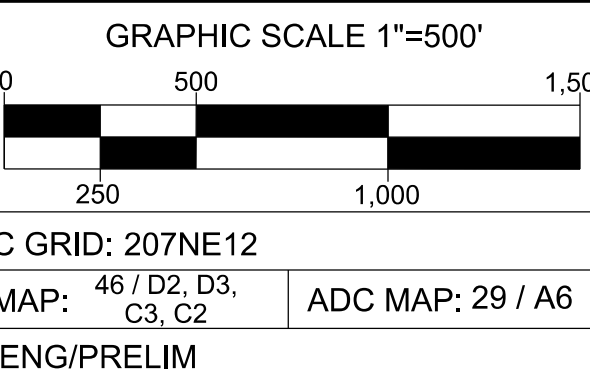
OVERALL MAP
SCALE: 1"=2,000'



NEAREST INTERSECTION MAP
SCALE: 1"= 500'

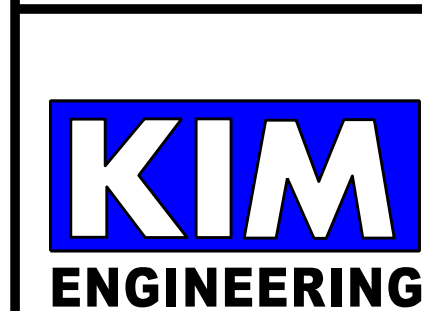


02/19/2024



PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS
WERE PREPARED OR APPROVED BY ME,
AND THAT I AM A DULY LICENSED
PROFESSIONAL ENGINEER UNDER
THE LAWS OF THE STATE OF MARYLAND.
License No. 26286, Expiration Date: 6/21/2025

MISS UTILITY
Call "Miss Utility" at 1-800-257-7777,
48 hours prior to the start of work.
The excavator must notify all public
utility companies with under ground
facilities in the area of proposed
excavation and have those facilities
located by the utility companies prior
to commencing excavation.



Kim Engineering, Inc.
MBE/DBE/SWaM
1390 Piccard Drive, Suite 340, Rockville, MD 20850
(240) 614-7678
www.KimEngineering.com
Baltimore, MD - Beltsville, MD - Rockville, MD
Civil Engineering - Land Surveying - Geotechnical Engineering

NO.	REVISION	BY	DATE

DATE	FEBRUARY 2024
JOB NO.	1425
DESIGNED	TPT
TECHNICIAN	HN
CHECKED	BJF
WSSC GRID:	207NE12
TAX MAP:	46 / 02, 03, 05, 02
ADC MAP:	29 / A6
	1425/ENG/PRELIM

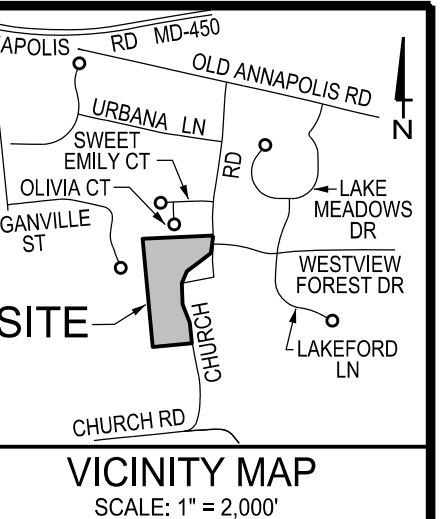
NOT FOR CONSTRUCTION	PRELIMINARY PLAN 4-23047	SHEET 1 OF 2
COVER SHEET	MOUNTAIN OF FIRE AND MIRACLES CHURCH PROPOSED LOT 1 5506 CHURCH ROAD 7TH ELECTION DISTRICT, PRINCE GEORGE'S COUNTY BOWIE, MD 20720	SCALE AS SHOWN

LEGEND

---	PROPERTY BOUNDARY	○	EX. SPECIMEN TREE
---	ADJACENT BOUNDARY	△	FOREST INTERIOR DWELLING SPECIES HABITAT BUFFER
---	EX. SOILS	△	WETLAND DATA SAMPLE POINT
---	EX. CONTOURS	---	PRIMA
---	EX. STEEP SLOPES	---	EX. SEWER
---	EX. REGULATED STREAM CL	---	EX. WATER PIPE
---	EX. STREAM TOP OF BANK	---	EX. STORM DRAIN PIPE
---	EX. TREELINE	---	EX. VERIZON
---	EX. WETLANDS	---	EX. COMCAST LINE
---	EX. WETLAND BUFFER	---	EX. OVERHEAD ELECTRIC
---	75' STREAM BUFFER		
---	EX. 100 YEAR FLOODPLAIN		
---	EX. 100 YEAR FLOODPLAIN		



APPLICANT / OWNER
MFM BOWIE MD
5506 CHURCH ROAD
BOWIE, MD 20720
CONTACT: BOLAJI OGUNDERU
PHONE: (404) 488-6164



GENERAL NOTES

1. THE SITE INCLUDES EXISTING PARCEL 9, LIBER: 41244 FOLIO: 593.
2. THE SITE IS WITHIN TAX MAP 46, GRIDS C2, C3, D2, D3.
3. WSSC 200' MAP REFERENCE NUMBER: 207NE12
4. THE PURPOSE OF THIS SUBDIVISION IS TO CONSTRUCT A NEW CHURCH AND ADDITIONAL PARKING LOT, IN PLACE OF THE EXISTING CHURCH BUILDING.
5. A NATURAL RESOURCE INVENTORY # 052-2023 WAS APPROVED ON JUNE 8, 2023.
6. TOTAL ACREAGE OF THE PROPOSED PARCEL IN THIS PRELIMINARY PLAN: 12.0195 ACRES AFTER RIGHT OF WAY DEDICATION: 11.1455 ACRES.
7. THE SITE DEVELOPABLE AREA OUTSIDE OF THE PMA IS 5.73.
8. THE SITE CONTAINS 6.27 ACRES OF ENVIRONMENTAL REGULATED FEATURES.
9. THE SITE CONTAINS 5.5 ACRES OF 100-YEAR FLOODPLAIN PER APPROVED FLOODPLAIN STUDY 202301.
11. TOTAL ACREAGE OF ROAD DEDICATION IS 0.874 ACRES OR 38,071.44 SF.
12. THE EXISTING ZONE FOR THIS SITE IS RR (RESIDENTIAL RURAL). THE PRIOR ZONE FOR THIS SITE WAS R-R (RURAL RESIDENTIAL).
13. THE PROPOSED USE OF THE PROPERTY IS FOR A PLACE OF WORSHIP.
14. THE MINIMUM LOT SIZE REQUIRED FOR SITES ZONED RR IS 20,000 SF. WE ARE PROPOSING A SITE AREA OF 485,498 SF OR 11.1455 ACRES.
15. THE REQUIRED MINIMUM LOT WIDTH IS 100 FEET AND THE REQUIRED FRONTAGE AT FRONT STREET LINE IS 70 FEET. THE PROPOSED LOT FRONTAGE +/- 1,263 FT.
16. THE SITE IS LOCATED IN THE SUSTAINABLE GROWTH TIER 2.
17. THE SITE IS NOT WITHIN A MILITARY INSTALLATION OVERLAY ZONE.
18. THIS SITE IS NOT WITHIN A CENTER OR CORRIDOR.
19. THE EXISTING GFA IS APPROXIMATELY 6,945 SF. THE PROPOSED GFA IS APPROXIMATELY 44,094 SF.
20. STORMWATER MANAGEMENT CONCEPT NUMBER IS 36488-2024-SDC AND IT IS UNDER REVIEW BY DPE.
21. THE SITE IS LOCATED IN THE EXISTING WATER CATEGORY W-5 AND SEWER CATEGORY S-5. THE APPLICANT SUBMITTED A CATEGORY CHANGE APPLICATION ON NOVEMBER 30, 2023 APPLYING FOR A CHANGE FROM CATEGORY 5 TO CATEGORY 4. THE CATEGORY CHANGE REQUEST IS UNDER REVIEW.
22. THE SITE IS NOT WITHIN AN AVIATION POLICY AREA.
23. MANDATORY PARK DEDICATION IS NOT REQUIRED FOR THIS DEVELOPMENT.
24. THERE ARE NO CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY.
25. THERE ARE HISTORIC SITES ON OR IN THE VICINITY OF THE PROPERTY. CHURCH ROAD IS CONSIDERED HISTORIC. THERE WAS A GENERAL STORE ON THE SITE WHERE THE CHURCH IS NON-HISTORIC.
26. NO APPROVED TYPE 1 CONSERVATION PLAN EXISTS FOR THIS SITE. THERE IS A TYPE 1 CONSERVATION PLAN INCLUDED IN THE PRELIMINARY PLAN SUBMISSION.
27. THIS SITE IS NOT WITHIN CHESAPEAKE BAY CRITICAL AREA.
28. THE WETLANDS INFORMATION ON THIS PLAN IS FROM A STUDY PREPARED BY BAY ENVIRONMENTAL WITH A WETLAND STUDY DATED JANUARY 5, 2023.
29. THE STREAM INFORMATION ON THIS PLAN IS FROM A STUDY PREPARED BY BAY ENVIRONMENTAL WITH A WETLAND STUDY DATED JANUARY 5, 2023.
30. SOILS BY SOIL TYPE, ALSO SEE NRI FOR ADDITIONAL INFORMATION
MnE MARR-DODON COMPLEX, 15-25% SLOPES
WE WIDEWATER AND ISSUE SOILS, FREQUENTLY FLOODED
CnC COLLINGTON-WIST COMPLEX, 5-10% SLOPES
CnF COLLINGTON-WIST COMPLEX, 25-40% SLOPES
AdB ADELPHI-HOLMDEL COMPLEX, 2-5% SLOPES
CnB COLLINGTON-WIST COMPLEX, 2-5% SLOPES
CoD COLLINGTON-WIST-URBAN LAND COMPLEX, 5-15% SLOPES
31. THIS SITE IS NOT IN OR ADJACENT TO AN EASEMENT HELD BY THE MARYLAND ENVIRONMENTAL TRUST, THE MARYLAND AGRICULTURAL LAND PRESERVATION FOUNDATION, OR ANY LAND TRUST OR ORGANIZATION.
32. PARKING CALCULATIONS FOR 800 SEATS:
REQUIRED: 1 SPACE PER 4 SEATS = 200 SPACES.
PROPOSED: 255 SPACES.

**IN RE: PRELIMINARY PLAN OF SUBDIVISION
CASE NUMBER PPS-2023-030**

APPLICANT: MOUNTAIN OF FIRE AND MIRACLES MINISTRIES

STATEMENT OF JUSTIFICATION

OWNER/APPLICANT:

Mountain of Fire and Miracles Ministries MFM Bowie MD, Inc.
Semi Adeniyi, Board Chairman
5506 Church Road
Bowie, Maryland 20720

DEVELOPMENT TEAM:

CIVIL ENGINEERS: KIM ENGINEERING, INC.
 Brandon Fritz, PE
 Tim Troxler, RLA
 Kayla Rogers
 5902 Ammendale Road, Suite F
 Beltsville, Maryland 20705

TRAFFIC: LENHART TRAFFIC CONSULTING
 Michael Lenhart
 645 Baltimore-Annapolis Boulevard, Suite 214
 Severna Park, Maryland 21146

PROJECT MANAGER MR. BOLAJI OGUNDERU
 5506 Church Road.
 Bowie, Maryland 20720

LEGAL COUNSEL: LAW OFFICE OF MIDGETT S. PARKER, P.A.
 Midgett S. Parker, Jr., Esq.
 5827 Allentown Road
 Camp Springs, Maryland 20746

ELECTION: PROCEED PURSUANT TO PRIOR SUBDIVISION REGULATIONS

I. PROPERTY DESCRIPTION & LOCATION

- A. Address of Property for this Preliminary Plan of Subdivision – 5506 Church Road, with approximately 12 +/- acres of land (the “Property”).
- B. Existing Use – property improved with an existing 5,000+/- SF building improved as a sanctuary for religious worship (church) with 200 seats and 50 parking spaces.
- C. Proposed Use – Build an entirely new house of worship (church sanctuary) of approximately 43,815 SF with a 800 seat sanctuary, banquet room, gym, nursery and 251 parking spaces and 1 loading space. (the “Project”).
- D. Council District – 4.
- E. Tax Map 46 / Grid D2 / Parcel 9.
- F. Real Property Total Area – 12.0 +/- acres
- G. Tax District and Account Number: 07-0771956
- H. Location – Located on the west side of Church Road approximately ½ mile south of the intersection of Old Annapolis Road and Church Road.
- I. Zoning – Existing and prior Residential, Rural (R-R) – House of Worship permitted by right.
- J. Owner/Applicant – Mountain of Fire and Miracles Ministry MFM Bowie MD, Inc.
- K. Master Plan – 2022 Approved Bowie-Mitchellville Master Plan(the “Master Plan”).

II. INTRODUCTION AND STATEMENT OF JUSTIFICATION FOR THE ELECTION TO DEVELOP PURSUANT TO THE PRIOR SUBDIVISION REGULATIONS

Mountain of Fire and Miracles Ministry MFM Bowie MD, Inc. (the “Applicant,” or “MFM”), by and through its counsel, Law Office of Midgett S. Parker, P.A., and the above referenced members of its Development Team, elect to have the Subject Application processed under the prior Subdivision Regulations pursuant to Sections 24-1901 to 24-1904 of the current Subdivision Regulations. Section 24-1904(b) requires the Applicant to “***provide a statement of justification which shall explain why the Applicant has elected not to develop a specific property pursuant to the provisions***” of the current Subdivision Regulations, and instead has chosen to utilize the prior Subdivision Regulations. The Applicant has elected to pursue the review and approval of this Preliminary Plan of Subdivision under the prior Subdivision Regulations because MFM has already expended resources over the course of the past five (5) years to reach this point in its journey to build a new house of worship on the Subject Property. As a religious entity after having assembled a team of professionals familiar with and applying the procedures to obtain an approval under the prior Subdivision Regulations it would create an unreasonable financial burden and delay to now pursue the approval under the current Subdivision Regulations. Accordingly, MFM desires to have Case No. PPS-2023-030 proceed under the prior Subdivision Regulations and Zoning Ordinance because it meets the standards for the criteria of approval outlined below for a new building consisting of an 43,815 square foot building, 251 parking spaces and 1 loading space,

existing signage and other site improvements which started with the initial acquisition of the Property in July of 2001 (2 decades ago) to receive approvals through the permitting processes.

III. PREVIOUS APPROVALS

The Applicant has obtained the following previous approvals:

- (a) Natural Resources Inventory – NRI-052-2023 approved 06/08/2023;
- (b) Floodplain – 4542-2023-0 approved 3/15/2023

IV. CONFORMANCE WITH THE PRIOR SUBDIVISION REGULATIONS

Sec. 24-121. PLANNING AND DESIGN REQUIREMENTS

- (a) The Planning Board shall require that proposed subdivisions conform to the following:

(a)(1) All lots shall be designed to be located wholly within the county and platted in conformance with all of the requirements of the Zoning Ordinance applicable to the subject property.

Response: The project site is located wholly within Prince George's County and will be in conformance with all requirements of the Zoning Ordinance applicable to the subject property.

(a)(2) In cases where the proposed subdivision is situated in a portion of the Regional District not planned to be served by public water and/or sewerage facilities, proposed lots shall be designed to meet the minimum lot size requirements for individual systems, as contained in Subtitle 22 of this Code and in the Comprehensive Ten-Year Water and Sewerage Plan.

Response: N/A The applicant has filed an application with DPIE for a water and sewer category change from W-5 and S-5 to W-4 and S-4.

(a)(3) When lots are proposed on land adjacent to an existing or planned roadway of arterial or higher classification, they shall be designed to front on either an interior street or a service road. As used in this Section, a planned roadway or transit right-of-way shall mean a road or right-of-way shown in a currently approved State Highway plan, General Plan, or master plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least two hundred (200) feet away from the intersection of any roadway of collector or higher classification.

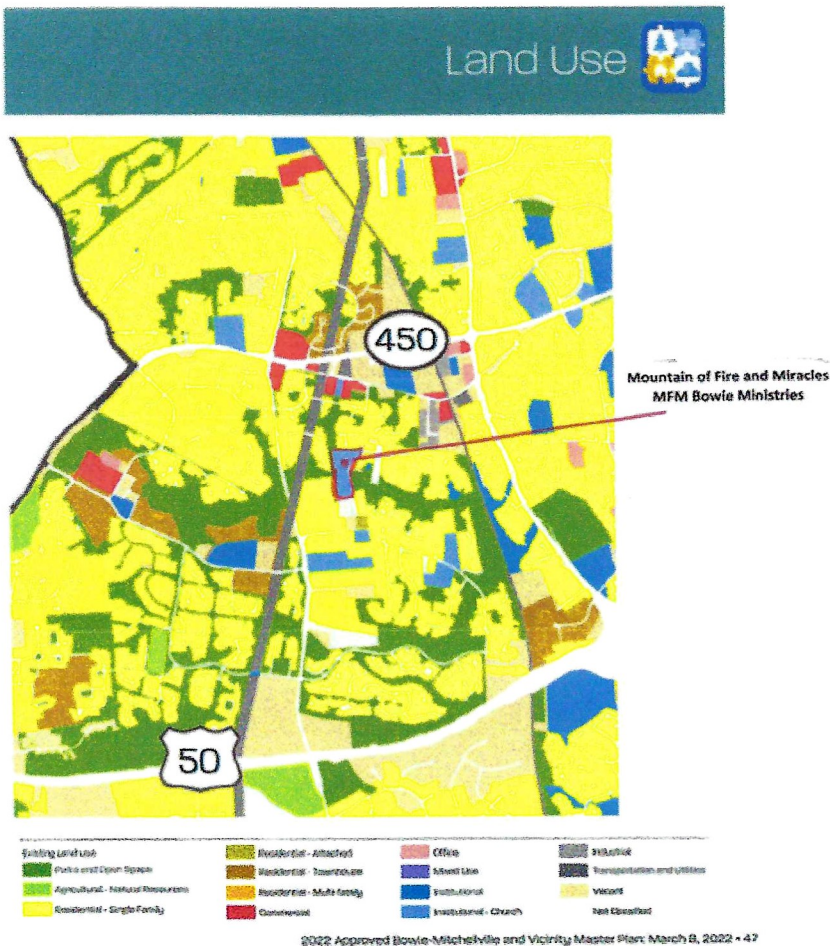
Response: The site is on land adjacent to Church Road, which is not classified as an arterial road or higher. This requirement does not apply.

(a)(4) Residential lots adjacent to existing or planned roadways of arterial classification shall be platted with a minimum depth of one hundred and fifty (150) feet. Residential lots adjacent to an existing or planned roadway of freeway or higher classification, or an existing or planned transit right-of-way, shall be platted with a depth of three hundred (300) feet. Adequate protection and screening from traffic nuisances shall be provided by earthen berms, plant materials, fencing, and/or the establishment of a building restriction line, when appropriate.

Response: Not Applicable.

(a) (5) The preliminary plan and final plat shall conform to the area master plan, including maps and text, unless the Planning Board finds that events have occurred to render the relevant recommendation within the comprehensive plan no longer appropriate, is no longer applicable, or the District Council has not imposed the recommended zoning. Notwithstanding any other requirement of this Section, a proposed preliminary plan or final plat of subdivision may be designed to conform with the land use policy recommendations for centers, as approved within current County general plan. In such cases, the Planning Board may approve a preliminary plan application as may be designed to conform with the land use policy recommendations for centers, as duly approved within the current General Plan.

Response: The use of the property as requested by this Application is in accordance with the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan [see page 47, Land Use Map – as shown below] with the use of the property as “Institutional-Church.” Additionally, it is noted that a “Church or similar place of worship” is a permitted use in the R-R Zone (Rural Residential).



03-2022_BMVMP - Section 3-4-5

While the text of the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan is somewhat limited in its “Policies and Strategies” regarding churches and similar places of worship it should

be noted that the Applicant's proposed structure in addition to being in accordance with the above referenced Land Use Map, will be a place where neighbors are welcomed to gather, pray, play, survive, and thrive in a healthy environment. In essence addressing the illustration below which is extracted from page 188 of the BMVMP.



(a)(6) When indicated by a master plan or the General Plan or when requested by a public agency, land may be placed in reservation, pursuant to Division 7 of this Subtitle.

Response: Noted.

(a)(7) Provision shall be made for the eventual ownership of outlots or residue parcels by incorporating them into platted lots or into adjacent parcels or by other means deemed acceptable by the Planning Board.

Response: Not Applicable.

(a)(8) Corner lots shall be rounded with a radius of not less than twenty (20) feet or provided with an equivalent truncation.

Response: Not Applicable

(a)(9) Walkways, with rights-of-way not less than ten (10) feet wide, shall be provided through all blocks over seven hundred fifty (750) feet long, when deemed necessary by the Planning Board.

Response: Not Applicable

(a)(10) Generally, subdivisions shall be designed to avoid unnecessary and costly roads, utility extensions, grading, and energy consumption.

Response: The construction of this place of worship will utilize the existing driveway entrance to help decrease unnecessary roads and the project will be pursuing LEED certification. Road improvements along Church Road will only include the areas along our site that do not have existing curb and gutter, further reducing excessive grading and saving many of the existing large trees along the Church Road frontage.

(a)(11) Significant natural features which are impossible or difficult to reproduce, such as waterways, streams, hills, wooded lands, and specimen trees, should be preserved to the degree practicable.

Response: This site includes a portion of the Collington Branch stream, associated wetlands and floodplain, and steep slopes. While a minimal portion of the parking lot will encroach into the floodplain, no wetlands or stream will be disturbed. A variance will be requested for portions of the floodplain that will be disturbed and specimen trees being removed.

(a)(12) Lot size averaging may be permitted for preliminary plans accepted prior to July 1, 2006 in accordance with the Zoning Ordinance when the Planning Board finds that:

(A) The subdivision design provides for better access, protects or enhances historic resources or natural features and amenities, or otherwise provides for a better environment than that which could be achieved by the exclusive use of standard lots.

(B) The subdivision design provides for an adequate transition between the proposed sizes and locations of lots and the lots, or lot size standards, of any adjacent residentially zoned parcels.

(C) The subdivision design, where applicable, provides for an adequate transition between the proposed natural features of the site and any natural features of adjacent parcels.

Response: Not Applicable.

(a)(13) Generally, lots, except at corners, should have access to only one (1) street.

Response: Current access to the site from Church Road is located at one area in the northeast corner of the site. This will remain the only entrance to the site.

(a)(14) If an entrance feature or gateway sign is proposed in a residential subdivision, it shall be identified on the preliminary plan on a separate Homeowners' Association parcel, or easement located on a homeowner's lot, and be designed in accordance with the standards in Section 27-624 of the Zoning Ordinance. A Homeowners' Association or other entity or person designated in a

maintenance arrangement approved by the Department of Permitting, Inspections, and Enforcement, shall be responsible for the maintenance of the entrance feature or gateway sign.

Response: Not Applicable

(a)(15) The Planning Board shall not approve a preliminary plan of subdivision until evidence is submitted that a stormwater management concept plan has been approved by the Department of Permitting, Inspections, and Enforcement or the municipality having approval authority, unless the Planning Board finds that such approval will not affect the subdivision.

Response: Stormwater runoff from the church building and parking lot will be treated onsite through the use of micro bioretention areas and landscape infiltration to the maximum extent practicable. This water will then be collected in an underground storage facility that is sized for attenuating the 100-year storm to pre-development flow rates, and the facility will discharge near the stream through a single outfall. The use of a single outfall will further reduce disturbance to environmental features onsite. A stormwater management concept plan will be submitted to DPIE before submission of the preliminary plan package.

(a)(16) Except as indicated in Section 24-132, the subdivision shall be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25.

Response: The subdivision will be designed and platted in accordance with the provisions for woodland conservation and tree preservation contained in Subtitle 25. Required forest conservation will be met onsite.

(a)(17) Historic resources should be preserved.

Response: Per comments from the Pre-application conference meeting on September 25, 2023, there is a documented historic property onsite – the Joshua T. Clarke House and Store (71A-017). This building is the existing building onsite. However, there are no effects on the historic site or resources, as the building has been heavily modified in the past, and no historic features of the house are present today. Should any additional historic resources be found, they will be preserved to the extent practicable.

(a)(18) Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review should be preserved in place, to the extent practicable and should be interpreted as appropriate.

Response: There are no known archeological sites located on the subject property; however, the subject property has not been surveyed for archeological resources and a Phase 1 Archeology report may be required during subsequent development review processes. Should any historic resources be found, they will be preserved. Per the Pre-Application conference, it is recommended that a “phase 1 archeology survey be done to the southern portion of the site which is undisturbed. There is a high probability of prehistoric archeological resources in that area. The applicant should submit a draft phase 1 report with the preliminary plan application.”

(a)(19) Condominium townhouse dwelling units approved after September 1, 2012 shall conform to the lot standards of this Subtitle and Subtitle 27 for possible future conversion to fee simple lots.

Response: Not Applicable

Overall Response: This Application meets the criteria for approval pursuant to the prior Subdivision Regulations by continuing to use the site as an institutional use, which is discussed in the 2022 Approved Bowie-Mitchellville and Vicinity Master Plan. The new church building will be placed in the northeast portion of the site, allowing significant natural features such as the portion of the Collington Branch stream that is present onsite, wetlands and floodplain surrounding that stream, and steep slopes to be preserved to the degree practicable. See additional details below.

Sec. 24-122. PUBLIC FACILITIES REQUIREMENTS

- (a) When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.

Response: For required utility easements by a public utility company, the following statement will be included in the dedication documents: Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.

- (b) Land for public facilities shown on the General Plan, functional master plans and/or area master plans, and watershed plans shall be reserved, dedicated, or otherwise provided for.

Response: This project will reserve, dedicate, or otherwise provide land for public facilities as required.

- (c) Stormwater management facilities, existing or proposed as part of the development, shall have sufficient capacity to convey surface water runoff.

Response: The application meets the criteria for approval pursuant to the prior Subdivision Regulations by including stormwater management facilities as part of the development of a place of worship and its associated parking lot. These facilities have sufficient capacity to treat runoff from the proposed development and facilitate additional infiltration and holding of the water before out falling near the stream.

Sec. 24-122.01. ADEQUACY OF PUBLIC FACILITIES

- (a) The Planning Board may not approve a preliminary plan of subdivision if it finds that adequate public facilities do not exist or are not programmed for the area within which the proposed subdivision is located, as defined in the "Guidelines for the Mitigation of

Adequate Public Facilities: Public Safety Infrastructure” and “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” The Planning Board shall require adequate public facilities, as provided in this Section and in Division 4 of this Subtitle.

Response: Noted.

(b) Water and sewerage.

- a. 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; and
- b. Applications filed on or after October 1, 2012, pursuant to the Sustainable Growth Act Section 9-206 of the Environment Article, the following restrictions apply to residential subdivisions:
 - i. Tier I. All lots shall be served by public sewer.
 - ii. Tier II. All lots shall be served by public sewer; or if the subdivision is a minor subdivision it may be served by on-site sewer disposal systems.
 - iii. Tier III. All lots shall be served by on-site sewer disposal systems.
 - iv. Tier IV. All lots in a minor subdivision shall be served by on-site sewer disposal systems. A residential major subdivision served by on-site sewer disposal systems is not permitted.

Response: This Application meets the criteria for approval pursuant to the prior Subdivision Regulations by applying for a change in category for the water and sewer areas on November 30, 2023. The application proposes the change from category 5 to category 4. During the preliminary plan process, the applicant will apply for an additional category change, from a category 4 to a category 3.

c. Police Facilities.

- i. Before any preliminary plan may be approved, the Planning Board shall find that:
 1. The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time; or
 2. An adequate police facility available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the "Guidelines;" or
 3. That improvements participated in or funded by the subdivider, including participation in a specific Public Facilities Financing and Implementation Program as defined in Section 27-107.01(186.1),

will alleviate any inadequacy as determined under the “Guidelines.”

Response: Noted.

d. Fire and rescue facilities.

i. Before any preliminary plan may be approved, the Planning Board shall find that:

1. The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will be within the adequate coverage area of the nearest fire and rescue station(s) as determined by the Planning Board in the “Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure” as may be amended from time to time; or
2. An adequate fire and rescue station(s) available to serve the population and/or employees generated by the proposed subdivision has been programmed with one hundred percent (100%) of the expenditures for the construction of such a facility within the adopted County Capital Improvement Program as determined under the “Guidelines”, provided, however, that if construction of such improvements has not commenced within nine (9) years after the first year the project is fully funded in an adopted County Capital Improvement Program, the preliminary plan may not be considered and approved by the Planning Board based upon future construction until such facilities are actually constructed; or
3. That improvements participated in or funded by the subdivider, including participation in a specific public facilities financing and implementation program as defined in Section 27-107.01(186.1), will alleviate any inadequacy as determined under the “Guidelines.”

ii. Before any preliminary plan may be approved, if the location of the property proposed for subdivision is outside the appropriate service area of the Ten Year Water and Sewerage Plan or is in the Rural Tier, the Planning Board shall require the subdivider to provide water storage tanks, the availability of water tanker trucks, or other appropriate source of water for fire extinguishing purposes.

Response: The project site currently uses public water and sewer. The existing category for each is 5, and the applicant has applied for a change in category down to 4. Two fire stations are proposed near the site, New Bowie (839) Site 1 and New Bowie (839) Site 2. Northview is the fire station closest to the site currently.

e. Data Collection by Office of Audits and Investigations and Office of Management and Budget.

- i. Except as provided in Subsection (3) below, the Chief of Police and the Fire Chief shall submit the following information to the County Office of

Audits and Investigations, County Office of Management and Budget, and the Planning Board:

1. For Police personnel, a statement of authorized strength of sworn officers of at least:
 - a. Ninety percent (90%) of an authorized strength of One Thousand Four Hundred Twenty (1,420) equaling One Thousand Twelve Hundred Seventy Eight (1,278) sworn officers on and after December 31, 2004;
 - b. Ninety-five percent (95%) of an authorized strength of One Thousand Four Hundred Twenty (1,420) equaling One Thousand Three Hundred Forty Nine (1,349) sworn officers on and after December 31, 2005; and
 - c. One Hundred percent (100%) of an authorized strength of One Thousand Four Hundred Twenty (1,420) sworn officers on and after December 31, 2006;
 2. For Fire personnel, a statement of authorized strength of fire and rescue personnel of at least:
 - a. Ninety-five percent (95%) of an authorized strength of Six Hundred Ninety Two (692) equaling Six Hundred Fifty Seven (657) fire and rescue personnel on and after December 31, 2004; and
 - b. One Hundred percent (100%) of an authorized strength of Six Hundred Ninety Two (692) fire and rescue personnel on and after December 31, 2005.
 3. A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the Public Safety Master Plan for police and fire stations in the vicinity of the area proposed for subdivision; and
 4. A statement by the Police Chief that the rolling twelve-month average, adjusted monthly, for response times in the vicinity of the property proposed for subdivision is a maximum of twenty-five (25) minutes total for non-emergency calls and a maximum of ten (10) minutes total for emergency calls for service. Prior to January 2006, the Police Chief shall calculate the cumulative average response times beginning with the January 2005 response time data. In this Section, total time means the length of time from the call for service until the arrival of Police personnel on-scene or other appropriate police response.
 5. 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 calls for service during the preceding month.
- ii. If any of the required statements in this Subsection are not provided that meet the criteria specified in this Section on the date the application is accepted by the Planning Board or within the following three (3)

monthly cycles of response time reports, then the Planning Board may not approve the preliminary plan until a mitigation plan between the applicant and the County is entered into and filed with the Planning Board.

- iii. The provisions of Subsection (e)(1) shall not apply to commercial or industrial applications for preliminary plans.
- iv. The governing body of the County may waive any surcharge imposed within the developed tier.
- f. The governing body of the County may, by Resolution, waive any public safety facilities mitigation requirement imposed pursuant to this Section.

Response: Noted.

Sec. 24-122.02. SCHOOL FACILITIES TESTS

- (a) At the time of a preliminary plan of subdivision, the Planning Board shall apply an adequacy of school facilities test in accordance with this Subsection.
 - a. The test shall be applied to a proposed subdivision as it affects school clusters, which are groupings of elementary, middle, and high schools which would be impacted by the subdivision.
 - b. A subdivision meets the test, unless otherwise provided below, if the number of students generated by the proposed subdivision at each stage will not exceed one hundred five percent (105%) of the state rated capacity, as adjusted by the School Regulations, of the affected elementary, middle, and high school clusters, as determined by the Planning Board.
 - c. The number of elementary, middle, and high school students generated by the proposed subdivision shall be determined in accordance with the pupil yield factors, as defined in Section 24-101(b), for each dwelling unit type as determined by the Planning Board from historical information provided by the Superintendent of the Prince George's County Public Schools.
 - d. The Planning Board shall determine:
 - i. The school cluster or clusters impacted by the subdivision.
 - ii. The actual enrollment, which is the number of elementary, middle, and high school students, as reported by the Superintendent of the Prince George's County Public Schools as of September 30 of the prior year, and as calculated by the Planning Board and effective in January of each year for use in that calendar year.
 - iii. The completion enrollment, which is the total number of elementary, middle, and high school students to be generated by the estimated number of residential completions, for each school cluster.
 - 1. Residential completions are estimated from the total of all substantially completed dwelling units added to the County's assessable tax base in the two (2) previous calendar years.
 - 2. In determining completion enrollment, the estimated number of residential completions in a given school cluster will not exceed the number of dwelling units shown on:

- a. An approved preliminary plan of subdivision with no waiting period, or with a waiting period less than twenty-four (24) months as of September 30 of each calendar year; and
 - b. All recorded plats not subject to adequate public facilities test for schools at time of building permit issuance.
 - 3. The subdivision enrollment, which is the anticipated number of elementary, middle, and high school students to be generated by all dwelling units shown on the proposed preliminary plan of subdivision, multiplied by the pupil yield factor.
 - 4. The cumulative enrollment, which is the total of all subdivision enrollments resulting from approved preliminary plans of subdivision in each school cluster for the calendar year in which an adequate public facilities test is being applied.
 - iv. The Planning Board shall determine the subdivision's cluster enrollment by adding: the actual number of students in the cluster as of September 30; the number of students anticipated from residential completions in the cluster; the number anticipated from the subdivision; and the number anticipated from subdivisions already approved in the cluster within the calendar year. The Board shall then determine the percent capacity by dividing the cluster enrollment by the state rated capacity (adjusted by the School Regulations) of schools in the cluster.
- (b) The following shall be exempt from the preliminary plan of subdivision test in Subsection (a):
- a. A subdivision which is a redevelopment project that replaces existing dwelling units;
 - b. A subdivision for elderly housing operated in accordance with State and Federal Fair Housing law.
 - c. A subdivision containing no more than three (3) lots on less than five (5) gross acres of land and for which the lots, except for one to be retained by grantor, are to be conveyed to a son or daughter or lineal descendant of the grantor.
 - d. A subdivision which is located in the Developed Tier, as described in the County's adopted Biennial Growth Policy Plan.
 - e. A subdivision for fewer than thirty-six (36) dwelling units, which will not be served by public water and sewerage systems, is not included in a large comprehensive Design or Mixed-Use Zone development, and for which the applicant/owner, or predecessors in interest and/or title, did not own any property adjacent to the proposed subdivision as of May 31, 1997. For purposes of this Subsection:
 - i. Are contiguous at any point;
 - ii. Are separated only by a public or private street, road, highway, utility right-of-way, or other public or private right-of-way at any point; or
 - iii. Are separated only by other land of the applicant/owner or their predecessors in interest and/or title which is not subject to this Section

at the time the applicant submits a preliminary plan of subdivision for approval.

- (c) Whenever an adequate school facility fee is charged in conjunction with a building permit, it shall be reduced by the full amount of the school facilities surcharge imposed on that same permit of subdivision for approval.

Response: This Application meets the criteria for approval pursuant to the prior Subdivision Regulations by developing this property as a place of worship, not any form of residential. The development of this specific parcel will not be contributing to the population of schools around the area because of this use.

Sec. 24-124. ADEQUATE ROADS REQUIRED

Response: The current Subdivision Regulations require that all adequate public facilities analysis be conducted using the new Subdivision Regulations standards, even in cases where the applicant has elected to use the prior Subdivision Regulations. A Traffic Impact Analysis has been prepared by Mike Lenhart Traffic Consultants in accordance with current M-NCPPC Transportation Review Guidelines. This Application meets the criteria for approval pursuant to Section 24-2500 of the new Subdivision Regulations and as specified in the Transportation Review Guidelines. No road improvements are required to satisfy the criteria for approval listed in Section 24-2500 of the Subdivision Regulations.

Sec. 24-124.01. ADEQUATE PUBLIC PEDESTRIAN AND BIKEWAY FACILITIES REQUIRED IN COUNTY CENTERS AND CORRIDORS

RESPONSE: The current Subdivision Regulations requires that all adequate facilities analyses be conducted using the new Subdivision Regulations, even in cases where the Applicant has elected to proceed using the prior Subdivision Regulations for the Application. The Subject Property is zoned R-R, therefore is not subject to the Pedestrian and Bikeway Adequacy analysis in Section 24-4506 of the Subdivision Regulations. Accordingly, this application meets the criteria for approval pursuant to the current Subdivision Regulations.

Sec. 24-129. ONE HUNDRED (100) YEAR FLOODPLAIN

- (a) Land shall be platted in a manner that protects the public against loss of life or property due to the one hundred (100) year flood, while minimizing the public and private costs of flood control measures. The Planning Board shall require that proposed subdivisions conform to the following:
 - a. Except as provided in Paragraphs (2) and (3), lots shall comply with the minimum net lot areas prescribed by the Zoning Ordinance, exclusive of any land area within the one hundred (100) year floodplain.
 - b. In the R-A and O-S Zones, where any lot contains a floodplain area, there shall be a minimum of forty thousand (40,000) contiguous square feet of area exclusive of any land within the one hundred (100) year floodplain.

- c. In the R-E Zone, and in the R-R Zone for the purposes of compliance with Section 24-128(b)(1)(B), any area of a lot in excess of twenty thousand (20,000) contiguous square feet may be in the one hundred (100) year provided that such lot is to be served by a public water and sewerage system, and is in water and sewer service area category one, two, or three at the time of approval of the final plat of subdivision.
 - d. The floodplain areas shall be delineated in accordance with Section 27-124.01 of Subtitle 27 of this Code.
 - e. A twenty-five (25) foot setback from the floodplain shall be established for residences as a building restriction line.
 - f. In the event that the proposed subdivision is located partially or fully within an area covered by an officially adopted comprehensive watershed management plan, the Planning Board shall require conformity to such plan.
- (b) In the case of a proposed subdivision which includes a one hundred (100) year floodplain area along a stream, unless such area is to become a public park or recreation area maintained by a designated responsible public authority, the area shall be denoted upon the final plat as a floodplain easement. Such easement shall include provisions for ingress and egress, where practicable. The floodplain easement area may be used, if necessary, for utility lines and/or storm drainage facilities, open-type fencing, or passive recreation, provided that no structures are built that would interfere with the flood conveyance capacity of such easement area.
 - (c) The floodplain associated with a watercourse having less than fifty (50) acres of watershed upstream may be excluded from the floodplain area computation, subject to the approval of the Department of the Environment in accordance with the provisions of Subtitle 4 of this Code.

Response: This Application meets the criteria for approval pursuant to the prior Subdivision Regulations by delineating the 100-year floodplain on the proposed plan, along with the 25' building setback from the floodplain. A majority of the site layout avoids disturbing the floodplain; however, some sections of the parking lot are proposed to encroach on small sections of the floodplain and primary management area. The applicant will be filing a variance application for impacts to regulated environmental features.

Sec. 24-130. STREAM, WETLAND, AND WATER QUALITY PROTECTION AND STORMWATER MANAGEMENT

- (a) Proposed subdivisions shall be designed to minimize the effects of development on land, streams and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.
- (b) The Planning Board shall require that proposed subdivisions conform to the following:
 - a. The preliminary plan shall demonstrate adequate control of the increased runoff due to the ten (10) year storm or such other standards as State law or the County shall adopt.
 - b. The stormwater control shall be provided on-site unless the Planning Board, on recommendation from the County, waives this requirement.
 - c. The submission of a storm drainage and stormwater management concept plan, and approval thereof by the County, may be required prior to preliminary plan approval.
 - d. Where a property is partially or totally within an area covered by an adopted Watershed Plan, the preliminary plan shall conform to such plan.
 - e. Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible consistent with the guidance provided by the Environmental Technical Manual established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All regulated

environmental features shall be placed in a conservation easement and depicted on the final plat.

- (c) The submission of a sediment control concept study, and approval thereof by the Soil Conservation District, may be required prior to final plat approval.

Response: This Application meets the criteria for approval pursuant to the prior Subdivision Regulations by providing on-site stormwater management control as well as adequate control of the increased runoff due to the ten (10) year storm. Submission of a stormwater management concept plan will occur before the submission of a preliminary plan for this project. A sediment control concept study approval by the Soil Conservation District will be provided prior to final plat approval.

Sec. 24-131. UNSAFE LAND

- (a) The Planning Board shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to natural conditions, such as, but not confined to, flooding, erosive stream action, high water table, unstable soils, or severe slopes, or to man-made conditions on the property, such as but not confined to, unstable fills or slopes. The Planning Board shall require that proposed subdivisions conform to the following:
 - a. When the County Soils and Geological Map indicates that a portion of the land is unsafe, the Board may permit it to be platted as part of a lot in which there is sufficient land to erect a building within the building lines established by the zone in which the property is located, plus an additional twenty-five (25) foot setback between the structure and the unsafe area, which shall be indicated on the final plat with a building restriction line.
 - b. If the unsafe land has, by subsequent change, become safe for building construction, upon appropriate findings by the Planning Board, the building restriction line may be removed by the recording of a new final plat approved by the Board.
 - c. When the applicant proposes remedial actions to correct or alleviate unsafe soil conditions, the Planning Board shall refer such proposals to the Chief Building Inspector for a determination of whether such measures are sufficient to protect the health and safety of future residents. The Board may approve the platting of such land, upon recommendation of the Chief Building Inspector, provided that covenants are attached to incorporate the remedial actions.
 - d. The Planning Board may require that the owner(s) of any property on which unsafe conditions have been found to exist shall notify any potential purchaser of such conditions.

Response: This Application meets the criteria for approval pursuant to the prior Subdivision Regulations by keeping a majority of the site design out of areas with steep slopes and erodible soils.

Sec. 24-132. WOODLAND AND WILDLIFE HABITAT CONSERVATION, TREE PRESERVATION, CLEARING, AND REPLACEMENT.

- (a) Except for land located in the Chesapeake Bay Critical Area Overlay Zones, and development comprised of lands zoned Residential, R-M, and M-X-T, for which there is an approved single Conceptual Site Plan applicable to all of the properties, development shall comply with the provisions for woodland and wildlife habitat conservation and tree preservation established in Division 2 of Subtitle 25 and the tree canopy requirements of Division 3 of Subtitle 25 of the Prince George's County Code.
- (b) For land located in the Chesapeake Bay Critical Area all provisions regarding vegetation must conform to the requirements of Subtitle 5B and 27.
- (c) In the case of development comprised of lands zoned Residential, R-M, and M-X-T, for which there is an approved single Conceptual Site Plan applicable to all of the properties, the Woodland

Conservation/Afforestation Threshold shall be in accordance with the requirements for the M-X-T Zone.

Response: This application meets the criteria for approval pursuant to the prior Subdivision Regulations by complying with the provisions for woodland and wildlife habitat conservation and tree preservation established in Division 2 of Subtitle 25 and the tree canopy requirements of Division 3 of Subtitle 25 of the Prince George's County Code. All required forest conservation can be met onsite.

Sec. 25-119 Applicability (Woodland and Wildlife Habitat Conservation Ordinance)

(2) Applications shall contain the property type of tree conservation plans (TCPs) as follows:

1. Applications for a Conceptual Site Plan, a Comprehensive Design Plan, a Preliminary Plan of Subdivision, or other conceptual plans shall include a Type 1 Tree Conservation Plan (TCP1) or a Standard Letter of Exemption.
2. Applications for a Special Exception, Detailed Site Plan (including Minor and Major Detailed Site Plans), Specific Design Plan, grading permit or other similarly detailed plans shall include a Type 2 Tree Conservation Plan (TCP2) or a Standard Letter of Exemption. If a site requires approval of a TCP2 with an associated land development application, the TCP2 shall not be reviewed independently of the associated plan.

Response: This preliminary plan application will include a Type 1 Tree Conservation Plan (TCP1) per the Woodland and Wildlife Habitat Conservation Ordinance. A previous TCP2 (TCP2-052-09) was submitted, however it was never approved.

(3) All plans and associated information shall be prepared in conformance with the Environmental Technical Manual as approved by the Planning Board and amended by them from time to time.

Response: Plans and associated information will be prepared in conformance with the Environmental Technical Manual as approved by the Planning Board and amended by them from time to time.

(4) All submittals required by this Division shall be prepared by a qualified professional and shall contain a stamp or certification from the qualified professional who prepared the plans and the plans shall contain an original signature and date applied by the preparer. If there are three documented cases of plan submittals that do not meet the minimum threshold requirements for submittal in conformance with this Division and the Technical Manual within a time frame of one year, the Planning Director may recommend to the Maryland Department of Natural Resources that a qualified professional's ability to submit plans under this Division be suspended.

Response: Noted.

(5) All land that has an approved TCP associated with it is subject to the notice requirements as defined in Subtitle 2, Sec. 2-162.01(e) of the County Code. At time of contract signing, the seller of any land subject to a TCP shall provide the buyer with a copy of the approved plan.

Response: Noted.

(6) Within thirty (30) days from receipt of a proposed TCP, the applicant shall be notified whether the plan is complete. This deadline may be extended for extenuating circumstances.

Response: Noted.

(7) A Forest Stand Delineation (FSD), Natural Resource Inventory (NRI), or a TCP may be revoked by the Planning Board or its designee for cause, including violation of conditions of the plan, obtaining a plan approval by misrepresentation of a material fact, failing to disclose a relevant or material fact, or a material change in conditions. Applicants, permit holders, or property owners shall be notified of the revocation in writing. Within thirty (30) days of the date of that letter, a hearing before the Planning Board may be requested by the applicants, permit holders, or property owners.

Response: Noted.

(8) Proposed woodland conservation areas, either on-site, or off-site as part of a woodland conservation bank, shall be free of any previous encumbrance which is not consistent with the requirements of this Division, including but not limited to easements which specifically protect woodlands for another purpose, utility easement, approved TCPs for other development, deed restrictions, and declarations of covenants for woodland conservation banking, prior to encumbering the area to fulfill on-site woodland conservation requirements or as an off-site woodland conservation bank. Property that is subject to an agricultural preservation easement shall not be precluded from having a woodland conservation easement.

Response: Noted.

(b) Exemptions from this Division

(c) Plan Review and Conformance

a. The approval authority for TCPs is the same as that of the associated application.

i. If a TCP1 has been approved for a site, all subsequent TCP2 plans must be in conformance with the TCP1.

1. If the TCP2 is to be approved by the Planning Board, conformance with the TCP1 shall be determined by the Planning Board.

2. If a TCP2 is to be approved by the Planning Director or designee, it shall be in conformance with this Division and in conformance with the TCP1 as follows:

a. Any proposed reduction in the total woodland conservation on the site shall not exceed the greater of 5,000 square feet or 5 percent of the area of on-site woodland conservation originally approved; or

b. The proposed change in the location or type of woodland conservation shall not exceed the greater of 10,000 square feet or 10% of the area of woodland conservation originally approved; or

c. The proposed change or reduction results from governmental requirements; or

d. Specimen, champion or historic trees specifically identified for preservation will not be adversely affected.

e. The proposed TCP2 continues to meet all required elements of this Division.

f. The TCP2 does not affect lots already sold to building or homeowners.

3. If a criterion in (ii) above cannot be met, the TCP2 shall be duly advertised and the approval authority becomes the Planning Board.

ii. If no TCP1 exists and one is not required, each TCP2 shall be in conformance with this Division. If a permit is subject to this Division, a TCP2 shall be approved by the Planning Director or designee.

b. Plan validity requirements are as follows:

- i. TCP1s and TCP2s expire if the associated plan expires unless a permit has been issued.
 - ii. Once a permit has been issued, TCP2s do not expire and the requirements run with the land in perpetuity until an approved revisions to the TCP2 is acquired.
 - iii. Requests to the Planning Board for extensions of previously approved applications must include the associated TCP in order for that plan's validity period to also be extended.
 - iv. Plans that are grandfathered are subject to the expiration provisions of this division.
 - c. TCPs shall be prepared in conformance with the Technical Manual.
 - d. TCPs must include the legal boundaries of all lots or parcels in their entirety unless they are linear in nature. For linear projects, refer to Section 25-119 for the requirements. TCPs shall include the same properties as the associated application, unless a previous TCP approval covered a larger area or a larger area is warranted by supporting development on an adjacent lot, parcel or combination of lots or parcels.
 - e. TCP2s shall not be approved separately for sites that are either currently under review for a land development application or that require the submittal of an application prior to development.
- (d) Variances
 - a. An applicant may request a variance from this Division as part of the review of a TCP where owing to special features of the site or other circumstances, implementation of this subtitle would result in unwarranted hardship to an applicant. To approve a variance, the approving authority shall find that:
 - i. Special conditions peculiar to the property have caused the unwarranted hardship;
 - ii. Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;
 - iii. Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants;
 - iv. The request is not based on conditions or circumstances which are the result of actions by the applicant.
 - v. The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and
 - vi. Granting of the variance will not adversely affect water quality.
 - b. Notice of a request for a variance shall be given to the State of Maryland Department of Natural Resources within 15 days of receipt of a request for a variance.
 - c. Variances shall be approved by the Planning Board, Zoning Hearing Examiner, and/or the District Council for all tree conservation plans that are associated with applications heard by them. The Planning Director may approve variances for tree conservation plans that are not associated with applications heard by the Planning Board, Zoning Hearing Examiner and/or the District Council. The Planning Director's decisions are appealable to the Planning Board.
 - d. Variances granted under this Subtitle are not considered zoning variances.

Response: Noted. A variance will be applied for regarding Impacts to Regulated Environmental Features (subtitles 24 and 27), in which the proposed parking lot encroaches into a small portion of the existing floodplain and PMA areas.

(e) Government Projects

- a. The following types of government projects shall be reviewed and enforced by the Maryland Department of Natural Resources: projects on state-owned land, linear projects which cross multiple counties, and public utility projects. The County will review these

types of projects only if specific written direction is provided by the State of Maryland Department of Natural Resources.

- b. The following types of government development activities shall be reviewed and enforced at the County level with notification being provided by the applicant to the Maryland Department of Natural Resources Forest Service: public school projects; the Maryland-National Capital Park and Planning Commission projects; Department of Public Works and Transportation projects; state funded parks and recreation projects. The Maryland Department of Natural Resources will review these types of projects if requested by the County or if the project has state-wide impacts on significant forest resources and the state agrees to take jurisdiction over the review.
 - i. Applications for the project types listed in (2) above shall include an FSD or an approved NRI.
 - ii. The applications shall be in conformance with this Division.
 - iii. The TCP shall provide calculations as described in the Technical Manual.

Response: Noted.

(f) Linear Projects

- a. Linear projects that are not otherwise exempt from this Division shall submit a TCP2 depicting the area of work and all other information required on a TCP2.
 - i. Linear projects are not required to show the full boundaries of all of the affected parcels.
 - ii. Linear projects shall submit a Simplified Forest Stand Delineation for that area of the subject properties where the project work will be performed.
 - iii. Linear projects that disturb less than 20,000 square feet of woodland are exempt and may obtain a Numbered Exemption Letter if none of the associated properties are subject to a previously approved TCP.
 - iv. Woodland conservation shall be provided at a ratio of one acre of woodland conservation for each acre of woodland disturbed. The requirements shall be met using the same priorities as listed in Section 25-121 of this Division.
 - v. If previously approved TCPs are affected by linear projects, the TCPs shall be revised accordingly prior to approval of the permit for the associated construction.

Response: Noted.

(g) Grandfathering

- a. TCPs that are approved prior to the effective date of this Division shall be grandfathered and shall be subject to the regulations in place at the time of approval. Plans that are grandfathered are subject to the expiration provisions of this Division.
- b. TCPs that were approved under prior regulations that did not contain the replacement requirements (plans approved using the pre-1993 provisions) and that have not received an approved grading permit to date, are considered expired plans. A new TCP shall be reviewed and approved using the current provisions of this Division.

Response: Noted.

Sec. 24-133. GRADING

- (a) The Planning Board encourages the submission of general grading plans for major subdivisions in order to efficiently plan for stormwater management, street grades, tree preservation, and parkland. The Planning Board may require the submission of general grading plans, at five (5) foot contours, prior to final plat approval when:

- a. On-site stormwater management is to be provided; or
- b. In the opinion of the Board, existing grades are so steep that there is a significant likelihood of erosion or stormwater damage occurring through development; or
- c. The combination of unstable soils and steep grades constitutes a danger to future residents; or
- d. The applicant believes that more efficient subdivision design may be achieved through a waiver of grading regulations under the Building Code and wishes to have approval of such waiver by the Chief Building Inspector prior to filing the final plat.

Response: This application meets the criteria for approval pursuant to the prior Subdivision Regulations by providing a general grading plan in order to efficiently plan for stormwater management, street grades, and tree preservation.

Sec. 24-134. MANDATORY DEDICATION OF PARKLAND

Response: This requirement does not apply as this project is for the replacement of the Applicant's existing church building with the construction of a new house of religious worship. The Applicant is not proposing any residential housing development on the Subject Property.

V. SERVING THE GREATER GOOD OF THE COMMUNITY

The Mountain of Fire and Miracles Ministry MFM Bowie MD, Inc. (the "Applicant") is more than just a place of worship. The Applicant's engagement extends far beyond the church doors, impacting multiple facets of communal life. Here's how:

Specialized Focus on Spiritual Well-being

1. Targeted Prayer Points: The Applicant offered prayer sessions carefully designed to confront specific issues—be it personal struggles, societal challenges, or communal matters. The transformative power of targeted prayers has been a cornerstone in many success stories.

2. Spiritual Warfare & Deliverance: Recognizing the subtle complexities of spiritual challenges, the Applicant's ministry has become a safe haven for deliverance and spiritual empowerment.

3. Community Healing: The Applicant's intercessory prayers cover not just individuals but the entire community, casting a mantle of peace and protection over us all. The Applicant also organizes medical outreach every year in the course of its annual picnic with programs designed to enhance the physical and mental health of members in the community.

4. Emotional Resilience: Through spiritual counseling and prayerful intervention, the Applicant has empowered many to build emotional resilience—a vital tool for navigating life's uncertainties.

5. Moral Integrity: The Applicant takes pride in the ethical characters shaped within its congregation, a transformation that has indirectly led to a safer, more harmonious community.

Other Contributions

1. **Educational Programs:** Beyond spiritual education, the Applicant offers workshops and seminars designed to equip individuals with necessary life skills.
2. **Charitable Activities:** The Applicant's outreach programs meet physical needs through food drives, clothing donations, and other activities of charity.
3. **Youth Engagement:** The Applicant's youth-oriented activities not only provide safe havens for young people but also impart values and skills that deter them from societal vices.
4. **Cultural Enrichment:** The Applicant celebrates diversity by hosting various cultural and artistic events that add layers of global diversity to the collective identity of the community.
5. **Community Health:** Through the Applicant's well-being programs, they shall also make a tangible contribution to the physical health of members (seniors and others) of the community.

The Promise of Construction within the New Building

The proposed facility will not only serve spiritual needs but also offer:

1. ***State-of-the-Art Community Spaces:*** The expanded area within the new Project will facilitate a myriad of activities from educational programs to social gatherings.
2. ***Upgraded Emergency Facilities:*** The Project includes facilities that can serve as emergency response centers, thereby enhancing our collective safety.
3. ***Local Economy Boost:*** The construction process alone is expected to provide job opportunities, with more to follow as the Applicant's economic development programs expand.

New Community Activity Space and Park

The Applicant and the property shall include plans for:

1. ***Outdoor Recreational Facilities:*** Playgrounds, walking paths, and outdoor fitness spots that invite physical activity and social interaction.
2. ***Community Garden:*** A place to nurture plants—and perhaps souls, considering the therapeutic benefits of gardening.
3. ***Event Space:*** An open-air locale for hosting everything from cultural festivals to community dialogues.
4. ***Educational Corners:*** Hosting workshops and classes that enrich our diverse background, collective knowledge, and sense of community.

With the granting of this Election to Proceed under the PRIOR Subdivision Regulation MFM will be positioned to deliver these benefits to the community in an efficient and timely manner.

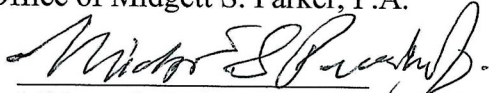
VII. CONCLUSION

For all of the above stated reasons, the Applicant and the members of the Development Team respectfully elect that the referenced Preliminary Plan of Subdivision (Case No. PPS-2023-030) advancing the development, construction, and use of the property with a new religious house of worship with its associated signage, parking, landscaping, and other improvements to be reviewed under the prior Subdivision Regulations.

Submitted By:

Law Office of Midgett S. Parker, P.A.

By:


Midgett S. Parker, Esq., Founder/CEO

Date: 3/25/2024