



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 10-122

File No. 4-08039

RESOLUTION

WHEREAS, CHIRP Resorts, LLC is the owner of a 63.97-acre parcel of land known as Tax Map 18, in Grid C-4, and is also known as Parcels A (NLP 137 @ 95), 186, 105, 106, 104, 103, 27, 28, and Part of 178, said property being in the 21st Election District of Prince George's County, Maryland, and being zoned Rural Residential (R-R); and

WHEREAS, on June 7, 2010, CHIRP Resorts, LLC filed an application for approval of a Preliminary Plan of Subdivision for 9 parcels; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-08039 for Cherry Hill Park 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 18, 2010, 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 18, 2010, 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 (TCP1-082-04), and further APPROVED Preliminary Plan of Subdivision 4-08039, Cherry Hill Park for 9 parcels with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Provide the locations of septic systems on the subject property.
 - b. Show right-of-way dedication along Cherry Hill Road from centerline, in accordance with Applicant Exhibit A, with a minimum of 40 feet.
 - c. Delineate the tier boundaries and provide a general note indicating acreage for each.
 - d. Reflect two parcels, B and C.
 - e. Amend Applicant Exhibit A to dimension 40 feet from centerline of Cherry Hill Road, note and reflect no infringement on public utility easement (PUE), remove reference to a

detailed site plan (DSP), note the revertible grading easement required prior to final plat, and conform to the Department of Parks and Recreation (DPR) exhibit.

- f. Provide the total gross floor area.
 - g. Remove all proposed structures and note any existing structures that will remain.
2. Prior to the issuance of grading or building permits, a Type 2 tree conservation plan shall be approved.
 3. Development of this site shall be in conformance with Stormwater Management Concept Plan 36037-2008-00 and any subsequent revisions.
 4. At the time of final plat, the applicant shall grant a ten-foot PUE along the public rights-of-way as delineated on the approved preliminary plan of subdivision. The PUE shall remain free and clear of site improvements unless express permission is granted by all of the affected utility companies.
 5. Development of this subdivision shall be in compliance with an approved Type 1 Tree Conservation Plan (TCP1-007-10). The following note shall be placed on the final plat of subdivision:

“Development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-007-10), or as modified by the Type 2 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 Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
 6. Prior to the issuance of grading permits, the applicant shall demonstrate that the abandoned septic tanks for the existing residences (9900, 9902, and 10000 Cherry Hill Road) have been pumped out by a licensed scavenger and either removed or backfilled and sealed in accordance with Code of Maryland Regulations (COMAR) 26.04.04 by a licensed well driller or witnessed by a representative from the Health Department, and the dwellings connected to public systems. Any modification to this condition requires approval by the Health Department.
 7. Any residential development on this site may require the approval of a new preliminary plan of subdivision prior to the approval of building permits for the residential additions.
 8. At the time of final plat approval, the applicant shall dedicate right-of-way along Cherry Hill Road in accordance with the approved preliminary plan of subdivision.

9. Total development within the subject property shall be limited to the campground facilities and related buildings (49,405 square feet), plus equivalent additional development (138,449 square feet) which generates no more than 24 additional AM peak-hour trips and 20 additional PM peak-hour trips over existing development. Any development other than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
10. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate right-of-way along Cherry Hill Road to accommodate construction of the ten-foot-wide hiker/biker/pedestrian trail and/or sidewalk in accordance with Applicant Exhibit A.
11. Prior to approval of the final plat of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall grant The Maryland-National Capital Park and Planning Commission (M-NCPPC) a revertible grading easement on the subject property for the construction of the hiker/biker/pedestrian trail and/or sidewalk. The revertible grading easement shall be recorded in the Prince George's County Land Records and the Liber and Folio reflected on the final plat.
12. Prior to signature approval of the preliminary plan, the TCP1 shall be revised as follows:
 - a. To ensure that the plan matches the sheet configuration, scale, and matchlines of the preliminary plan.
 - b. To ensure that the worksheet and the tree save tabulation chart accurately reflect the total area and are consistent.
 - c. To ensure that all existing and proposed easements have been shown on the TCP1 and that the woodland within said easements has been counted as cleared.
 - d. Provide a key map on the TCP1 cover sheet that clearly shows the matchlines and labels for the individual sheets.
 - e. Provide a key map on the TCP1 cover sheet that clearly indicates the proposed phasing.
 - f. Show the phase lines on the plan and add the symbol to the legend.
 - g. Remove all extraneous lines from the plan.
 - h. Show all symbols used on the plan in the legend.
 - i. Remove steep slopes from the plan and the legend.
 - j. Remove the preliminary plan notes from all sheets of the TCP1 plan.

- k. To ensure that the Type I tree conservation notes are consistent with the standard Type I notes.
 - l. Provide a TCP1 approval block on all sheets of the TCP1 plan set.
 - m. After all revisions have been made, have the qualified professional who prepared the plan sign and date it and update the revision box with a summary of the revision.
13. The final plat shall include a note that development shall be in accordance with SE-4619.
14. Prior to certification of the preliminary plan, a tree canopy coverage schedule that demonstrates how the tree canopy coverage requirement is being fulfilled shall be placed on the Type I tree conservation plan.

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. **Development Data Summary**—The following information relates to the subject preliminary plan application and the approved development.

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	Campground	Campground
Acreage	47.86	16.00 (63.86 total)
Lots	0	0
Outlots	0	0
Parcels	9	2
Public Safety Mitigation Fee		No
Gross Floor Area	45,405 sq. ft.	187,854 sq. ft. (233,259 total)

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on July 25, 2010.

3. **Environmental**—The preliminary plan of subdivision, Type I tree conservation plan, and variance request, stamped as received on October 13, 2010. The original application was discussed at the SDRC on June 25, 2010, and an initial memo was generated on the same date.

Background

The subject property is an existing campground with numerous buildings. This site has a previously approved Special Exception (SE-3678), which was approved prior to the implementation of the original Woodland Conservation Ordinance. This site was previously reviewed by the Environmental Planning Section in conjunction with a permit for the construction of a telecommunication tower and a Numbered Exemption (E-013-07) was issued for the activity. The Environmental Planning Section previously reviewed a Natural Resources Inventory (NRI/078/06) for the subject property.

The Commission also previously reviewed Special Exception SE-4619 and Type II Tree Conservation Plan (TCP/154/90-01) for the addition of 16 acres, 25 cabins, a lodge, an indoor pool, pavilions, a miniature golf course, an administration building expansion, restroom/bath facilities, and laundry facilities for this site. The special exception was approved by the Zoning Hearing Examiner and was approved by the County Council sitting as the District Council in Zoning Ordinance 4-2010.

Site Description

This 63.97-acre site in the R-R Zone is located in the northwest quadrant of Cherry Hill Road, north of the Capital Beltway (I-95/495). There is a small area of 100-year floodplain located on the southern portion of the site as delineated on the floodplain study from the Prince George's County Department of Environmental Resources (DER) records titled "Anacostia River Watershed Study, 100-Year Existing and Planned Development Flood Plain Boundary Delineation." A stream system, not county regulated, is located on the northeast portion of the site and no wetlands are associated with the site. A review of the available information indicates that few steep or severe slopes are associated with the site. The soils found to occur, according to the *Prince George's County Soil Survey*, are in the Beltsville, Croom, Gravel and Borrow Pits, Leonardtown, Manor, Ochlockonee, Sandy Land, Sassafras, Sunnyside, and Woodstown soil series. Noise is not a consideration in the review because the use is nonresidential. The proposal is not expected to be a noise generator. According to available information, Marlboro clay does not occur on or in the vicinity of this site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this application. This property is located in the Paint Branch watershed of the Anacostia River basin. A majority of this property is located in the Developing Tier as reflected in the *Prince George's County Approved General Plan*; however, approximately 16 acres is located in the Rural Tier (Parcels 103, 105, 106, and 186). The site contains a small area of network gap, on the northeastern portion of Parcels 105 and 106, as identified in the *Approved Countywide Green Infrastructure Plan*.

Master Plan Conformance

The current *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67*, adopted in 1990, contains no specific environmentally-related guidelines pertaining to the subject site. The master plan predates current ordinances and regulations that were reviewed for this subdivision. The

environmental requirements for woodland conservation and stormwater management are addressed in the Environmental Review section below.

Countywide Green Infrastructure Plan Conformance

The site contains a small area of network gap, on the northeastern portion of existing Parcels 105 and 106, as identified in the Countywide Green Infrastructure Plan. A majority of the woodland conservation requirement shall be met with preservation, which is in conformance with the Woodland and Wildlife Habitat Conservation, the Tree Canopy Coverage Ordinances (Subtitle 25), and the Green Infrastructure Plan.

Conditions of Previous Zoning Approvals

The following text addresses previously approved environmental conditions related to the subject application. The text in **BOLD** is the actual text from the previous cases or plans. The plain text provides findings on the plan's conformance with the conditions.

Special Exception SE-3678

In 1989, the District Council granted approval of Special Exception SE-3678 for 48± acres of the property for use as a campground in accordance with Section 27-317 of the Zoning Ordinance. This approval preceded the adoption of the original Woodland Conservation Ordinance.

Special Exception SE-4619

On March 30, 2010, the County Council, sitting as the District Council, granted approval of Special Exception SE-4619 for an addition of 16 acres to a recreational campground to include 25 cabins, a 120-room lodge, an indoor pool, two picnic pavilions, a miniature golf course, an administration building expansion, restroom/bath facilities, and a laundry facility. This approval was subject to the following environmental condition.

5. **The stormwater management concept plan shall be revised to reflect the three bio-retention areas required by the Department of Public Works and Transportation.**

An approved stormwater management concept plan and approval letter dated December 4, 2008, which includes the entire 63.97-acre site, was submitted with the special exception application. The concept plan shows stormwater management requirements to be met by retrofitting the existing stormwater management pond to accommodate the redevelopment.

Projects that have not obtained stormwater management concept approval and final soil erosion and sediment control approval on or prior to May 4, 2010 must comply with the provisions of the Maryland Stormwater Management Act of 2007. For those projects that have approval on or before May 4, 2010, an administrative waiver from the Department of Public Works and Transportation (DPW&T) may be obtained.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet should be used to describe what revisions were made, when, and by whom.

A signed Natural Resources Inventory, NRI/078/06-01, was submitted with the application. There is a small area of 100-year floodplain located on the southern portion of the site as delineated on the floodplain study from DER records titled "Anacostia River Watershed Study, 100-Year Existing and Planned Development Flood Plain Boundary Delineation." An ephemeral stream system is located on the northeastern portion of the site and no wetlands are associated with the site.

New legislation was adopted by the County Council on July 13, 2010 that affects the regulated features for this property; however, revisions to the NRI are not necessary for this case because the existing plan conforms to the new regulations. No revisions are required for conformance to the NRI.

This case has had an unusual sequence of approvals with a Type II tree conservation plan in association with a special exception having received final approval prior to the implementation date of County Council Bill CB-27-2010 (Subtitle 25 of the County Code). Based on the previous approvals, this preliminary plan is grandfathered with regard to woodland conservation. Also, because previous approvals showed the four on-site specimen trees as being removed, no variance is required for the removal of these specimen trees.

The project is subject to the requirements of Subtitle 25, Division 3, Section 128, Table 1, Tree Canopy Coverage Ordinance. The requirement for the subject property is 15 percent of the gross tract area or 9.60 acres based on the R-R zoning. This requirement can be met with credits from the on-site woodland preservation (13.41 acres) as shown on the Type I tree conservation plan. This area exceeds the minimum requirement. A tree canopy coverage schedule that demonstrates how this requirement is being met will be shown on the plan.

The Type I Tree Conservation Plan (TCP1-007-10), as submitted, was reviewed and was found to require additional information and revisions.

The plan shall be prepared at the same scale, and with the same matchlines and sheet configuration as the associated preliminary plan. The TCP1 must reflect the scale and matchlines of the associated plan. Any revisions required to the configuration of the preliminary plan shall be reflected on the TCP1. The woodland conservation threshold (WCT) found in Subtitle 25-121, Table 1, for this 63.97-acre property is 20 percent of the net tract area or 12.76 acres. A phased worksheet has been included on the plan which shows a total woodland conservation requirement of 14.10 acres to be met with 13.41 acres of on-site preservation, 0.48 acre of reforestation, and 0.21 acre of fee-in-lieu. These woodland conservation areas have been compiled in a tree save tabulation chart; however, the total areas shown in the chart shall be reflected in the worksheet. Revise the worksheet, the tree save tabulation chart, or a combination of the two to ensure that the areas reflected in both are consistent.

Discussions for a trail right-of-way along Cherry Hill Road have been ongoing. Woodland conservation cannot be shown in existing or proposed easements and rights-of-way. The applicant must reflect all existing and proposed easements on the TCP1. The woodland within these easements must be counted as cleared.

The plan has been divided into several sheets. A key map should be shown on the TCP1 cover sheet that clearly shows the matchlines and labels for the individual sheets. A key map should also be shown on the cover sheet to clearly indicate the proposed phasing. The phase lines need to be shown on the plan view and added to the legend.

Several dark lines are shown on the plan that shall be removed or labeled. Several duplicate labels are shown on the plan which should be removed. Steep slopes are adequately shown on the approved NRI and should be removed from the TCP1 to improve plan clarity.

Each sheet of the TCP1 plan set shows the general preliminary plan notes. These notes shall be shown on the preliminary plan and do not need to be shown on the TCP. The TCP1 notes shall be revised per the standard Type I notes. A TCP1 approval block needs to be added to all sheets of the TCP1 plan set.

After all revisions have been made, prior to signature approval, the qualified professional who prepared the plan needs to sign and date it and update the revision box with a summary of the revision.

4. **Community Planning**—The approved plan is for construction of a lodge building, expansion of the campground, and the addition of associated facilities, including a miniature golf course. In accordance with the 2002 *Approved Prince George's County General Plan*, this application is located in both the Developing and Rural Tiers.

The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial centers, and employment areas that are increasingly transit serviceable. The preliminary subdivision is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier.

While the majority of the existing campground and subject holdings are located in the Developing Tier, a portion of the property is located within the Rural Tier.

Part of the campground was previously constructed within the portion of the property located within the Rural Tier prior to the designation. The environmental features on the site buffer and isolate the property from other development. Given the circumstances of the subject property, the expansion and improvement of the existing campground use would not have significant adverse impact on the policies and character of the Rural Tier.

The proposed land use is consistent with the 1990 *Adopted Sectional Map Amendment for Langley Park-College Park-Greenbelt (Planning Areas 65, 66, and 67)*. The 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity* recognizes the construction of the current campground facility on the property and the sectional map amendment retained the R-R Zone.

Although the master plan recommends future employment land use for the subject property, it also recognizes the existing campground facility. The existing land use and approved expansion is not inconsistent with the recommendations of the General Plan and master plan.

5. **The Department of Parks and Recreation (DPR)**—In accordance with Section 24-134(a) of the Subdivision Regulations, the approved parcels on the subject subdivision are exempt from mandatory dedication of parkland requirements because the approved use is commercial in nature and the plans call for the development of associated campground buildings, including 25 cabins, a 120-room lodge, an indoor pool, two picnic pavilions, a miniature golf course, an administration building expansion, restroom/bath facilities, and a laundry facility.

The preliminary plan of subdivision was reviewed for conformance with the conditions of Special Exception SE-4619 and the subdivision regulations as they pertain to public parks and recreation.

Special Exception SE-4619 amended Condition 2 states:

2. **At the time of record plat, the applicant and its successors or assigns shall dedicate up to 11 feet of the subject site's frontage on Cherry Hill Road south of the existing driveway entrance, and dedicate up to 32 feet of the subject site's frontage on Cherry Hill Road north of the existing driveway entrance, to accommodate a future hiker/biker/pedestrian trail and/or sidewalk within right-of-way.**

The review of the preliminary plan found that the additional dedication to the Cherry Hill Road right-of-way (ROW) as stated in Condition 2 of SE-4619 would provide sufficient land to allow construction of the ten-foot-wide trail within the ROW. This trail section will be an important segment of the 2.3-mile Little Paint Branch Trail Extension project which will be constructed by DPR. The Little Paint Branch Trail Extension (2.3 mile) will complete a missing link between the existing terminus of the trail in College Park and Beltsville Community Park. The completion of this trail extension and another short trail segment on Old Gunpowder Road will create a 15 mile, continuous hiker/biker trail running from Fairland Regional Park to the Washington, D.C. border along the Anacostia River. The Little Paint Branch Trail is an important component of the Anacostia Tributary Trail System in northern Prince George's County and an important link in the system of trails in the Washington Metropolitan region. This trail will provide bicycle and pedestrian connectivity from northern Prince George's County to Washington D.C. and Montgomery County. This trail will also provide recreational opportunities for campers at the Cherry Hill Campground and bicycle and pedestrian connectivity to the University of Maryland, Washington, D.C., and Montgomery County.

It is anticipated that construction of the Little Paint Branch Trail Extension will begin before the planned road improvements within the Cherry Hill Road ROW. DPR and DPW&T will continue

to work together to implement the trail project. The trail will be incorporated into the ROW for the DPW&T ultimate road design. The land available for the trail in the ROW will be sufficient for the construction of the trail three feet from the ROW property line; however, a temporary grading easement will be necessary on the subject property in order to tie trail grades into the existing grades on the subject property. DPR discussed these issues with the applicant, who agreed to grant a temporary grading easement to DPR and dedicate adequate ROW for construction of the master plan trail, consistent with Applicant Exhibit A and the approved special exception.

6. **Trails**—The preliminary plan was reviewed for conformance with the *Countywide Master plan of Transportation* (MPOT) and the 2010 *Approved Central US 1 Corridor Sector Plan and Adopted Sectional Map Amendment*.

The preliminary plan is the subject of Special Exception SE-4619, which was approved by the District Council with a condition that requires the applicant to provide a 20-foot-wide strip along the entire length of the subject site's frontage on Cherry Hill Road for a sidepath at the time of record plat. Subsequently, this condition was amended by the District Council on October 18, 2010, which requires that the applicant dedicate up to 11 feet of the subject site's frontage on Cherry Hill Road south of the existing driveway entrance, and dedicate up to 32 feet of the subject site's frontage on Cherry Hill Road north of the existing driveway entrance, to accommodate a ten-foot hiker/biker/pedestrian trail and/or sidewalk within the right-of-way. The exact location of the trail within the right-of-way continues to be negotiated between DPR and DPW&T.

Based on the preceding analysis, adequate bicycle and pedestrian transportation facilities would exist to serve the approved subdivision as required under Section 24-123 of the Subdivision Regulations.

7. **Transportation**—The subject property consists of approximately 63.97 acres of land in the R-R Zone. The property is located on Cherry Hill Road in the northeast corner of the Capital Beltway (I-95/495). The applicant proposes an expansion of a recreational campground.

Analysis of Traffic Impacts

The application is a preliminary plan of subdivision for an expansion of a recreational campground. Existing campsites include RV sites, trailer rentals, cottages, cabins, and yurts, with a total of 49,405 square feet. The expansion includes 152 new campsites. The new sites will include 29 cabins and 123 lodge rooms, totaling 187,854 square feet.

The applicant is proposing a new lodge, to be built in two phases, containing 123 rooms, a pool building of 19,467 square feet, 29 camp cabins, an office expansion of approximately 13,500 square feet, four manager's residences of 1,250 square feet each, an outdoor pavilion, a gas/propane service plaza, a service garage, restroom/bath facilities, picnic pavilions, and a laundry facility. The total gross floor area is 187,854 square feet. A miniature golf course is also shown on the approved plans. There will be a total of 152 new rooms and/or camp cabins.

The expansion will take place north and east of the existing campground and along Cherry Hill Road. The only access point to the existing and approved camp facilities will be via Jayrose Boulevard at Cherry Hill Road. This critical intersection is currently unsignalized. The applicant's traffic consultant provided a new traffic count for the intersection of Cherry Hill Road and Jayrose Boulevard.

The *Trip Generation Manual* (Institute of Transportation Engineers) has a land use category (416) for Campground/Recreational Vehicle Parks. It is assumed that additional park amenities, including the indoor pool and miniature golf course, are not expected to generate trips by the general public, and that assumption is reasonable. Overall, the expansion of the site will result in 152 new camp sites. The full occupancy of the 152 new campsites results in 24 AM and 20 PM peak-hour trips. These are the total new trips expected to and from the site during the AM and PM peak hours. The applicant's traffic consultant submitted a traffic count which was taken on July 14, 2010. This traffic count was factored up in accordance with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals." At the time that the traffic count was taken, the campground was 100 percent occupied. In addition, background traffic was assumed to be one percent for through movements along Cherry Hill Road. Total traffic included the existing traffic count factored up, background traffic, and new trips expected from the expansion at the campground.

It is determined that new trips from the approved expansion will not generate excessive delays at the critical intersection of Cherry Hill Road and Jayrose Boulevard. Under existing conditions, there are delays of 28 seconds for the eastbound approach (Jayrose Blvd) to Cherry Hill Road during the AM peak hour and 33 seconds during the PM peak hour. With background traffic added, the delays increase slightly to 29 seconds and 34 seconds. Under total traffic conditions and with the approved expansion, delays increase to 32 seconds during the AM peak hour and 35 seconds during the PM peak hour; these are acceptable delays for both peak hours. Total traffic conditions assumed the worst case scenario of 100 percent occupancy of the new camp sites. Vehicle delay in any movement below 50.0 seconds is deemed to be an acceptable operating condition based on the guidelines.

The subject property is located within the Developing and Rural Tiers, as defined in the *Prince George's County Approved General Plan*. As such, the subject property is evaluated according to the following standards:

- **Links and signalized intersections:** Level of service (LOS) D in the Developing Tier and LOS C in the Rural Tier, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections within any tier subject to meeting the geographical criteria in the guidelines.

- **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 the Developing and Rural Tiers. In response to such a finding, the Prince George's County 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.

It is noted that the traffic study for Cherry Hill Park indicates that many camp patrons utilize Metrorail and local bus services rather than motor vehicles. Occasional shuttle bus service is also provided to and from Metrorail stations from Cherry Hill Park; thereby, reducing vehicle demand along Cherry Hill Road.

Circulation on the submitted plan is adequate. This analysis was based on all traffic being routed to the one access/egress point onto Cherry Hill Road (Jayrose Boulevard). Cherry Hill Road has a southbound right-turn lane onto Jayrose Road and a northbound left-turn lane. The auxiliary uses within the site should remain secondary uses and internally oriented. This is important in terms of the trip generation rates used in the traffic study and findings made at the intersection of Cherry Hill Road and Jayrose Road.

The site is adjacent Cherry Hill Road, which is designated as C-201 (collector roadway) in the *Approved College Park US 1 Corridor Sector Plan and Sectional Map Amendment* with a right-of-way width of 80 feet and four lanes of traffic. Cherry Hill Road is currently a two-lane roadway. Dedication of 40 feet from the master plan centerline of Cherry Hill Road will be required with additional dedication, as reflected on Applicant Exhibit A, for the in-road master plan trail. The site is also adjacent to the Capital Beltway (I-95/495); these roadways are designated as F-5 and F-1 in the *Approved Subregion 1 Master Plan and Sectional Map Amendment* with a right-of-width of 300 to 400 feet and eight lanes of traffic. No further dedication is required for these two master plan roadways.

Based on the preceding findings, adequate transportation facilities would exist to serve the approved subdivision as required under Section 24-124 of the Subdivision Regulations.

8. **Schools**—There are no residential dwelling units in the development. There are no anticipated impacts on schools.

Nonresidential

The subdivision has been reviewed for impact on school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the "Adequate Public Facilities Regulations for Schools" (CR-23-2001 and CR-38-2002) and concluded that the subdivision is exempt from a review for schools because it is a nonresidential use.

9. **Fire and Rescue**—This preliminary plan of subdivision includes construction of a lodge building, expansion of the campground, and the addition of associated facilities, including a miniature golf course.

Nonresidential

The subdivision has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
41	Beltsville	Engine	3939 Powder Mill Rd.	2.74	3.25	Within
31	Beltsville	Ladder Truck	4911 Prince George's Ave.	3.76	4.25	Within
12	College Park	Paramedic	8115 Baltimore Ave.	4.35	7.25	Within
41	Beltsville	Ambulance	3939 Powder Mill Rd.	2.74	4.25	Within

Capital Improvement Program (CIP)

The Capital Budget and Program Fiscal Years 2010–2015 proposes replacing existing Station 31, Beltsville, at 4911 Prince George's Avenue with a new four-bay Fire/EMS station.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities."

10. **Police Facilities**—This preliminary plan of subdivision includes construction of a lodge building, expansion of the campground, and the addition of associated facilities, including a miniature golf course.

Nonresidential

The police facilities test is performed on a countywide basis for nonresidential development in accordance with the policies of the Prince George's County Planning Board. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department, and the July 1, 2009 (U.S. Census Bureau) county population estimate is 834,560. Using 141 square feet per 1,000 residents, it calculates to 117,672 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.

11. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision and has the following comments to offer:

- a. Three existing residences (9900, 9902, and 10000 Cherry Hill Road) on-site are served by public water and individual sewage disposal systems (SDS). The location of the septic

systems should be located on the preliminary plan. The Health Department has no records of the SDS for 9900 Cherry Hill Road.

- b. The three residences must be connected to public sewer prior to any grading or construction occurring in or near the SDS recovery area. Once the residences are connected to public sewer, the abandoned septic tanks must be pumped out by a licensed scavenger and either removed or backfilled in place.

- 12. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 36037-2008-00, 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. **Historic**—A Phase I archeological survey was not recommended on the above-referenced 63.97-acre property located at 9800 Cherry Hill Road in College Park, Maryland. The subject property is already developed as a recreational campground. A majority of the property has been extensively disturbed by the construction of the campground. Parcels A and 103 were mined for gravel in the 1960's and 1970's. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low due to modern disturbance. However, the applicant should be aware that there are 23 archeological sites (15 prehistoric, 6 historic, and 2 multi-component prehistoric and historic sites) located within one mile of the subject property. In addition, there are three county Historic Sites (61-012 Sellman House, 61-013 Gallant House, and 66-001 Brown's Tavern) and one Historic Resource (65-001 Powder Mill Site) located within one mile of the subject property.

Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal monies or federal permits are required for a project.

- 14. **Public Utility Easement (PUE)**—In accordance with Section 24-122(a) of the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider must include the following statement in the dedication documents established on the final plat:

"Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748."

The preliminary plan of subdivision correctly delineates a ten-foot PUE along the public rights-of-way as requested by the utility companies, and should be adjusted as the right-of-way dedication is revised in accordance with Applicant Exhibit A. The PUE must remain free and clear from any site improvements including parking.

15. **Water and Sewer Categories**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 Water and Sewer Plan placed Parcels A, 27, 28, 104, and part of 178 in water and sewer Category 3, Community System. Additionally, Parcels 103, 105, 106, and 186 are designated water and sewer Category 4, outside the Sewer Envelope and in the Rural Tier. These parcels were designated in Category 4 by Council Resolution CR-64-2006 and will all be served by public systems.

16. **Additional Residential Conversion**—The subject property is zoned R-R. While the subject application proposes a mix of uses associated with a campground, any proposed residential development could require a new preliminary plan of subdivision because there are different adequate public facility tests for residential development. There are considerations for recreational components and different impacts on the public facilities which should be evaluated.

17. **Special Exception SE-4619**: On March 30, 2010, the County Council, sitting as the District Council, granted approval of Special Exception SE-4619 for the addition of 16 acres to a recreational campground, to include 25 cabins, a 120-room lodge, an indoor pool, two picnic pavilions, a miniature golf course, an administration building expansion, restroom/bath facilities, and a laundry facility. This special exception was further amended on October 18, 2010 by the County Council, sitting as the District Council. This approval was subject to the following five conditions and relate to this preliminary plan as follows:

1. **Prior to the issuance of any building permits, a limited Detailed Site Plan is required to be reviewed and approved by the Planning Director or its Designee for architecture, including façade features and building materials.**

This condition is not applicable to the review of the preliminary plan.

2. **At the time of record plat, the applicant and its successors or assigns shall dedicate up to 11 feet of the subjects site's frontage on Cherry Hill Road south of the existing driveway entrance, and dedicate up to 32 feet of the subject site's frontage on Cherry Hill Road north of the existing driveway entrance, to accommodate a future hiker/biker/pedestrian trail and /or sidewalk within the right-of-way.**

This condition was modified by the District Council on October 18, 2010 to clarify the extent of dedication that could be required for construction of the master plan trail within the right-of-way of Cherry Hill Road, as reflected above. Subsequent to that modification, DPR, DPW&T, and the applicant have reached an agreement for the extent of the dedication required, in accordance with Applicant Exhibit A. However, the construction drawings for the in-road trail have not been finalized and both DPR and the applicant agree that minor adjustments may be necessary prior to final plat.

3. **The camp registration office shall maintain records of length of stay of all campers and make those records available to County inspectors during normal business hours (9:00 am to 5:00 pm).**

This condition is not applicable to the review of the preliminary plan.

4. **Prior to the issuance of any building permits, the Applicant shall obtain all necessary signage permits.**

This condition is not applicable to the review of the preliminary plan.

5. **The stormwater management concept plan shall be revised to reflect the three bio-retention areas required by the Department of Public Works and Transportation.**

The approved stormwater management concept plan has been revised and is in conformance with this condition, as discussed in the Environmental section of this report.

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 date of notice of the adoption of this Resolution.

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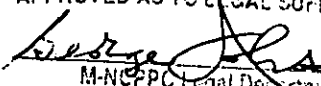
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Cavitt, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, November 18, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of December 2010.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Acting Planning Board Administrator

PCB:JJ:JT:arj

APPROVED AS TO LEGAL SUFFICIENCY,

M-NCPPC Legal Department
Date 11/30/10