



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 10-85

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Upper Marlboro, Maryland 20772
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File No. 4-09035

R E S O L U T I O N

WHEREAS, Roman Catholic Archdiocese of Washington is the owner of a 18.51-acre parcel of land known as Tax Map 92 in Grid F-4 and is also known as Parcel A, said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned Rural Residential (R-R); and

WHEREAS, on May 24, 2010, William N. Stehle, Sr., P.E. 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 4-09035 for St. Mary's of the Assumption School was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on July 29, 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 July 29, 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 (TCPI/006/10), and further APPROVED Preliminary Plan of Subdivision 4-09035, St. Mary's of the Assumption School for 1 parcel with the following conditions:

- I. Prior to signature approval of the preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Move the note regarding the new on-site manhole from the site plan onto the general notes.
 - b. Label the distance between the outdoor play area and the adjacent residential lots
 - c. Add a note and show the woodland conservation easement area.
 - d. Remove the label, located northwest of Forest Conservation Area #3, regarding the ownership of Parcel A on the site plan.
 - e. Add information regarding the ownership of Parcel A onto Note 2 in the general notes.

- f. Clarify the lines of the topography northwest of Forest Conservation Area #3 on the site plan.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall dedicate a ten-foot PUE along the public right-of-way as delineated on the approved preliminary plan of subdivision.
3. Total development within the subject property shall be limited to a private school with an enrollment of 303 students or uses which generate zero additional peak-hour trips on weekdays or weekends. 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.
4. Prior to the removal of any existing buildings, a raze permit shall be obtained through the Department of Environmental Resources (DER). Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structures being razed.
5. Prior to connection to public sewer, the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place.
6. Prior to signature approval of the preliminary plan, the NRI shall be revised to list the acreages of Parcels A, 45, and 77, separately. The items to be separated include, but may not be limited to, total site acreage, woodland existing, and woodland encumbered by previous tree conservation plans.
7. Prior to the signature approval of the preliminary plan, the TCPI shall be revised as follows:
 - a. Change the line type for the existing features on-site to a thin dashed line. The industry standard is dashed lines for existing features and solid lines for proposed.
 - b. Add the preliminary plan number (4-09035) to Note 1 in the Type I tree conservation plan notes.
 - c. Show the recorded mitigation easement information, as shown on approved TCPII/125/95, on the plan. Include the liber and folio of the recorded easement, the total area of the easement, and the benefitting property name and TCPII number.
 - d. Label Parcel 45 and Parcel 77 as "Phase 2," and distinguish this area from Phase 1 with the use of a lighter line type.
 - e. Provide a phased worksheet to include the calculations for Parcel A in the Phase 1 portion of the worksheet and calculations for Parcel 45 and Parcel 77 in the Phase 2 portion of the worksheet. Remove the shading from the worksheet so that all numbers are legible.

- f. Add the following note under the worksheet:

“8.90 acres of the woodland retained not part of requirements shown on this worksheet are for an off-site mitigation easement previously recorded in the Land Records of Prince George’s County under Liber 10451 at Folio 104 to satisfy the woodland conservation requirements for Woodview Village (TCP11/74/95).”

- g. Revise the limit of disturbance to clearly delineate the area being disturbed. The limit of disturbance must include all areas of proposed utility connections. Any disturbed area must show the reason for the disturbance or provide a label to describe why it is being disturbed.
- h. Clearly label all proposed uses both for Phase 1 and Phase 2 on the plan.
- i. Remove woodland preservation from all storm drain and sanitary sewer easements shown on the plan.
- j. Revise the general notes to include separate area calculations for Phase 1 and Phase 2, and state the proposed uses for both phases.
- k. Revise the plan to address any remaining requirements of the Woodland Conservation Ordinance.
- l. Have the revised plan signed and dated by the qualified professional who prepared it.

8. Development of this subdivision shall be in accordance with approved Stormwater Management Concept Plan 11983-2010-00 and any subsequent revisions.

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 proposed development.

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	School	School
Acreage	18.51	18.51
Lots	0	0
Outlots	0	0
Parcels	1	1
Dwelling Units:		
Detached	0	0
Public Safety Mitigation Fee	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the SDRC on June 11, 2010.

3. **Community Planning**—The 2002 *Prince George's County Approved General Plan* designates the subject property within the Developing Tier. The vision of 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 plan for the addition of a multipurpose building to an existing private school is consistent with the General Plan Development Pattern policies for the Developing Tier.

The 2009 *Approved Subregion 6 Master Plan and Sectional Map Amendment* designates this site for institutional use. There are no parks, trails, or public facilities proposed on the subject property. The sectional map amendment for the Subregion 6 master plan retained the subject property in the R-R Zone. The property has direct access on MD 202. To the rear of the property is the proposed master plan right-of-way for MD 202 relocated. The use of a private school on the subject property conforms with the Subregion 6 master plan land use recommendations for institutional land use.

4. **Environmental Planning**—The revised Preliminary Plan of Subdivision, 4-09035, revised Type I Tree Conservation Plan TCPI/006/10, and a signed and approved Natural Resources Inventory, NRI/070/07, were submitted and have been reviewed. In a memorandum dated June 14, 2010, Environmental Planning staff provided comments on the initial submission of plans for this application. The subsequent submission did not address the comments provided in the earlier correspondence, resulting in the need for multiple conditions of approval.

This site was previously reviewed by the Environmental Planning Section for the approval of a Type II Tree Conservation Plan (TCPII/125/95) for use as an off-site woodland conservation bank and for a Detailed Site Plan (DSP-01052) for the development of two athletic fields. A forest stand delineation (FSD) was reviewed in conjunction with the approval of TCPII/125/95. The current

application is a preliminary plan of subdivision application for Parcel A for the construction of a 17,878-square-foot multipurpose building.

Site Description

The property has no regulated streams, wetlands, or 100-year floodplain on the property. There is a large swale located in the western half of the property that contains an isolated stream system. As verified on the approved NRI, the isolated stream is not regulated by either the U.S. Army Corps of Engineers or the Maryland Department of the Environment. The site eventually drains into the Patuxent River watershed. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are records of the endangered stripeback darter (*Percina notogramma*), glassy darter (*Etheostoma vitreum*), and the American brook lamprey (*Lampera appendix*), state-listed threatened species, occurring in nearby Collington Branch. The proposed application poses no threat to endangered or state threatened species.

Currently, the property is in use as a religious elementary school and contains forest, ball fields, and numerous building structures. According to the *Prince George's County Soil Survey*, the principal soils found to occur on this site are in the Westphalia and Ochlochonee series. The Westphalia soil types are considered highly erodible. Marlboro clays are found to occur on the southeastern portion of the property. A geotechnical evaluation was completed on May 4, 2009 and submitted as part of this application. It appears that no structures are proposed within the areas of concern. The Department of Environmental Resources may require additional information if structures such as bleachers or other similar structures are proposed.

No designated scenic or historic roads are affected by this development. The property is located adjacent to existing MD 202 and the master planned right-of-way of relocated MD 202. The roadways are considered noise generators. The proposal is not expected to be a noise generator. This property is located in the Developing Tier as reflected in the adopted General Plan.

Master Plan Conformance

The master plan for this area is the *Approved Subregion 6 Master Plan and Sectional Map Amendment* (September 2009). In the approved master plan and sectional map amendment, the Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines have been determined to be applicable to the current application. The text in **BOLD** is the text from the master plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve and restore the identified green infrastructure network within the master plan area.

The site has a regulated area, an evaluation area, and a network gap as identified in the *Approved Countywide Green Infrastructure Plan*. The TCPI is in conformance with the Countywide Green Infrastructure Plan by preserving priority woodlands within regulated areas and adjacent evaluation areas.

Countywide Green Infrastructure Plan

The property is located within the designated network of the Countywide Green Infrastructure Plan. It contains a regulated area, an evaluation area, and a network gap. The evaluation area contains interior forest and contiguous woodlands that provide connectivity to the adjoining properties to the northwest and northeast. The regulated area is located on the western portion of the property and contains a swale, an isolated stream system, and areas of severe slopes. Conformance with the Green Infrastructure Plan can be found as noted above.

Environmental Review

An approved Natural Resources Inventory, NRI/070/07, was submitted with the application. The plan shows that there are no regulated streams, wetlands, or 100-year floodplain on-site. The total site area as shown on the plan is 24.76 acres. The FSD report states that there is an isolated stream system located within a large swale in the western half of the property and that the stream is not regulated by either the U.S. Army Corps of Engineers or the Maryland Department of the Environment. The FSD report notes two forest stands totaling 13.29 acres of on-site woodlands. Thirty four specimen trees were identified.

The plans show all of the regulated features correctly; however, the area shown on Preliminary Plan 4-09035 is 18.51 acres and the acreage of the NRI is 24.76 acres. Because these acreages do not match, the NRI should be revised to show the same acreage as the subject application. The Type I Tree Conservation Plan, TCPI/006/10, indicates that Parcel 45 and Parcel 77 will be phased into the project at a later date for the future addition of recreation fields. The acreages for the two phases need to be indicated on a revised NRI.

This property is subject to the requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because the site has a previously approved tree conservation plan. A Type I Tree Conservation Plan (TCPI/006/10) was submitted with this application. As noted above, previously provided comments on the first submission were not addressed when the revised plans were submitted for final review. This has resulted in the need for multiple conditions of approval.

5. **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, 11983-2010-00, was approved on January 5, 2010 and is valid until May 13, 2013. The approved concept plan has conditions to ensure that the development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
6. **The Department of Parks and Recreation (DPR)**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject subdivision is exempt from the mandatory dedication of parkland requirements because it consists of nonresidential development.
7. **Trails**—Section 24-123 of the Subdivision Regulations contains basic requirements for transportation and circulation. In terms of bikeway and pedestrian facilities, land for bike trails and

pedestrian circulation systems shall be shown on the preliminary plan and, where dedicated or reserved, shown on the final plat when the trails are indicated on a master plan, the County Trails Plan, or where the property abuts an existing or dedicated trail, unless the Planning Board finds that previously proposed trails are no longer warranted. The proposed preliminary plan was reviewed for conformance with the *Countywide Master Plan of Transportation (MPOT)* and the *Approved Subregion 6 Master Plan and Sectional Map Amendment*.

The subject property fronts Largo Road (MD 202). A sidewalk exists along the subject site's frontage of Largo Road. The posted speed limit is 35 miles per hour. There is a pedestrian warning beacon over MD 202 at the location of the exit drive from the school. There is no road crossing at this location, but there is a stop bar for both northbound and southbound vehicle traffic prior to the warning beacon.

The sidewalk on the frontage of Largo Road appears to be adequate for the proposed use. Land for sidewalks is provided on the preliminary plan as required by Section 24-123 of the Subdivision Regulations. There are no plans to extend sidewalks along MD 202 at this location.

Largo Road is a master-planned bikeway, and it is shown on the maps contained in the MPOT. The State of Maryland has designated this road at the subject property location as a state bicycle route. The bikeway treatments along the road vary and narrow at the location of the subject property.

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

8. **Transportation Planning**—The property is located on the east side of Largo Road (MD 202), approximately 2,200 feet north of its intersection with MD 725 in Upper Marlboro. The property is currently improved with two buildings, both of which comprise the St. Mary of the Assumption Elementary School. The applicant proposes the construction of a 17,878-square-foot, multipurpose, auxiliary building. While an expansion of the existing school is being sought, the applicant has stated, in a June 17, 2010 letter to staff, that there are no plans to increase the school's enrollment.

The site plan indicates that the proposed multipurpose building will function as a gymnasium, a family center, and meeting areas. Because the uses being proposed have no traffic generating characteristics, combined with no planned enrollment increase, it is determined that the proposed expansion will result in no new vehicular trips being generated.

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

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

Pursuant to provisions in the guidelines, the Planning Board may find that traffic impact of small developments is de minimus. A de minimus development is defined as one that generates five trips or fewer in any peak period.

The section of Largo Road on which the property fronts is designated in the *Approved Subregion 6 Master Plan and Sectional Map Amendment* as a primary residential road within a 70-foot right-of-way. The plan shows Largo Road as an existing 80-foot right-of-way, which is determined to be adequate. There are no issues regarding on-site circulation of traffic.

Based on the fact that the subject application is considered to be de minimus, there are adequate transportation facilities to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations.

9. **Schools**—There are no residential dwelling units proposed in the development. There are no anticipated impacts on schools.
10. **Fire and Rescue**—The Special Projects Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Section 24-122.01(e)(1)(C) and (E) and Section 24-122.01(d) of the Subdivision Regulations.

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/ Beyond
20	Upper Marlboro	Engine	14815 Pratt Street	1.11	3.25	Within
20	Upper Marlboro	Ladder Truck	14815 Pratt Street	1.11	4.25	Within
20	Upper Marlboro	Paramedic	14815 Pratt Street	1.11	7.25	Within
20	Upper Marlboro	Ambulance	14815 Pratt Street	1.11	4.25	Within

The Capital Budget and Program Fiscal Years 2010–2015 proposes replacing existing Station No. 20, Upper Marlboro.

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.”

11. **Police Facilities**—The police facilities test is performed on a countywide basis for nonresidential development 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 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 above the guideline.
12. **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 of final plat approval.”

The 2008 Water and Sewer Plan placed this property in water and sewer Category 3, Community System. A water line in Largo Road abuts the property. A sewer line in Largo Road abuts the northern portion of the property. A sewer line extension may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC) before approval of a final plat.

13. **The Prince George’s County Health Department**—The Prince George’s County Health Department has evaluated the preliminary plan of subdivision for St. Mary’s of the Assumption School. The existing school and convent are currently served by public water and an individual sewage disposal system. The plans indicate that the existing buildings and the proposed new building will be connected to public sewer. Once the existing buildings are connected to public sewer, the abandoned septic tank must be pumped out by a licensed scavenger and either removed or backfilled in place.

A raze permit must be obtained through the Department of Environmental Resources prior to the removal of the existing garage or shed. Any hazardous materials located in the structure must be removed and properly stored or discarded prior to the structure being razed.

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 should include the following statement in the dedication documents recorded 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 Largo Road as requested by the utility companies.

15. **Archeology**—A Phase I archeological survey is not recommended on the above-referenced 24.56-acre property located at 4610 Largo Road in Upper Marlboro, Maryland. 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. Most of the proposed new construction will be in areas that have previously been graded. However, the applicant should be aware that there are ten previously identified archeological sites, seven historic, one prehistoric, and two multi-component prehistoric and historic sites located within one mile of the subject property. In addition, there are 16 county historic sites and five historic resources within one mile 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 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.

16. **Urban Design**—The subject preliminary plan of subdivision, 4-09035, seeks to add a 17,878-square-foot family center, gymnasium, and meeting areas to an existing private school. The subject site has been developed since the 1960s, as verified by the previously issued building permit for this site, which dates back to March 31, 1966.

Conformance with the Zoning Ordinance

This application is located in the R-R Zone. For this reason, development must conform to the requirements of Section 27-428, R-R Zone; Section 27-441, Uses; and Section 27-442, Regulations, of the Zoning Ordinance for the R-R Zone and Section 27-443, Private Schools. The site's conformance with the applicable standards will be reviewed at the time of detailed site plan.

Conformance with the Prince George's County Landscape Manual

The proposed development is subject to the requirements of Sections 4.2, 4.3, 4.4, and 4.7 of the *Prince George's County Landscape Manual*, as the proposed addition is greater than 5,000 square feet and more than ten percent of the gross floor area of the existing building. Conformance with these requirements will be judged at the time of detailed site plan review.

Other Design Issues

The total enrollment of the school, which is the basis for determining the size of the outdoor play area, is shown on the general notes. Section 27-443 on Private Schools requires the outdoor play area to have a minimum setback of 25 feet from any dwelling on an adjoining lot. This distance should be clearly delineated and labeled on the preliminary plan.

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 Clark, seconded by Commissioner Vaughns, with Commissioners Clark, Vaughns, Cavitt, Squire and Parker voting in favor of the motion at its regular meeting held on Thursday, July 29, 2010, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of July 2010.

Patricia Colihan Barney
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

PCB:FJG:QN:arj

APPROVED AS TO LEGAL SUFFICIENCY.

Berge J. [Signature]
M-N/PPC Legal Department

Date 7/30/10