

R E S O L U T I O N

WHEREAS, Carolina Missionary Baptist Church is the owner of a 17.33-acre parcel of land known as Carolina Missionary Baptist Church (Parcel A), said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-E; and

WHEREAS, on March 23, 2000, Carolina Missionary Baptist Church filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-00015, was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 20, 2000, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL, with conditions of the application with conditions; and

WHEREAS, on July 20, 2000, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/44/99), and further APPROVED Preliminary Plat of Subdivision 4-00015 with the following conditions:

1. The Final Plat of Subdivision shall carry a note disclosing that this site is within the flight path of the Potomac Airfield and that development may be subject to low flying aircraft.
2. Prior to approval of the final plat, the Health Department shall determine if a phase one and possibly a phase two environmental assessment is required for the satisfactory remediation of the property.
3. Prior to the issuance of building permits the applicant's heirs, successors, and/or assigns shall demonstrate that remediation measures have been completed to the satisfaction of the Health Department.
4. Prior to the issuance of the first building permit the applicant, and the applicant's heirs, successors, and/or assigns shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of bikeway signage.
5. A conservation easement corresponding to the limit of disturbance line shown on the

preliminary plan, shall be described by bearings and distances on the Final Plat. The following note shall be placed on the plat:

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

6. The applicant must obtain approval of a revised stormwater concept plan, reflecting the limit-of-disturbance as shown on the approved preliminary plat prior to permits. The revised stormwater plan must provide reference to the presence of Marlboro Clay on site.
7. Architecture, facility layout, and grading should minimize cut and fill. Fill should not be added to the top of the slopes. If these recommendations cannot be incorporated in the site development, a slope stability study and geotechnical report shall be approved by the Environmental Planning Section prior to the approval of grading permits.
8. Development of this site shall be in conformance with the approved stormwater concept plan or its revisions, Concept 008002570.
9. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department Environmental Program prior to final plat approval.
10. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCP I/44/99). The following note shall be placed on the Final Plat of Subdivision:

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCP I/44/99), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy."

11. A Type II Tree Conservation Plan shall be approved for this site prior to permits.
12. The Final Plat of Subdivision shall carry a note stating that the conceptual water and sewer alignments shall be established prior to the issuance of building permits.

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

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

2. The property is located on the west side of Allentown Road, approximately 900 feet east of its intersection with Old Fort Road, east of Indian Head Highway (MD 210).
3. The site is subject to the Prince George's County Woodland Conservation Ordinance. A Forest Stand Delineation and inventory report were submitted and found to be satisfactory. A TCP I was also submitted and is recommended for approval. The requirement for woodland conservation for this site, based on a proposed woodland clearing of 4.27 acres, is 4.67 acres. The applicant proposes to meet this requirement on site.

The Environmental Planning Section visited the site to assess the need for slope stability and/or geotechnical exploration prior to final plat. Marlboro Clay was identified along the stream which has caused a slope failure west of FSD sample point #6, at the 150-foot elevation contour. The WSSC sewer line near this area could be adversely affected in the immediate future. Staff notified WSSC and DER of the situation, and the need for stream bank stabilization to protect the existing sewer line.

Proposed development on this lot should minimize the possibility of further slope failures through careful site design. Since it is evident that this lot is underlain with Marlboro Clay, the prevention of slope failure will depend on the degree to which stormwater runoff can be diverted to a point downstream from the clay outcrops, and also on the minimization of weight added to the top of the slopes. The stormwater from the development should be directed to a SWM pond in the non-wooded floodplain area in the west corner of the property, well downstream from the area of slope failure and proposed structures. The applicant will need a revised or amended stormwater concept plan, reflecting the revised limit-of-disturbance and the presence of Marlboro Clay.

The limit of disturbance should correspond to a buffer of at least 100 feet from the stream bank, and should include all floodplain, wetland, streams and severe slopes. A certain amount of the steep slopes should also be included. The applicant has revised the plan accordingly, and staff is satisfied with the limit of disturbance as shown on the preliminary plan. This area will be included in a conservation easement which should be recorded on the final plat. Disturbance will be allowed to the conservation easement for stormwater management features as approved on a valid stormwater concept plan.

The soils on the site are from the Beltsville, Aura/Croom, Chillum, Iuka, Magnolia, Ochlockonee Sassafras and Westphalia series. None of these soils are considered hydric, but Beltsville, Iuka and Sassafras soils sometimes contain hydric inclusions which must be engineered during construction. The Beltsville, Aura/Croom, Sassafras and Westphalia soils are highly erodible and should be avoided on slopes greater than 15 percent. These areas are to be contained within the conservation easement.

The property is in Water and Sewer Category 4C and will be served by public systems.

4. The *Subregion VII Sectional Map Amendment (SMA)*, approved July 24, 1984, rezoned

the subject property from the R-R to the R-E Zone in accordance with the Master Plan staging policies. The R-E Zone was deemed appropriate because it implements the rezoning policy for low-density living areas in this part of the Subregion recognized by the Master Plan for the Aforeseeable future and perhaps much longer. @ (SMA, p. 260.)

The site is located in an area that is underneath the air traffic/flight pattern for Potomac Airfield which is a small, private, general aviation airport approximately 4,000 feet to the southeast. Aircraft associated with flight to and from Potomac Airfield are primarily small and light-weight. Research associated with an ongoing Planning Department work program on airport regulations and legislation has revealed that the land area underneath airport traffic patterns have a slightly elevated risk of exposure to aircraft accidents, although at this location that risk is extremely small. It should be noted that at this location, aircraft are fairly high in the traffic pattern (1,100± feet elevation MSL) giving pilots significant maneuverability to ground distressed aircraft or return to the airport landing area.

Noise exposure is also an effect of the proximity of the proposed development to airport operations and traffic patterns. The Potomac Airfield operations are busiest on evenings and weekends, simultaneous with church activities. Noise from other more distant aircraft bound for Reagan National Airport, Andrews Air Force Base, and Washington Executive Airport will also be heard at this location. The applicant should consider noise attenuation measures be incorporated in the architectural design of the church and its associated facilities.

5. The proposal is exempt from the requirements of Section 24-134 of the Subdivision Regulations for mandatory park dedication because it is over one acre in size.
6. The Equestrian Addendum to the Adopted and Approved Countywide Trails Plan recommends that Allentown Road be designated as a Class III bikeway with appropriate signage. Allentown Road is a County right-of-way; the applicant therefore, should provide a financial contribution to the Department of Public Works and Transportation for the placement of bikeway signage.
7. The application is a preliminary plat of subdivision for a church facility. The church building will consist of a 1,500-seat sanctuary, offices, and a 700-person youth center. Using trip rates from Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 6th Edition*, the proposed development would generate 82 AM peak hour trips and 83 PM peak hour trips. Typically, some Atrips@ to and from day care facilities would normally be already on the road and therefore would not be considered as new trips. The *Manual* indicates that as much as 65 percent of the peak hour trips are already on the road and are considered pass-by trips. Consequently, the actual new trips being created would be $82 \times 35 \text{ percent} = 29$ trips during each peak hour.

Based on information provided by the applicant, the sanctuary will be approximately 17,000 square feet. The *Trip Generation Manual, 6th Edition* indicates that a church of

that size could generate 12 AM and 11 PM peak hour trips. There is also a 7,800-square-foot multi-purpose room for which after-hour activities are proposed. Based on the two primary uses, a church and a youth center, staff=s analysis of the of the application concluded that the actual number of new trips would be 41 AM peak hour and 40 PM peak hour trips. Approximately 90 percent of the potential trips are to be oriented along the Allentown Road/Old Fort Place corridor.

The traffic generated by the proposed preliminary plan would impact the unsignalized intersection of Old Fort Place and Allentown Road. This intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation *Consolidated Transportation Program* or the Prince George's County *Capital Improvement Program*.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined Level of Service AD@ (LOS D) as the lowest acceptable operating condition for signalized intersection, and a delay of 50 seconds or less for an unsignalized intersection. Based on traffic data provided by the applicant=s traffic consultant, the intersection identified above, when analyzed with existing traffic as developed using the *Guidelines*, was found to be operating with delays of 50 seconds or less during both peak hours. When the site was analyzed under the total traffic scenario, the intersection was still shown to be operating at delays of 50 seconds or less which as per the *Guidelines*, is considered acceptable.

The Transportation and Public Facilities Planning Division concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

8. The proposal is exempt from the requirements of Section 24-122.02 of the Prince George=s County Subdivision Regulations for adequacy of public schools because it is a nonresidential use and no dwelling units are proposed.
9. Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of fire and rescue facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and concluded the following:
 - a. The existing fire engine service at Allentown Road Fire Station, Company 32 located at 8709 Allentown Road has a service response time of 3.03 minutes, which is within the 3.25 minutes response time guideline.
 - b. The existing ambulance service at Allentown Road Fire Station, Company 32 located at 8709 Allentown Road has a service response time of 3.03 minutes, which is within the 4.25 minutes response time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 47 located at 10900 Fort Washington Road has a service response time of 4.13 minutes, which is within the 7.25 minutes response time guideline.

- d. The existing ladder truck service at Oxon Hill Fire Station, Company 21 located at 7600 Livingston Road has a service response time of 6.21 minutes, which is beyond the 4.25 minutes response time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services the Fire Department recommends that all commercial structures be fully sprinkled in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

10. The proposed development is within the service area of Police District IV- Oxon Hill. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations, the staff concludes that the existing County's police facilities will be adequate to serve the proposed Carolina Missionary Baptist Church development. This police facility will adequately serve the population generated by the proposed subdivision.
11. The Health Department has reviewed the proposed subdivision and raised several concerns. The applicant should be aware of the following requirements:
 - a. Several drums were noted on-site along with other containers that may contain hazardous materials. Because of the amount of dumping noted on site a phase one and if necessary, a phase two environmental assessment should be required prior to final plat.
 - b. Any abandon well or septic system needs to be located on the preliminary plat and pumped, backfilled and/or sealed in accordance with COMAR 26.04.04.
 - c. It is recommended that prior to the issuance of any building permit for this site that satisfactory remediation of the property occur.
12. The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 008002570, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan or as revised.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince

George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Boone, seconded by Commissioner Brown, with Commissioners Boone, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 20, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of September 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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