

R E S O L U T I O N

WHEREAS, Antioch Baptist Church is the owner of a 3.94-acre parcel of land known as parcel 233, Tax map 101, B-2 said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on September 11, 2001, Antioch Baptist Church of Upper Marlboro filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 1 lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01072 for Antioch Baptist Church 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 November 15, 2001, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on November 15, 2001, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED the Type I Tree Conservation Plan (TCPI/31/01), and further APPROVED Preliminary Plat of Subdivision 4-01072, Antioch Baptist Church for 1 lot with the following conditions:

1. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/31/01). The following note shall be placed on the Final Plat of Subdivision:

A Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/31/01), 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. @

2. Prior to the issuance of grading permits, a Type II Tree Conservation Plan shall be approved.
3. Prior to signature approval, the preliminary plan shall be revised to show the 50-foot stream buffers, wetlands, and the 25-foot wetland buffers which comprise the Patuxent

River Primary Management Area (PMA). If the plan proposes any impacts to the PMA, it shall be revised to eliminate those impacts, or a variation request and new preliminary plan shall be submitted.

4. Development of this site shall be in conformance with the approved stormwater management plan, Concept 23446-2001-00, or any revisions thereto.
5. The following note shall be placed on the final plat:

AAn automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.@

6. Prior to signature approval, the preliminary plan shall be revised to:
 - a. Show the approval number and date of the stormwater concept plan.
 - b. Update the revision boxes. This change shall also be made on the tree conservation plan.
 - c. Show all wells and septic systems on-site or a note indicating that none exist.

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.
1. This site is located on the southeast corner of the intersection of Ritchie Road and old Marlboro Pike.
3. Environmental Issues CThere are woodlands, streams, wetlands, 100-year floodplain, steep slopes, and severe slopes on this property. According to the Prince George=s County Soil Survey the soils found on the property include Bibb silt loam and Westphalia fine sandy loam. The Bibb soils have limitations with respect to seasonally high water tables, impeded drainage, and flood hazard. Marlboro clays are not found to occur in the vicinity of this property. According to information from the Department of Environmental Resources dated July 31, 1999, the sewer and water service categories are S-4 and W-4. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication titled AEcologically Significant Areas in Anne Arundel and Prince George=s Counties,@ December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this lot. There are no designated scenic or historic roads in the vicinity of this property. No adverse

noise impacts have been found to be associated with the proposed development of this property. The property is located along Federal Spring Branch in the Western Branch subwatershed of the Patuxent River watershed.

A Simplified Forest Stand Delineation (FSD) was reviewed and was found to address the requirements for an FSD in accordance with the Prince George's County Woodland Conservation and Tree Preservation technical manual. No further information is required.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the area of existing woodlands exceeds 10,000 square feet and the area of the property exceeds 40,000 square feet. Because a Preliminary Plan of Subdivision is not an activity which specifically identifies future clearing activities, a Letter of Exemption cannot be issued for clearing less than 5,000 square feet of woodland. Therefore, this property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance.

The Type I Tree Conservation Plan, TCPI/31/01, stamped as revised on October 30, 2001, has been reviewed and was found to address the requirements of the Prince George's County Woodland Conservation Ordinance. Because the area of existing woodland on the net tract is less than the 15 percent Afforestation Threshold, the requirement for this 3.94-acre property with a net tract area of 1.81 acres is 0.32 acre. The requirement is being satisfied by 0.32 acre of on-site afforestation in a priority afforestation area. TCPI/31/01 is recommended for approval.

Streams, wetlands, 100-year floodplains, and the associated buffers are found to occur on this property. It should be noted that Section 24-130 of the Subdivision Ordinance requires that the stream buffers, floodplains, and wetland buffers be shown on the Preliminary Plan of Subdivision and that these features be protected to the greatest extent possible. Prior to signature approval, the preliminary plan should be revised to show the 50-foot stream buffers, wetlands, and the 25-foot wetland buffers which comprise the Patuxent River Primary Management Area (PMA). If the plan proposes any impacts to the PMA, it shall be revised to eliminate those impacts.

4. Community Planning CThe 1993 *Subregion VI Study Area Master Plan* recommends public/quasi-public use on the subject property. The master plan recommends Ritchie Marlboro Road as an arterial highway (A-39) and shows a grade-separated Ritchie Marlboro Road passing under Old Marlboro Pike. The arterial designation calls for a four- to six-lane divided road designed in a parkway-type character with a variable width median, shoulders, and independently graded roadway segments where the design can be accommodated. The plan indicates this improvement will be made at such time as development in the area necessitates the upgrading of MD 4 to a freeway between Ritchie Marlboro Road and the Capital Beltway. The 1994 *Subregion VI Study Area Sectional Map Amendment* retained the property in the R-R Zone.

5. Parks and Recreation CThe proposed subdivision is exempt from the requirements of Section 24-134 of the Subdivision Regulations for mandatory park dedication because it is a residentially zoned lot of more than one acre and no dwellings are proposed.
6. Trails CThere are no master plan trails issues associated with this application.
7. Transportation CThe application is a preliminary plan of subdivision for the expansion of an existing church. The expansion will consist of approximately 8,900 square feet of additional space. The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (April 1989) do not provide trip generation rates for churches, hence, staff has referenced the Institute of Transportation Engineer's (ITE) *Trip Generation Manual*, 6th Edition. The ITE manual defines a church as:

Aa building where public worship services are held. A church may also house an assembly hall or sanctuary; meeting rooms; classrooms; and occasionally dining, catering, or party facilities. @

Based on ITE's trip rates, the proposed expansion would generate 6 AM and 6 PM peak hour vehicle trips.

Approximately four of the six additional trips being generated by the proposed preliminary plan would impact the signalized intersection of Ritchie Marlboro Road and Old Marlboro Pike. 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 D (LOS D) as the lowest acceptable operating condition on the transportation system.

In 1996, this intersection was analyzed as part of a traffic impact analysis for the Marlboro Village Center preliminary plan (4-96030) of subdivision. A six-year growth in traffic was anticipated in that analysis, as well as several developments that were already approved. The 1996 study concluded that pending certain intersection improvements, as well as the installation of a traffic signal, the subject intersection would operate with a LOS/CLV of C/1,162 during the AM peak hour and B/1,019 during the PM peak hour. All of the improvements (including the traffic light) on which the traffic study assumptions were based have subsequently been made. Consequently, staff is satisfied that the intersection is operating adequately. Staff further concludes that with only four trips being added to the intersection, the level-of-service will remain at an acceptable level of D or better.

Based on the foregoing discussion, adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved.

8. Schools CThe Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001)(CR-4-1998). The proposed subdivision is exempt from the adequacy of public facilities test for schools because it is a commercial use and no residential uses are proposed.
9. Fire and Rescue CThe Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
 - a. The existing fire engine service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service response time of 3.22 minutes, which is within the 3.25-minute response time guideline.
 - b. The existing ambulance service at Marlboro Fire Station, Company 20, has a service response time of 3.22 minutes, which is within the 4.25-minute response time guideline.
 - c. The existing paramedic service at Marlboro Fire Station, Company 20, has a service response time of 3.22 minutes, which is within the 7.25-minute response time guideline.
 - d. The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service response time of 5.68 minutes, which is beyond the 4.25-minute response time guideline.

These 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 due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George=s County laws.

10. Police Facilities CThe subject property is within the service area of the District II-Bowie. In accordance with Section 24-122.01(c) of the Subdivision Regulations of Prince George's County, existing county police facilities will be adequate to serve the proposed Antioch Baptist Church.
11. Health Department CThe Health Department questions whether the property is being served by public or private water and sewer systems. The property is in Water and Sewer Categories W-4 and S-4, categories not normally served by public water and sewer systems; however, it appears the church is so served. If wells and septic systems occur on the property and are no longer used, they need to be backfilled and sealed in accordance with state regulations.
12. Stormwater Management CThe Department of Environmental Resources (DER),

Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 23446-2001-00, 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.

13. Public Utility Easement CThe preliminary plan shows the required 10-foot-wide public utility easement. This easement will be included on the final plat.
14. Revision Boxes CThe revised plans have not been updated with respect to the revision boxes. Clearly changes have been made but the revision boxes are blank. Revision boxes need to be regularly updated to clearly identify changes and dates. Prior to signature approval, the revision boxes on the preliminary plan and the tree conservation plan need to be filled in with the details of the revisions made.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 15, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of December 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:JD:rmk