

R E S O L U T I O N

WHEREAS, Multicultural Worship Center is the owner of a 6.14-acre parcel of land known as Lot 1 of Hall Manor, located on Tax Map 92 in Grid A2 said property being in the 15th Election District of Prince George's County, Maryland, and being zoned R-E; and

WHEREAS, on February 3, 2009, Chris Mason filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-08064 for Multicultural Worship Center's Addition to Lot 1, Hall Manor 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 18, 2009, 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 18, 2009, 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/005/09), and further APPROVED Preliminary Plan of Subdivision 4-08064, Multicultural Worship Center's Addition to Lot 1, Hall Manor, for Parcel A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. The property shall be identified as Parcel A on the preliminary plan. All references in notes and titles shall be changed to Parcel A.
2. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.
3. Development of this site shall be in conformance with the Stormwater Management Concept Plan 41227-2008-00 and any subsequent revisions.
4. The abandoned deep well associated with the existing house must be backfilled and sealed in accordance with COMAR 26.04.04 by a licensed well driller as part of the raze permit. The location of the deep well shall be located on the preliminary plan.

5. The abandoned septic tank and pump chamber associated with the existing house must be pumped out by a licensed scavenger and either removed or backfilled in place as part of the grading permit.
6. A raze permit is required prior to the removal of any of the structures (one house, one shed, and two barns) on-site. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structures being razed. A note shall be affixed to the preliminary plan prior to signature approval that requires that the structures are to be razed and the well and septic system properly abandoned before the release of the grading permit.
7. A standard sidewalk shall be provided along the subject property's entire frontage of Brooke Lane unless modified by DPW&T.
8. Because Brooke Lane is designated as a Class III bikeway and contained within 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 (DPW&T) for the placement of one Manual on Uniform Traffic Control Devices (MUTCD) standard W11-1 sign combined with a standard W16-1 sign to indicate the location of the Class III bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If road frontage improvements are required by DPW&T, wide asphalt shoulders are encouraged.
9. A note shall be placed on the final plat that an inverted-U bike rack for two-bicycle parking spaces shall be provided on the site at the location convenient to the building entrance.
10. 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.
11. A conservation easement shall be described by bearings and distances on the final plat. The conservation easement shall contain all of the regulated environmental features and their buffers except for areas of approved impacts and shall 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.”

12. The following note shall be placed on the final plat:

“Prior to the issuance of any permits which 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.”

13. The final plat shall contain the following note:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/005/09), 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 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 PGCPD of the Maryland-National Capital Park and Planning Commission.”

14. Prior to signature approval of the preliminary plan, the applicant shall revise the preliminary plan and TCP-1 to incorporate revised grading, relocation of retaining walls and outfall as shown on conceptual trail plan, submitted by the applicant to DPR on May 18, 2009, in the 35-foot-wide Chesapeake Beach Railroad Trail easement area.
15. Prior to approval of the final plat, the applicant shall submit to DPR for review and approval an easement agreement which will grant in perpetuity to the MNCPPC a non-exclusive 35-foot wide easement and right-of-way in, through, across and along that portion of the property included in the easement area shown on this preliminary plan. The easement shall be for the grading, construction, use and maintenance of a hiker/biker and equestrian trail. This easement shall be recorded in the land records of Prince George's County, Maryland. The liber and folio of the recorded easement shall be shown on the final plat.
16. Prior to the issuance of any permits, the applicant shall submit grading and stormwater management plans to DPR for review and approval of the proposed improvements in the 35-foot-wide Chesapeake Beach Railroad Trail easement area.
17. Total development within the subject property shall be limited to a 30,000 square feet multi-purpose facility or equivalent development which generates no more than 95 AM peak trips, 91 PM peak trips and 499 peak trips on a Sunday. Any development generating a traffic impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
18. Prior to the issuance of any building permits within the subject property for uses generating peak trips in excess of 17 AM and 15 PM, the following road improvements shall (a) have full financial assurances, (b) have been permitted for construction through the operating agency's access permit process, (c) have an agreed-upon timetable for construction with the appropriate operating agency:

At the Ritchie Marlboro Road at Brooke Lane intersection, the applicant shall perform a signal warrant study and shall install a traffic signal if deemed to be warranted.

19. Any residential development of the subject property shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
20. The final plat of subdivision shall include the following note:

"Permit drawings for the subject property shall reflect plant materials within the required landscape buffer between the subject property and adjoining Lot 1 that will provide adequate screening."

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the north side of Brooke Lane approximately 500 feet east of its intersection with Tudor Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	APPROVED
Zone	R-E	R-E
Use(s)	Single Family Residence	Church and Parish Hall
Acreage	6.14	6.14
Lots	1	0
Outlots	0	0
Parcels	0	1
Dwelling Units:		
Detached	1	0
Public Safety Mitigation Fee	N/A	N/A

4. **Environmental**—The applicant property contains wetlands, a stream and 100-year floodplain on the property associated with Western Branch in the Patuxent River watershed. According to the *Prince George's County Soil Survey* the principal soils on the site are in the Marr and Mixed Alluvial series. Marlboro clay does not occur on this property. 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 on this property or on adjacent properties. There are no designated scenic or historic roads adjacent to the subject property. There are no nearby sources of traffic-generated noise and the proposed development is not predicted to be a noise generator. The site is located in the Developing Tier as reflected in the General Plan.

The subject property is located in the *Approved Westphalia Sector Plan and Sectional Map Amendment*. There are four policies of the Westphalia Sector Plan that relate to Environmental Infrastructure:

Policy 1. Protect, preserve, enhance the identified green infrastructure network within the Westphalia sector planning area.

The TCPI conforms to the Approved Countywide Green Infrastructure Plan by preserving priority woodlands within the Regulated Area.

Policy 2. Restore and enhance water quality of receiving streams that have been degraded and preserve water quality in areas not degraded.

An approved Stormwater Management Concept Plan 41227-2008-00, was submitted. The concept plan controls stormwater through the use of bioretention, open grass swales and a pond. The pond is to be designed to control the run off for a one-year storm with 24-hour extended detention.

Policy 3. Reduce overall energy consumption and implement more environmentally sensitive building techniques.

The use of green building techniques and energy conservation techniques should be evaluated as part of any future development application.

Policy 4. Plan land uses appropriately to minimize the effects of noise from Andrews Air Force Base and existing and proposed roads of arterial classification and higher.

The subject property is not significantly impacted by noise associated with Andrews Air Force Base.

The *Approved Countywide Green Infrastructure Plan* indicates that northern one-quarter of the property is a Regulated Area, the southern half of the property is a Network Gap and the intervening portion is an Evaluation Area.

The following policies support the stated measurable objectives of the Approved Countywide Green Infrastructure Plan:

Policy 1: Preserve, protect, enhance or restore the green infrastructure network and its ecological functions while supporting the desired development pattern of the 2002 General Plan.

The TCPI conforms to the Countywide Green Infrastructure Plan by preserving priority woodlands within the Regulated Area.

Policy 2: Preserve, protect enhance or restore the green infrastructure network and its ecological functions while supporting the desired development patterns of the 2002 General Plan.

Preservation of water quality in this area will be provided through the protection of the expanded stream buffers and the application of best stormwater management practices for stormwater management. The TCPI shows the use of a stormwater pond that is designed to control the run off for a one-year storm with 24-hour extended detention, areas of bioretention and the use of open grass swales.

Policy 3: Preserve existing woodland resources and replant woodland, where possible, while implementing the desired development pattern of the 2002 General Plan.

The TCPI conforms to the Approved Countywide Green Infrastructure Plan by preserving priority woodlands within the Regulated Area.

The proposed development and TCPI generally conform to the Countywide Green Infrastructure Plan for the reasons stated above.

Environmental Review

A signed Natural Resources Inventory (NRI/057/08) was submitted with the preliminary plan. The preliminary plan and TCPI show the environmental features in conformance with the NRI.

The forest stand delineation describes one forest stand containing 2.42 acres. The woodland is dominated yellow poplar, sweet gum and red maple with an average diameter at breast high of nine inches. Three specimen trees were noted. The woodland is of a kind that is common within Prince George's County. There are wetlands, a stream and 100-year floodplain on the property associated with Western Branch in the Patuxent River watershed. A conservation easement containing all of these regulated environmental features shall be included on the final plat.

Section 24-130 of the Subdivision Regulations requires that the Planning Board find that the Primary Management Area (PMA) is to be preserved to the fullest extent possible. Except for the installation of a sanitary sewer connection to the sewer main wholly within the PMA, the PMA is proposed to be preserved. A note shall be placed on the final plat requiring that copies of all federal and state wetlands permits be submitted at the time of building permits.

This property is subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. A Type I tree conservation plan is required.

The Type I Tree Conservation Plan, TCPI/005/09, has been reviewed. The woodland conservation threshold is 1.46 acres. Based upon the proposed clearing, the total woodland conservation requirement has been correctly calculated as 2.59 acres. The worksheet proposes to meet the requirement by providing off-site mitigation for 2.59 acres.

The Approved Countywide Green Infrastructure Plan indicates that northern one-quarter of the property is a Regulated Area, the southern half of the property is a Network Gap and the intervening portion is an Evaluation Area. The plan proposes woodland conservation focused on the Regulated Area of the site which is appropriate. The final plat shall contain a note requiring development be subject to the restrictions shown on the TCPI.

An approved Stormwater Management Concept Plan 41227-2008-00, was submitted. The conceptual plan controls stormwater through the use of bioretention, open grass swales and a pond. The pond is to be designed to control the run off for a one-year storm with 24-hour extended detention. The pond is shown on the TCPI. No further action regarding stormwater management is required.

According to the *Prince George's County Soil Survey*, the principal soils on this site are in the Marr and Mixed Alluvial series. Mixed Alluvial soils are associated stream valleys. Marr soils pose no special problems for development

Water and Sewer Categories

The water and sewer categories are W-5 and S-5 according to water and sewer maps obtained from the Department of Environmental Resources (DER) dated June 2003. The applicant filed application 08/W-09 to amend the water and sewer category in the December 2008 Legislative Cycle of Amendments. The application proposes to change the property to Water Category 4 and Sewer Category 4.

The County Council and County Executive have approved this change.

5. **Encroachment into the Primary Management Area**—The applicant proposes to encroach into the Primary Management Area (PMA) on the north side of the property with a pipe connecting the proposed development to an existing sanitary sewer.

Section 24-130(b)(5) of the Subdivision Regulations state:

(b) **The Planning Board shall require that proposed subdivisions conform to the following:**

- (5) **Where a property is partially or totally within the Patuxent River Watershed, the plat shall demonstrate adequate protection to assure that the Primary Management Area Preservation Area is preserved in a natural state to the fullest extent possible.**

The applicant proposes 950 square feet of disturbance, which is the minimum necessary to construct the proposed sewer connection. The PMA extends across the entire north side of the site, requiring encroachment wherever the development would connect with the sanitary sewer. At the time of final plat, it is recommended that the PMA shall be placed into a conservation easement so no further disturbance can occur.

6. **Community Planning**—This application is located in the Developing Tier. The General Plan’s 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. Specifically, this application fits under the Developing Tier goals of maintaining low-to moderate-density land uses, reinforcing existing suburban residential neighborhoods, and encouraging contiguous expansion of development where public facilities and services can be more efficiently provided.

This application is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier as a low-to moderate-density land use that is contiguous to existing development. The Church and Parish Hall use reinforce the surrounding suburban residential neighborhood and the provision of an easement allows for the extension of the existing trail network.

The property is within the 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)*. There is no commentary in the 1994 *Melwood-Westphalia Master Plan* regarding the subject property. The subject property is included within the Cabin Branch area, which is described as an area of single-family suburban residential developments. The proposal’s suburban characteristics fit with that type of land use pattern. On the south side of Brooke Lane, which is outside the master plan area, there are suburban single-family residential neighborhoods. These neighborhoods are part of the “Marlboro Community” as defined by the 1993 *Approved Master Plan and Sectional Map Amendment for Subregion VI Study Area (Planning Areas 79, 82A, 82B, 86A, 86B, 87A, 87B)*. The proposed development fits well with the established suburban residential land use pattern in this area as well.

The subject property is currently zoned as R-E (Residential–Estate). The 1994 *Melwood-Westphalia Master Plan and Sectional Map Amendment* retained the zoning designation. This application generally conforms to the land use recommendations as a church and accessory uses permitted in the R-E Zone.

The right-of-way (ROW) of the abandoned Chesapeake Beach Railroad is discussed below. This ROW runs along the western side of the subject property as the route for the proposed CBR trail. The right-of-way is protected by an easement. Also, the subject property is adjacent to the Dr. Henry A. Wise Jr. High School. There are no pedestrian or vehicular connections between the two properties; however, there is a concrete sidewalk along Brooke Lane that runs in front of the school and terminates across from Tudor Road. Connections to this sidewalk and the CBR trail are discussed in the sections below.

The subject property is zoned R-E. While the subject application is not proposing any residential development, if such use is proposed, a new preliminary plan should be approved. Because there exist different adequate public facility tests and there are considerations for recreational components for residential subdivisions, a new preliminary plan should be required if residential development is considered.

7. **Department of Parks and Recreation (DPR)**—Staff of the Department of Parks and Recreation (DPR) has reviewed Preliminary Plan of Subdivision 4-08064 for conformance with recommendations of the 1994 *Approved Master Plan and Sectional Map Amendment for Melwood-Westphalia (Planning Areas 77 and 78)*, the Land Preservation and Recreation Program for Prince George's County and current subdivision regulations and existing conditions in the vicinity of the proposed development.

The Melwood-Westphalia Master Plan for Planning Area 78 designates the Chesapeake Beach Railroad Trail (CBR Trail) as a master planned trail facility. It is a planned regional facility that will eventually traverse three counties including Prince George's, Anne Arundel and Calvert Counties and extend from Capital Heights to Chesapeake Beach, Maryland. The Chesapeake Beach Railroad right-of-way was 70 feet wide. The centerline of this right-of-way forms the western property line of the subject property. This portion of the railroad right-of-way is designated on the plat as a 35-foot-wide hiker/biker and equestrian trail easement.

DPR staff is working extensively on acquiring the properties or easements in the Chesapeake Beach Railroad right-of-way for the construction of the master planned trail. The master planned trail had been constructed to the south of the subject property through the Foxchase and Kings Grant communities, the Kings Grant Community Park, and to the north through the Whinshire subdivision.

The subject property is 6.14 acres in size and zoned R-E, Residential Estate. The applicant proposes construction of the church on the subject property. The submitted preliminary plan and tree conservation plan show disturbance in the trail easement area. Disturbance includes grading, construction of the retaining wall, and a stormwater management outfall in the easement area. The proposed disturbance to the easement area will impede future construction of the Chesapeake Beach Railroad trail in the easement area. DPR staff met with the applicant and requested revisions to the plan suggesting that disturbances to the easement area should be removed or minimized.

The applicant prepared and submitted a conceptual trail plan, which showed the construction of a 12-foot-wide trail in the trail easement area. The applicant minimized the development impact in the easement area by revising grading, relocating the retaining wall, and relocating the stormwater outfall. DPR staff reviewed the plan and agreed that the proposed revisions are acceptable. Supporting documents for the preliminary plan shall be revised prior to signature approval to reflect these changes. To ensure improvements in the trail area comply with the proposed revisions, the applicant shall submit construction plans to DPR prior to building permit.

In addition, DPR staff recommended that the trail easement area shall be granted to M-NCPPC, allowing for construction of the trail and maintenance of the easement area by the Department of Parks and Recreation. The final plat shall indicate the grant of the 35-foot-wide hiker/ biker and equestrian trail easement to M-NCPPC. DPR staff is in the process of acquiring the remaining portion of the Chesapeake Beach Railroad right-of-way adjacent to the easement area on the subject property.

8. **Trails**—Two trails and sidewalk connectivity are impacted by development on this property.

Chesapeake Beach Rail Trail (CBR Trail)—The location and connections to the 12-foot-wide asphalt trail in the proposal conform to the master plan and sector plan alignments for the Chesapeake Beach Railroad Trail. The trail will be constructed by M-NCPPC and will straddle two lots under different ownership. This trail has been discussed in Finding 7 above.

Brooke Lane Bikeway—Brooke Lane is a designated Class III bikeway in the 1994 master plan (page 153). Class III bikeways are located in the road right-of-way without physical barriers to separate them from vehicular traffic (page 151). These trails are identified by signs on the road indicating that the road is a shared space for bicycles and vehicles. In some cases, there is a stripe on the road that separates the vehicle travel lane from the bikeway. The applicant shall provide a payment for signage of the bikeway and a correlated note on the final plat requiring such payment at the appropriate time.

Sidewalk Connectivity—The sidewalk and crosswalk locations depicted on the preliminary plan provide adequate connection and sufficient for the development proposed. The proposed sidewalk on Brook Lane will link the proposed development to the existing sidewalk on the other side of Brooke Lane. The crosswalk will also be utilized by trail users where the trail connects to Foxchase. This crosswalk should be constructed to Prince Georges County Department of Public Works and Transportation (DPW&T) standards and a trail crossing sign should be provided to warn drivers of the pedestrian and trail users at this trail crossing location. This trail will likely become heavily utilized in the future because of its regional characteristics and its location adjacent to residential development, and the Dr. Henry A. Wise, Jr. High School on Brooke Lane. Internal sidewalks are indicated on the preliminary plan and appear to be sufficient for the proposed use.

9. **Transportation**—The subject application proposes the construction of a multipurpose building totaling 30,000 square feet of gross floor area. The building will be used primarily as an 800-seat church, with the potential for a 100-student day care center as well. The applicant presented staff with a traffic study that was prepared in April 2009.

The study identified the following intersections as the ones on which the proposed development would have the most impact:

EXISTING CONDITIONS			
Intersection	Sunday	AM	PM
	LOS/Delay (secs)	LOS/Delay (secs)	LOS/Delay (secs)
Ritchie Marlboro Road @ Brooke Lane **	B/10.3	F/73.9	C/22.1
Brown Station Road @ Brooke Lane **	A/10.0	C/24.4	C/15.9
Site Access @ Brooke Lane **	N/A	N/A	N/A
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service (LOS) and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a critical lane volume (CLV) of 1450 or less is deemed acceptable as per the <i>Guidelines</i> .			

The traffic study, in collaboration with staff, identified three background developments whose impact would affect some or all of the study intersections. Additionally, a growth rate of three percent was applied to the existing traffic counts at the subject intersections. A second analysis was done to evaluate the impact of the background development on existing infrastructure. The analysis revealed the following results:

BACKGROUND CONDITIONS			
Intersection	Sunday	AM	PM
	LOS/CLV	LOS/CLV	LOS/CLV
Ritchie Marlboro Road @ Brooke Lane **	B/13.1 secs.	F/360.1 secs.	E/46.9 secs.
Brown Station Road @ Brooke Lane	A/188	A/960	A/718
Site Access @ Brooke Lane **	N/A	N/A	N/A
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service (LOS) and the intersection delay measured in seconds/vehicle. A level-of-service “E” which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a critical lane volume (CLV) of 1450 or less is deemed acceptable as per the <i>Guidelines</i> .			

The traffic analyses were predicated on two uses on the subject property:

- An 800 seat church
- 100 student day care center

Using trip generation rates from the Institute of Transportation Engineer's (ITE) *Trip Generation Manual*, 8th edition, the study has determined that the proposed development, based on the above-mentioned uses, would generate:

Church 17 (11 in, 6 out) AM peak-hour trips, 15 (7 in, 8 out) PM peak-hour trips and 488(248 in, 240 out) peak trips on Sundays.

Day Care 78 (41 in, 37 out) AM peak trips, 76 (36 in, 40 out) PM peak trips and 11 (6 in, 5 out) peak Sunday trips

The combined effect of these use would be 95 (52 in, 43 out) AM peak trips, 91 (43 in, 48 out) PM peak trips and 499 (254 in, 245 out) peak trips on a Sunday. Using these site-generated trips, an analysis of total traffic conditions was done, and the following results were determined:

TOTAL CONDITIONS			
Intersection	Sunday	AM	PM
	LOS/CLV	LOS/CLV	LOS/CLV
Ritchie Marlboro Road @ Brooke Lane **	C/18.7 secs.	F/514.5 secs.	F/55.9 secs.
Brown Station Road @ Brooke Lane	A/269	A/966	A/740
Site Access @ Brooke Lane **	B/12.2 secs	A/9.8 secs	A/9.9 secs
**Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the level-of-service (LOS) and the intersection delay measured in seconds/vehicle. A level-of-service "E" which is deemed acceptable corresponds to a maximum delay of 50 seconds/car. For signalized intersections, a critical lane volume (CLV) of 1450 or less is deemed acceptable as per the <i>Guidelines</i> .			

The proceeding results revealed that all of the study intersections would operate adequately with the exception of the Ritchie Marlboro Road at Brooke Lane intersection. In reviewing the traffic study, staff agrees with the study conclusions. In response to staff's request, the traffic study was reviewed by the Department of Public and Transportation (DPW&T). As of this writing however, staff has not yet received comments from this agency. Notwithstanding a lack of input from DPW&T, staff is in general agreement with the study conclusion that two of the three intersections within the study area will operate adequately under total traffic.

The application is a preliminary plan of subdivision for a commercial subdivision consisting of a multipurpose building with 30,000 square feet of gross floor area. The proposed facility would generate 95(52 in, 43 out) AM peak trips, 91(43 in, 48 out) PM peak trips and 499(254 in, 245 out) peak trips on a Sunday.

The traffic generated by the proposed preliminary plan would impact the following intersections:

- Ritchie Marlboro Road at Brooke Lane **
- Brown Station Road at Brooke Lane

The subject property is located within the Developing Tier, 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, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

Unsignalized intersections: The *Highway Capacity Manual* (Transportation Research Board), 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.

Neither of the intersections identified above are 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." Nor are the above intersections, when analyzed with the background traffic as well as total traffic was found to be operating at or better than the Developing Tier policy service level.

However, when the Brown Station Road at the Brooke Lane intersection was analyzed as a signalized intersection, it was found to operate at or better than this policy service level.

It is noted that all findings contained herein are based upon the uses proposed for this preliminary plan. Although adequacy has been determined for the use described, the plan should be approved with a trip cap consistent with the development quantity and type that has been assumed in the adequacy finding.

Therefore, adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations of the Prince George's County Code, as approved with conditions for the inclusion of a trip cap, and the performance of a signal warrant study with possible installation of a signal at the intersection of Ritchie Marlboro Road and Brooke Lane.

10. **Schools**—There are no residential dwelling units proposed in the development. There are no anticipated impacts on schools.
11. **Fire and Rescue**—The plan meets tests 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.

The existing engine service at Marlboro Station, Company 20, located at 14815 Pratt Street, Upper Marlboro, Maryland has a service travel time of 5.8 minutes, which is beyond the 3.25-minute travel time guideline.

The existing paramedic service at Marlboro Station, Company 20, located at 14815 Pratt Street, Upper Marlboro, Maryland, has a service travel time of 5.8 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Marlboro Station, Company 20, located at 14815 Pratt Street, Upper Marlboro, Maryland, has a service travel time of 5.8 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 2008 *Approved Public Safety Facilities Master Plan* and the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure."

Capital Improvement Program(CIP)—FY 2009–FY2014 CIP budgets funding for constructing a new fire station at the same location in the Upper Marlboro area.

12. **Police Facilities**—The proposed development is within the service area for Police District II, Bowie. The police facilities test is done on a countywide basis in accordance with the policies of the 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 latest county population estimate is 825,520. Using the 141 square feet per 1,000 residents, it calculates to 116,398 square feet of space for police. The current amount of space, 267,660 square feet is above the guideline.
13. **Health Department**—The Environmental Engineering Program has reviewed the preliminary plan of subdivision for Multicultural Worship Center's Addition to Lot 1, Hall Manor. The property is currently developed with a single-family dwelling connected to private water and sewer systems. As the new development proposes to connect to public systems, the applicant must backfill and seal the existing deep well, and remove or backfill the existing septic tank and pump chamber. A raze permit is also required prior to the removal of any existing structures on site.

14. **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 41227-2008-00 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.
15. **Cemeteries**—No cemeteries have been identified on the site.
16. **Historic**—Phase I archeological survey is not recommended on the property. 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. Modern construction, consisting of a house and several outbuildings, has limited the potential of identifying archeological sites on the property. However, the applicant should be aware that there are three previously identified archeological sites, 18PR605, 18PR710, and 18PR759, located within a one-mile radius of the subject property. Site 18PR605 is the former bed of the Chesapeake Beach Railroad and is shown as a 35-foot hiker, biker, and equestrian easement on the west side of the property. Sites 18PR710 and 18PR759 are late 19th–20th century house sites. In addition, there is one County Historic Site, Oakland (79-000-34) and one Historic Resource, Navajo Tenant House (79-000-36), located within a one-mile radius of the subject property.

Moreover, 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.
17. The Applicant has agreed to work with the owners of the adjoining property, Lot 1 of That Crazy Horse Farm, to provide the types of plant materials within the required landscape buffer between their property and the subject property to ensure there will be adequate screening of the livestock.

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 Cavitt, seconded by Commissioner Vaughns, with Commissioners Cavitt, Vaughns and Parker voting in favor of the motion, with Commissioner Clark absent, and with Commissioner Squire temporarily absent at its regular meeting held on Thursday, June 18, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 9th day of July 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:RD:arj