

R E S O L U T I O N

WHEREAS, Cornerstone Peaceful Baptist Church is the owner of a 27.47-acre parcel of land known as Parcels 6, 61 and 62, Map 118 Grid A-3, said property being in the 11th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on January 26, 2005, Cornerstone Peaceful Baptist Church filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 Parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04117 for Cornerstone Peaceful 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 June 2, 2005, 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 June 2, 2005, 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/33/00), a variation from section 24-130 and further APPROVED Preliminary Plan of Subdivision 4-04117, Cornerstone Peaceful Baptist Church for Parcel A with the following conditions:

1. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to approval. The following note shall be placed on the plat:

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

2. Prior to the issuance of any permits that impact jurisdictional wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

3. 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 (TCPI/33/00), 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.”

4. At the time of final plat, the applicant shall dedicate to DPW&T the area for future right-of-way along Frank Tippet Road, as shown on the applicant's preliminary plan.
5. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a pro rata share of the cost of the road improvements along MD 223 at Rosaryville and Dower House Roads, as described in the Prince George's County Capital Improvement Program under Project FD669451 (CIP FY 2005-2010). The pro rata share shall be payable to Prince George's County, with evidence of payment provided to the Subdivision Section. The pro rata share shall be $\$24,839.65 \times (\text{Engineering News Record Highway Construction Cost Index at the time of building permit application} / \text{Engineering News Record Highway Construction Cost Index for the second quarter 2001})$.
6. At Frank Tippet Road:
- a. The developer should provide a bypass lane at the access points to the site along Frank Tippet Road.
 - b. The developer will be required to provide two school beacons on both directions along Frank Tippet Road per county standards.
7. The adopted and approved Subregion VI Master Plan designates Frank Tippet Road as a Class III bikeway with appropriate signage. Because Frank Tippet Road is a county right-of-way, the applicant and the applicant's heirs, successors and/or assignees shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of this signage. A note shall be placed on the final record plat for payment to be received prior to the issuance of the first building permit. If road frontage improvements are required by DPW&T, a wide asphalt shoulder or wide outside curb lane is recommended to accommodate bicycle traffic.
8. Provide a standard sidewalk along the subject site's frontage of Frank Tippet Road, unless modified by the Department of Public Works and Transportation.
9. Provide land for a hiker/equestrian trail either within a 30-foot-wide public use trail easement along the subject site's entire length of Dower House Branch.
10. Prior to the issuance of a grading permit, all wells located at 8906 and 9010 Frank Tippet Road must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department. The location of the deep well must be

located on the preliminary plan. The abandoned septic tank(s) serving the two houses at 9010 Frank Tippet Road must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be located on the preliminary plan.

11. Prior to signature approval of the preliminary plan, the location of the deep well should be located on the preliminary plan.
12. Prior to signature approval of the preliminary plan, the location of the septic system should be located on the preliminary plan.
13. Prior to final plat approval, the above ground fuel storage tank on site at 8906 Frank Tippet Road must be removed and its contents properly discarded. If staining is encountered, the soil beneath this tank must be removed and properly disposed. A representative from the Health Department must evaluate the soils for possible contamination once the tank is removed.
14. Development of this site shall be in conformance with Stormwater Management Concept Plan 8322663-2000-01 and any subsequent revisions.
15. The applicant shall provide a fee to Prince George's County, which shall serve as a fair share contribution toward the construction of the Mellwood-Westphalia Station and acquisition of an ambulance unit. A fee of \$11,485.00 shall be paid prior to the issuance of the first building permit.
16. The donation of 5 + acres of 100-year floodplain and floodplain buffer along the Dower Hose Branch to M-NCPPC for the future master planned trail construction as shown on the attached DPR Exhibit 'A'.
17. Land to be conveyed subject to conditions 1 through 7 of attached Exhibit 'B'.

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 site is located on the east side of Frank Tippet Road, approximately 2,300 feet south of its intersection with Rosaryville Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R

Use(s)	Vacant	Commercial
Acreage	27.47	27.47
Parcels	1	1

4. **Environmental** —This site contains natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. A wetlands study was submitted. Wetlands, minimum 25-foot wetland buffers, streams, minimum 50-foot stream buffers, the 100-year floodplain, all areas with severe slopes and all areas with steep slopes containing highly erodible soils are shown. The expanded stream buffer required by Section 24-130 of the Subdivision Regulations is correctly shown.

To be in conformance with the Subregion VI Master Plan, the plan must show preservation of the natural reserve to the greatest extent possible. For the purposes of this review, these areas include the entire expanded stream buffer and any isolated sensitive environmental features. All disturbances not essential to the development of the site as a whole are generally prohibited within stream and wetland buffers. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], streets, and so forth, which are mandated for public health and safety; nonessential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare. Impacts for essential development features require variations to the Subdivision Regulations. Two variation requests were submitted with this application.

Request 1 is for disturbance to the expanded stream buffer to connect the proposed development to the existing sanitary sewer line. Request 2 is for disturbance to the expanded buffer to construct a master plan trail.

Section 24-113 of the Subdivision Regulations contains four required findings [text in bold] to be made before a variation can be granted:

- (1) **The granting of the variation request would not be detrimental to public safety, health or welfare and does not injure other property;**

The installation of a sanitary sewer connection is required by other regulations to provide for public safety, health and welfare. The trail is required by the master plan. These types of facilities are reviewed by the appropriate agency to ensure compliance with the regulations. These regulations require that the designs are not injurious to other property.

- (2) **The conditions on which the variations are based are unique to the property for which the variation is sought and are not applicable generally to other properties;**

The only available sanitary sewer main to serve development of this property is wholly located within an expanded stream buffer. Many other properties can connect to existing sanitary sewer without requiring a variation; however, that option is not available for this particular site. The trail is required by the master plan and must be located on this particular property.

(3) The variation does not constitute a violation of any other applicable law, ordinance or regulation; and

The installation of a sanitary sewer connection is required by other regulations. The trail is required by the master plan. The permit review process will ensure that the proposed impacts are not a violation of any other applicable law, ordinance or regulation.

(4) Because of the peculiar physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulation is carried out.

The location of the existing sewer main provides no alternative for the connection of the sanitary sewer lines that are required to serve the development. Without the sewer connection, the property could not be developed with any use that requires sanitary sewerage. The denial of Request 2 would violate the master plan.

The forest stand delineation plan shows three forest stands totaling 11.48 acres and includes a table indicating the species size and vigor of 12 specimen trees and 26 other large trees. Five sample points are shown. The limits of each stand are shown and the soils boundaries conform to those shown in the "Prince George's County Soil Survey." Streams, wetlands and the 100-year floodplain are shown. All areas of severe slopes and steep slopes containing highly erodible soils are shown.

Forest stand 1 covers approximately 4.85 acres in the eastern portion of the property. The stand is dominated by young Virginia pine. No specimen trees are located in this stand. This stand is not a priority for preservation.

Forest stand 2 covers about 7.55 acres and is associated with the streams, wetlands and floodplain. This mature deciduous woodland is dominated by tulip poplar, red maple and sweetgum with many trees between 12 and 14 inches diameter at breast height. This stand rates a high priority for preservation because it is associated with sensitive environmental features.

Forest stand 3 is a patch of about 0.58 acre in the northeastern corner of the property and is a portion of larger woodland to the north. This stand contains tulip poplars up to 46 inches diameter at breast height; however, the understory contains invasive species. This rates a moderate value for preservation.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size and it has more than 10,000 square feet of woodland.

The revised Type I Tree Conservation Plan, TCPI/33/00, has been reviewed. The woodland conservation threshold for this property is 4.41 acres. Based upon the proposed clearing of 4.79 acres of upland woodland and 0.10 acre of floodplain woodland, the woodland conservation

requirement has been correctly calculated as 7.62 acres. The plan proposes to meet the requirement by providing 1.78 acres of on-site preservation, 1.33 acres of on-site planting, and 4.55 acres of off-site conservation for a total of 7.66 acres.

The on-site preservation contains almost all of the priority woodland on site and avoids fragmentation of the woodland along Dower House Branch. Planting is proposed in areas of expanded stream buffer that are not presently wooded.

The "Prince George's County Soils Survey" indicates that the principal soils on the site are in the Aura, Beltsville, Croom, Iuka and Ochlockonee series. The soils in the vicinity of the proposed structure and parking lots typically do not have any significant limitations other than perched water tables. A perched water table could pose some problems for any structure in which a basement is to be constructed. The Prince George's County Department of Environmental Resources may require a soils report during the permit process review.

Water and Sewer Categories

The water and sewer categories are W-4 and S-4 according to water and sewer maps obtained from the Department of Environmental Resources (DER) dated December 2003. The development will, therefore, be served by public systems. Parcel 62 was previously designated to category 4C but that designation lapsed with the expiration of the preliminary plan used as a basis for the 4C. Category 3 must be obtained for the entire property before the recordation of a final plat. The preliminary plan illustrates the existing water and sewer lines. The plan must be amended to show the proposed water and sewer lines. The Washington Suburban Sanitary Commission must approve the sewer extensions before the recordation of the final plat.

5. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations, the proposed subdivision is exempt from the requirements of the mandatory dedication of parkland because it is a nonresidential use.

"The subject property is adjacent to/contains part of Dower House Branch along the south property line. It is designated as a Stream Valley Park on the approved Master Plan for Subregion VI. This portion of the stream valley is a major east-west connection to the existing Rosaryville State Park to the east.

The applicant has agreed to donate a 100-year flood plain and portion of a floodplain buffer to the M-NCPPC as shown on the attached DPR Exhibit 'A'."

6. **Trails**—Two master plan trails impact the subject site. A master plan trail is recommended along Dower House Branch. This future trail will be accommodated in either land being donated to the Department of Parks and Recreation or within a public use trail easement. Frank Tippet Road is designated as a bikeway in the master plan and standard "Share the Road" signage is recommended. In the immediate vicinity of the subject site, including the properties immediately to the south, where road frontage improvements have been made to Frank Tippet Road, a standard sidewalk has been constructed. Staff recommends the provision of a standard sidewalk

along the subject site's frontage.

7. **Transportation**—The subject property is located within the Developing Tier as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards: Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized Intersections: The *Highway Capacity Manual* procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

On February 11, 2005, during the Subdivision Review Committee meeting, the applicant was notified by staff of the need to submit a traffic study. A traffic study is required if 50 or more trips are projected to be generated during either peak hour on a weekday. Typically, a Sunday-only type of facility such as a church would not normally trigger the need for a traffic study, however, it is anticipated that the school component of the proposed application will be generating trips during the weekdays, and more specifically, during one or both peak periods.

Traffic Analysis

The table below identifies the intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS (Weekdays)		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Rosaryville Road/MD 223	D/1319	F/1617
Rosaryville Road/Frank Tippet Road	C/1268	A/820
US 301/Frank Tippet Road	B/1096	B/1161
Rosaryville Road/Frank Tippet Road (Sunday)	A/649	

Staff's research of background developments revealed a 15-unit development that could potentially affect the referenced intersections.

- Dennis Duley Subdivision 4-02077; 15 single-family units

In addition to the traffic projected from the background development, the traffic study assumed an

annual growth rate of one percent for through traffic along US 301 and MD 223. With the inclusion of these background trips plus a two-year growth, the analysis revealed the following results:

BACKGROUND CONDITIONS (Weekdays)		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Rosaryville Road/MD 223	B/1329	B/1628
Rosaryville Road/MD 223 (with improvements)	B/1061	B/1134
Rosaryville Road/Frank Tippet Road	C/1272	A/824
US 301/Frank Tippet Road	B/1107	B/1180
Rosaryville Road/Frank Tippet Road (Sunday)	A/653	

Citing trip generation rates from the ITE's *Trip Generation Manual*, 7th edition, the proposed development would generate 428 (256 in, 172 out) and 142 PM (67 in, 75out) peak-hour vehicle trips on the weekdays. The traffic study also shows 849 trips being generated by the church on Sundays. By combining site-generated trips with background traffic, the results of the analysis under total conditions are as follows:

TOTAL CONDITIONS (Weekdays)		
Intersection	AM (LOS/CLV)	PM (LOS/CLV)
Rosaryville Road/MD 223	D/1443	F/1658
Rosaryville Road/MD 223 (with improvements)	B/1131	B/1154
Rosaryville Road/Frank Tippet Road	C/1272	A/824
US 301/Frank Tippet Road	B/1153	B/1134
Site entrance (north)/Frank Tippet Road	18.3 seconds delay	12.7 seconds delay
Site entrance (south)/Frank Tippet Road	16.8 seconds delay	12.4 seconds delay
Rosaryville Road/Frank Tippet Road (Sunday)	A/866	
Site entrance (north)/Frank Tippet Road	30.2 seconds (delay)	
Site entrance (south)/Frank Tippet Road	27.3 seconds (delay)	

Based on the aforementioned results, the traffic study concluded that the four intersections analyzed would operate acceptably during the weekday peak periods. Additionally, the Rosaryville Road/Frank Tippet Road intersection will also operate adequately during the Sunday peak. It is worth noting that the Rosaryville Road/MD 223 intersection was found to be adequate based on the implementation of Capital Improvement Program (CIP) improvements pursuant to Project FD669451 (CIP FY 2005-2010). Specifically, MD 223 will be widened between Rosaryville Road

and Dower House Road. This project also includes intersection improvements at Dower House Road and at Rosaryville Road. In the traffic study, the following lane configuration was assumed for the Rosaryville Road/MD 223 intersection:

- On the northeastern approach: two left turn lanes and a right turn lane
- On the northwestern approach: a left turn and two through lanes
- On the southern approach: two through lanes and a right turn lane

The project includes a provision for developer contribution in addition to SHA funds.

Based on staff's review of the traffic study and subsequent revisions, staff concurs with its findings. Because the traffic from the proposed development would impact county and state-maintained facilities, the traffic study was referred to both DPW&T and SHA for their independent review. In a May 16, 2005, memorandum to staff (Issayans to Burton), the DPW&T recommends the following:

- The developer should provide a bypass lane at the access points to the site along Frank Tippet Road.
- The developer should contribute their fair share for geometric modifications at Rosaryville Road with MD 223 and Frank Tippet Road.
- The developer will be required to provide two school beacons on both directions along Frank Tippet Road per county standards.

As of this writing, staff has not received comments from the State Highway Administration (SHA) regarding the traffic study. However, staff has received concurrence from the SHA for the CIP improvements in other preliminary plan applications whose impacts have affected the Rosaryville Road/MD 223 intersection.

The subject property is located within the Developing Tier as defined in the 2002 General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Links and signalized intersections: Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better;

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

On February 11, 2005, during the Subdivision Review Committee meeting, the applicant was

notified by staff of the need to submit a traffic study. A traffic study is required if 50 or more trips are projected to be generated during either peak hour on a weekday. Typically, a Sunday-only type facility such as a church would not normally trigger the need for a traffic study, however, it is anticipated that the school component of the proposed application will be generating trips during the weekdays and more specifically, during one or both peak periods.

Traffic Analysis.

The table below identifies the intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS (Weekdays)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Rosaryville Road/MD 223	D/1319	F/1617
Rosaryville Road/Frank Tippet Road	C/1268	A/820
US 301/Frank Tippet Road	B/1096	B/1161
Rosaryville Road/Frank Tippet Road (Sunday)	A/649	

Staff's research of background developments revealed a 15-unit development that could potentially affect the referenced intersections.

- Dennis Duley Subdivision 4-02077; 15 SF units

In addition to the traffic projected from the background development, the traffic study assumed an annual growth rate of 1 percent for through traffic along US 301 and MD 223. With the inclusion of these background trips plus a two-year growth, the analysis revealed the following results:

BACKGROUND CONDITIONS (Weekdays)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Rosaryville Road/MD 223	B/1329	B/1628
Rosaryville Road/MD 223 (with improvements)	B/1061	B/1134
Rosaryville Road/Frank Tippet Road	C/1272	A/824
US 301/Frank Tippet Road	B/1107	B/1180
Rosaryville Road/Frank Tippet Road (Sunday)	A/653	

Citing trip generation rates from the *ITE's Trip Generation Manual, 7th edition*, the proposed development would generate 408 AM (245 in, 163 out) and 125 PM (58 in, 67 out) peak-hour vehicle trips on the weekdays. The traffic study also shows 849 trips being generated by the church on Sundays. By combining site-generated trips with background traffic, the results of the analysis under total conditions are as follows:

TOTAL CONDITIONS (Weekdays)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Rosaryville Road/MD 223	D/1443	F/1658
Rosaryville Road/MD 223 (with improvements)	B/1131	B/1154
Rosaryville Road/Frank Tippet Road	C/1272	A/824
US 301/Frank Tippet Road	B/1153	B/1134
Site entrance (north)/Frank Tippet Road	18.3 seconds delay	12.7 seconds delay
Site entrance (south)/Frank Tippet Road	16.8 seconds delay	12.4 seconds delay
Rosaryville Road/Frank Tippet Road (Sunday)	A/866	
Site entrance (north)/Frank Tippet Road	30.2 seconds (delay)	
Site entrance (south)/Frank Tippet Road	27.3 seconds (delay)	

Based on the aforementioned results, the traffic study concluded that the four intersections analyzed would operate acceptably during the weekday peak periods. Additionally, the Rosaryville Road/Frank Tippet Road intersection will also operate adequately during the Sunday peak. It is worth noting that the Rosaryville Road/MD 223 intersection was found to be adequate based on the implementation of Capital Improvement Program (CIP) improvements pursuant to Project FD669451 (CIP FY 2005-2010). Specifically, MD 223 will be widened between Rosaryville Road and Dower House Road. This project also includes intersection improvements at Dower House Road and at Rosaryville Road. In the traffic study, the following lane configuration was assumed for the Rosaryville Road/MD 223 intersection:

- On the northeastern approach: two left turn lanes and a right turn lane
- On the northwestern approach: a left turn and two through lanes

- On the southern approach: two through lanes and a right turn lane

The project includes a provision for developer contribution in addition to SHA funds.

Based on staff's review of the traffic study and subsequent revisions, staff concurs with its findings. However, the Transnational Law & Business University (TLBU) subdivision is still an active preliminary plan (4-00064) and was erroneously excluded from the analyses for background and total condition. This development adds an additional 253 AM peak-hour trips, and 320 PM peak-hour trips and should have been included in the analyses. With the inclusion of trips from the TLBU development to the critical intersection of Rosaryville Road/Frank Tippet Road, the following results were determined:

BACKGROUND CONDITIONS (Weekdays)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Rosaryville Road/Frank Tippet Road	D/1321	A/910

TOTAL CONDITIONS (Weekdays)		
Intersection	AM	PM
	(LOS/CLV)	(LOS/CLV)
Rosaryville Road/Frank Tippet Road	D/1403	A/944

While the inclusion of the TLBU development affected all of the intersections within the study area in varying degree, all of the intersections (including the critical intersection) will operate acceptably as originally concluded in the traffic study, provided the CIP-funded improvements are in place.

Because the traffic from the proposed development would impact county and state-maintained facilities, the traffic study was referred to both DPW&T and SHA for their independent review. In a May 16, 2005, memorandum to staff (*Issayans to Burton*), the DPW&T recommends the following:

- The developer should provide a bypass lane at the access points to the site along Frank Tippet Road
- The developer should contribute their fair share for geometric modifications at Rosaryville Road with MD 223 and Frank Tippet Road
- The developer will be required to provide two (2) school beacons on both directions along Frank Tippet Road per county standards.

As of this writing, staff has not received comments from the State Highway Administration (SHA) regarding the traffic study. However, staff has received concurrence from the SHA for the CIP improvements in other preliminary plan applications whose impacts have affected the Rosaryville Road/MD 223 intersection.

Regarding the pro rata funding for the MD 223/Rosaryville Road, the Planning Board has authorized pro rata contributions from applicants whose developments have impacted the subject intersection. The resolution for the Bellefonte preliminary plan (4-03118, PGCPB 04-63) revealed that a pro rata contribution of \$59.00 per 1,000 square feet development was required of the applicant for that development. The resolution further revealed that the Bellefonte development was limited to 500,000 square feet, (400,000 industrial park, and 100,000 mini warehouse) with a maximum of 633 combined peak hour trips. These caps would provide an equivalence of $(\$59.00 \times 500/633)$ \$46.60 per combined trip. Since the subject application would generate an equivalent of 533 combined peak hour trips during the weekdays, then its contribution should be $533 \times \$46.60 = \$24,839.65$.

Site Plan Review

Frank Tippet Road on which the property fronts, is an 80 foot master plan collector road. The preliminary proposes a dedication of 40 feet from the centerline of Frank Tippet Road. Staff finds acceptable. Regarding the site layout and overall circulation, staff has no issues.

8. **School Facilities**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded that the subdivision is exempt from this review for schools because it is a nonresidential use.
9. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of public facilities and concluded the following:

The existing fire engine service at Marlboro Fire Station, Company 45, located at 7710 Croom Road has a service travel time of 7.96 minutes, which is beyond the 3.25-minute travel time guideline.

The existing ambulance service at Marlboro Fire Station, Company 45, located at 7710 Croom Road has a service travel time of 7.96 minutes, which is beyond the 4.25-minute travel time guideline.

The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 7.67 minutes, which is beyond the 7.25-minute travel time guideline.

The existing ladder truck service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 7.67 minutes, which is beyond the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision unless the Prince George's County Fire/EMS Department determines that an

alternative method of fire suppression is appropriate.

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

The Historic Preservation and Public Facilities Planning Section has concluded that the entire development is beyond the recommended response times from existing facilities that provide ambulance and paramedic service. This finding is based on using the existing road system and existing stations.

The staff of the Historic Preservation and Public Facilities Planning Section found that the planned Melwood-Westphalia emergency services facility will be the first due station that will provide ambulance and paramedic service to this development. The cost of the emergency services facility is \$1,405,000. In order to mitigate the ambulance response time deficiencies, the staff recommends that the applicant participate in providing a fair share contribution toward the construction of the Melwood-Westphalia emergency services facility. The fee amount is based on the construction cost of the facility (\$1,275,000) and ambulance (\$130,000) divided by the total amount of residential and employment population within the entire service area in 2006 (16,270). The service area includes those areas that will be served by the planned facility. The fair share fee is \$86.36 per person for this development. The total of 133 workers is based upon the rate of one employee per 750 square feet for the 99,450 square feet of the proposed church. (Note: The factor of one employee per 750 square feet is based upon analysis of similar uses by the M-NCPPC Information Management Division). The projected 2006 service area population/workers amount is 16,270.

$$\text{Station Cost } 1,405,000 / 16,270 = \$86.36 \text{ per person} \times 133 \text{ employees} = \$11,485$$

10. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. The Planning Board's current test for police adequacy applicable to the subject application is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is the capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
11. **Health Department**—The Division of Environmental Health has reviewed the preliminary plan of subdivision for Cornerstone Baptist Church and has the following comments to offer:
 - a. As part of the grading permit, backfill and seal in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department the two shallow wells located between the two abandoned houses at 9910 Frank Tippet Road. The location of the well should be indicated on the preliminary plan.
 - b. Upon vacating the house at 8906 Frank Tippet Road, as part of the grading permit, backfill and seal in accordance with COMAR 26.04.04 by a licensed well driller the deep

well. The location of the well should be indicated on the preliminary plan.

- c. The abandoned septic tank(s) serving the two houses at 9010 Frank Tippet Road must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be located on the preliminary plan.
 - d. Upon vacating the house at 8906 Frank Tippet Road, the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit. The location of the septic system should be indicated on the preliminary plan.
 - e. A raze permit is required prior to the removal of any of the structures on site. A raze permit can be obtained through the Department of Environmental Resources, Office of Licenses and Permits. Any hazardous materials located in any structures on site must be removed and properly stored or discarded prior to the structure being razed. A note should be added to the preliminary plan requiring that the structures be razed and the well and septic systems properly abandoned before the release of the grading permit.
 - f. Prior to final plat approval, the above ground fuel storage tank on site at 8906 Frank Tippet Road must be removed and its contents properly discarded. If staining is encountered, the soil beneath this tank must be removed and properly disposed. A representative from the Health Department must evaluate the soils for possible contamination once the tank is removed prior to grading permit approval.
 - g. Approximately one dozen unlabeled drums/barrels were found on the property in the woods to the south of the red barn associated with 8906 Frank Tippet Road and near the barn and two-story brick frame house associated with 9010 Frank Tippet Road. A portion of the drums/barrels contained some type of liquid. The liquid must be evaluated and disposed of in an appropriate manner by a licensed hazardous waste company. A copy of the manifest should be submitted to the Health Department prior to preliminary plan approval. If the drums/barrels are not removed as part of the preliminary plan approval, this office will contact the Hazardous Materials Section of the Prince George's County Fire Department for proper disposal.
12. **Stormwater Management**—A stormwater management concept approval letter, CSD 8322663-200-01, was submitted and approved. The approval requires a 25-foot undisturbed buffer along the 100-year floodplain except for outfalls of stormwater management ponds. The stormwater management ponds must provide water quality or ground water recharge and 24-hour extended detention for the one-year storm event. The Type I tree conservation plan shows the proposed stormwater management facilities.

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 2, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of June 2005.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:IT:wrc