



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 11-25

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Upper Marlboro, Maryland 20772

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File No. 4-10014

RESOLUTION

WHEREAS, Potomac Conference of 7th Day Adventists is the owner of a 4.75-acre parcel of land known as Tax Map12 in Grid F-2, and is also known as Lot 20 and Part of Lot 27, said property being in the 1st Election District of Prince George's County, Maryland, and being zoned One-Family Detached Residential (R-80); and

WHEREAS, on October 29, 2010, Potomac Conference of 7th Day Adventists 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 4-10014 for Filipino Capitol Church, Parcel A, 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 March 24, 2011, 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 March 24, 2011, 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 1 Tree Conservation Plan (TCPI-002-10), and further APPROVED Preliminary Plan of Subdivision 4-10014, Filipino Capitol Church, Parcel A for 1 parcel with the following conditions:

1. Prior to signature approval of the subject preliminary plan of subdivision, the following technical corrections shall be made:
 - a. Show the right-of-way dedication as reflected in Staff Exhibit A.
 - b. Remove the lot coverage portion of the Area Tabulation Table.
 - c. Remove General Note 12 regarding minimum lot size.
 - d. Remove General Note 19 regarding building setbacks.
 - e. Revise General Note 22 regarding exemption from mandatory park dedication.
 - f. Revise General Note 27 to reflect Parcel A.

- g. Revise General Note 29 to provide the approval date of the stormwater management concept plan.
 - h. Re-label Lot 1 as Parcel A.
 - i. Provide additional dimensions on the property lines for clarification.
 - j. Revise the public utility easement (PUE) to be ten feet wide along the public right-of-way.
 - k. Clearly label the ultimate right-of-way.
2. Prior to signature approval of the preliminary plan, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
- a. Show Reforestation Area 2 as afforestation and revise the worksheet as necessary.
 - b. Show the correct standard TCP1 notes on the plan.
 - c. Remove Note 7 from the plan.
 - d. Have the plans signed and dated by the qualified professional who prepared them.
3. Development of this site shall be in conformance with Stormwater Management Concept Plan 24895-2009-00 and any subsequent revisions.
4. A copy of the stormwater management site design plan shall be submitted as part of the first permit application. The final stormwater management design shall be consistent with an approved Type 2 tree conservation plan TCP2.
5. Prior to approval of the first building permit by The Maryland-National Capital Park and Planning Commission (M-NCPPC), the landscape and lighting plan shall demonstrate the use of full cut-off optic light fixtures.
6. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area (PMA), except for any approved impacts, and shall be reviewed by the Environmental Planning Section prior to approval of the final plat. 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.”

7. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams, or Waters of the U.S., the applicant shall submit to M-NCPPC Prince George's County Planning Department copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.
8. Prior to approval of the first permit by M-NCPPC, the landscape plan shall demonstrate how the tree canopy coverage (TCC) requirement of 0.71 acre is being fulfilled.
9. A raze permit shall be obtained through the Prince George's County Department of Environmental Resources (DER) prior to the removal of any existing buildings. Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structures being razed.
10. At the time of final plat approval, the applicant shall dedicate right-of-way along the frontage of Ammendale Road as shown on the approved preliminary plan of subdivision.
11. Total development within the subject property shall be limited to uses which generate no more than 3 AM and 5 PM weekday peak-hour vehicle trips, and 170 weekend peak-hour trips. Any development generating an 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.
12. At the time of final plat, the applicant shall dedicate a ten-foot PUE along the public right-of-way as delineated on the approved preliminary plan of subdivision.

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-80	R-80
Use(s)	Miscellaneous Structures (to be razed)	Church (14,500 sq. ft.)
Acreage	4.75	4.75
Lots	2	0
Outlots	0	0
Parcels	0	1
Dwelling Units	N/A	N/A
Public Safety Mitigation Fee	No	No
Variance	No	No
Variation	No	No

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on November 12, 2010.

3. **Community Planning**—The 2002 *Prince George's County Approved General Plan* designates the subject property within the Developing Tier. 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 plan is consistent with the 2002 General Plan Development Pattern policies for the Developing Tier by maintaining a pattern of low-density development through the proposed use of a church.

The applicant proposes to build a 14,500-square-foot church building and associated parking. The land use proposed by this preliminary plan conforms with the institutional land use recommendations of the June 2010 Approved Master Plan and Adopted Sectional Map Amendment for Subregion I. The 1990 *Approved Master Plan and Sectional Map Amendment for Subregion I Planning Areas 60, 61, and 62* rezoned the subject property from the R-R Zone to the R-80 Zone. A church use is a permitted use in the R-80 Zone.

4. **Environmental**—A Type 1 Tree Conservation Plan, TCP1-002-01, a statement of justification, and a signed Natural Resources Inventory, NRI-021-09-01, have been received and reviewed.

According to the natural resources inventory submitted, streams and associated 100-year floodplain are found to occur on this property. Based on a review of 2007 aerial photos, the site is approximately 70 percent wooded. According to the *Prince George's County Soil Survey*, the principal soils on the site are in the Chillum, Mattapex, and Sassafra series. These soil series present no particular problems related to land development. According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on

the property; however, a SSPRA area is mapped on the adjacent property to the south. There are no scenic or historic roads located on or adjacent to this property. The proposed institutional use is located far enough from possible nearby noise sources (approximately 3,300 feet east of Interstate I-95) so that noise is not an issue. The proposed use is not expected to be a noise generator. The property is in the Indian Creek watershed, in the Anacostia drainage area of the Potomac River basin, the Subregion I master planning area and the Developing Tier of the General Plan. The subject property is not located within the designated network of the 2005 *Approved Countywide Green Infrastructure Plan*.

Master Plan Conformance

The subject property is within the limits of the 2010 Approved Master Plan and Adopted Sectional Map Amendment for Subregion I. The Environmental Infrastructure section contains goals, policies, and strategies. The following guidelines are applicable to the current project. The text in **BOLD** is the relevant text from the master plan. The preliminary plan and TCP1 must conform to the master plan.

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

Strategies:

2. **Restore stream and wetland buffers to the fullest extent possible during the land development process.**

Stream buffer restoration and enhancements that address proposed impacts are discussed below in the Environmental Review section of this finding.

3. **Utilize existing stream corridor assessments, or require new assessments as part of the development review process, and include them with the submission of a natural resource inventory as development is proposed for each site. Mitigate identified sites from these assessments during the land development process.**

A signed natural resources inventory has been submitted with this application.

8. **Address existing flooding concerns in conformance with the County Code on all new development and redevelopment.**

Flood-related concerns on the subject site will be addressed by the Prince George's County Department of Public Works and Transportation (DPW&T). However, the applicant has obtained approval of a stormwater management concept plan to ensure that on-site downstream flooding is avoided.

9. **Use Low-Impact Development (LID) stormwater management techniques such as green roofs, rain gardens, innovative stormwater outfalls, underground stormwater management, bioretention with appropriate soil mixtures, green streets, cisterns, rain barrels, grass swales, and stream restoration to the fullest extent.**

Development of the site will be subject to federal, state, and local requirements for the protection of streams and associated buffers. The site is also subject to the Stormwater Management Act of 2007 and all requirements shall be reviewed and approved by DPW&T.

Policy 4: Reduce light pollution and intrusion, especially into the Rural Tier and environmentally sensitive areas.

Strategy 2:

Discourage the use of street lights and entrance lighting adjacent to special conservation areas of local and countywide significance and in the Rural Tier.

Prior to approval of the first building permit by M-NCPPC, the landscape and lighting plan shall demonstrate the use of full cut-off optic light fixtures.

Conformance with the Green Infrastructure Plan

The 2005 *Approved Countywide Green Infrastructure Plan* indicates that the property is not within or near the designated network.

Environmental Review

A signed Natural Resources Inventory, NRI-021-09-01, indicates that there is one stream and 100-year floodplain on the site. The forest stand delineation (FSD) identifies one stand of woodland totaling 3.16 acres and includes one specimen tree. The 100-year floodplain, stream, and its associated buffers shown on the NRI comprise the site's primary management area (PMA), and all of these regulated environmental features are correctly illustrated on the preliminary plan of subdivision and the TCP1.

Forest Stand 1 covers 3.16 acres and includes most of the sensitive environmental features on-site. This stand is classified as a mid-successional forest. The dominant species are red maple and mixed oak. The understory contains sassafras, red maple, and southern red oak. The invasive species within the herbaceous layer are greenbrier, multiflora rose, Japanese honeysuckle, and poison ivy. The stand has a high priority for preservation because of its association with the regulated environmental features on this site.

The property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site is greater than 40,000 square feet in area and contains more than 10,000 square feet of woodland. The woodland conservation threshold (WCT)

for this 4.75-acre property is 20 percent of the net tract area or 0.78 acre. The total woodland conservation requirement based on the amount of clearing proposed is 1.18 acres. The TCP1 proposes to meet the requirement with 1.24 acres of on-site preservation and 0.63 acre of on-site reforestation, for a total of 1.87 acres of on-site woodland conservation. A portion of the reforestation (0.20 acre) is actually afforestation because it is in an area where woodland did not previously exist.

The TCP1 and legend need to be revised to indicate that Reforestation Area 2 is afforestation. The TCP1 notes, as shown on the plan, are not consistent with the required notes listed in the Environmental Technical Manual, and should be revised.

Subtitle 25, Division 3: Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage (TCC) on properties that require a tree conservation plan or letter of exemption. Properties zoned R-80 are required to provide a minimum of 15 percent of the gross tract area in tree canopy. The gross tract area is 4.75 acres resulting in a requirement for TCC of 0.71 acre. This requirement will be met with the proposed woodland conservation of 1.87 acres. At the time of grading permit approval by M-NCPPC, the landscape plan will be required to demonstrate how the TCC requirement will be met through the provision of a TCC schedule.

The *Prince George's County Soil Survey* indicates that the principal soils on the site are in the Chillum, Mattapex, and Sassafras series. This information is provided for the applicant's benefit. No further action is needed as it relates to this preliminary plan of subdivision. A soils report may be required by Prince George's County during the permit review process.

5. **Primary Management Area (PMA)**—This site contains regulated environmental features that are required to be protected under Section 24-130 of the Subdivision Regulations. The on-site regulated environmental features include a stream valley with its associated 75-foot-wide stream buffer and 100-year floodplain. Section 24-130(b)(5) of the Subdivision Regulations states:

- (5) **Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. Any lot or parcel proposed for development shall provide a minimum of one acre of contiguous land area exclusive of any land within regulated environmental features in a configuration that will support the reasonable development of the property. This limitation does not apply to open space and recreational parcels. All regulated environmental features shall be placed in a conservation easement and depicted on the final plat.**

This preliminary plan requests PMA impacts totaling 20,564 square feet for the installation of an access road, road crossing, parking, and stormwater management outfalls. Of the total area of impacts proposed, 10,250 square feet are to be temporary and will be revegetated. A statement of justification was submitted to address the impacts to the PMA, to provide justification that the

impacts have been avoided and minimized where possible, and that the PMA has been preserved to the fullest extent possible.

The site is unique in that, although it is square-shaped, it contains an on-site stream with a 75-foot-wide buffer on each side that bisects the site resulting in limited developable area on each side of the stream. The proposed use is a church which requires an adequate number of parking spaces to support the intended use. Because a useable portion of the site is on the southwest side of the stream, certain impacts, particularly a stream crossing, will be unavoidable. Below is a summary of the proposed impacts.

Impact 1 is approximately 11,044 square feet (6,325 permanent impacts, 4,719 temporary impacts) and is for a road crossing that is necessary to access a developable portion of the site that is on the southwest side of the stream. Without this impact, adequate parking for the proposed use would be severely limited. According to the justification statement, several alternative alignments were considered so that the least amount of impact on the stream could be achieved for the crossing. In addition, the road crossing has been designed to meet the minimum standards set by the County Code and a sidewalk has been provided on only one side of the crossing. This impact has been minimized to the fullest extent possible to allow the crossing of vehicles and pedestrians to and from this portion of the site. This impact is approved.

Impacts 2, 3, 4, and 5 total 6,142 square feet (2,567 permanent impacts, 3,575 temporary impacts) and are for parking spaces that are necessary to accommodate the members and visitors of the proposed church. The impacts could not be avoided without resulting in the occurrence of parking on Ammendale Road, which, according to the applicant's justification, is not allowed. The justification statement also states that an alternative location near adjacent residential lots was considered for placement of the parking; however, the shape of the developable area, along with the placement of the proposed building, would result in an impractical layout. Impacts for parking are generally not supported; however, the developable area on the site, as well as the topography, limits the amount of area that can accommodate a place of worship and its associated amount of required parking. The proposed building, as shown on the TCPI, has been designed to the minimum size necessary to accommodate its anticipated congregation. These impacts are approved.

Impacts 6, 7, 8, and 10 total 1,959 square feet (850 permanent impacts, 1,109 temporary impacts) and are for stormwater management outfalls that are necessary to safely convey stormwater to the stream. These impacts are necessary and cannot be avoided. These impacts are approved.

Impact 9 is approximately 1,419 square feet (572 permanent impacts, 847 temporary impacts) and is for an access road that is associated with the entrance to the site and connection to the proposed crossing. Because the existing entrance is the only allowable entrance to the site and the need to create parking near the entrance of the proposed building for the health, safety, and welfare of the visitors, this impact could not be avoided without reducing the only area of the site where the proposed building is located. It should also be noted that the proposed building has been reduced to the minimum size required for the proposed use, and has been set back from the PMA to the

extent possible. Impacts for parking are generally not supported; however, the site configuration has resulted in limited and less practicable alternative designs. This impact is approved.

Of the total 24,971 square feet of impacts proposed, the justification statement indicates that 13,143 square feet will be temporary. To compensate for the proposed impacts, the plan proposes to provide on-site woodland conservation that exceeds the minimum requirement by 0.69 acre, to utilize permeable concrete in all parking areas located within the PMA, and to provide afforestation within the PMA where woodland currently does not exist. The proposed stormwater management facility will be designed as a bioretention pond which is a more environmentally-sensitive method than traditional stormwater ponds.

Primary Management Area Conclusions

The proposed site design and the statement of justification demonstrate that the impacts proposed demonstrates the preservation and/or restoration of regulated environmental features in a natural state to the fullest extent possible. All of the impacts proposed in the statement of justification are approved.

6. **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, 24895-2009-00, was approved on August 26, 2009 and is valid until August 26, 2012. The approved concept plan has conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with that approved plan.

In general, the proposed concept is consistent with the proposed stormwater management shown on the TCPI; however, the bioretention areas have been removed from the PMA. Copies of the stormwater management site design plan should be submitted at the time of the first permit application because the plan is slightly different from what is shown on the TCPI.

7. **Prince George's County Department of Parks and Recreation (DPR)**—In accordance with Section 24-134(3)(a) of the Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because the net lot area is over an acre in size and the development proposed is nonresidential.

The subject property is next to existing Beltsville Community Park which is owned by M-NCPPC. DPR will review the impacts of any off-site drainage onto park property. The park property should not be disturbed in any way without prior written consent of DPR. The preliminary plan of subdivision and the TCPI do not show any proposed grading or structures on park property.

8. **Trails**—This proposed preliminary plan was reviewed for conformance with the *Approved Countywide Master Plan of Transportation* (MPOT) and the appropriate area master plan in order to implement planned trails, bikeways, and pedestrian improvements.

The MPOT designates Ammendale Road as a bikeway on the map contained in the master plan. DPW&T has developed a dual bikeway facility consisting of on-road bike lanes on Ammendale Road and a shared-use sidepath on the south side of the road. The existing sidepath terminates at the road entrance to the proposed development. DPW&T requested that the applicant extend the proposed sidewalk in a westerly direction along the entire property frontage of the site. The tree conservation plan for the site shows the sidewalk extension along the frontage of the site and a sidewalk connection to the proposed building from the existing sidepath on Ammendale Road. There is also a proposed sidewalk that connects the building to the parking area to the south. The sidewalk extension and connection appear to be adequate for the proposed use.

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

9. **Transportation**—This preliminary plan of subdivision is for a single-parcel subdivision for the purpose of constructing a church of 14,500 square feet with Saturday service. Using trip generation rates in the *Trip Generation Manual* (Institute of Transportation Engineers), it is determined that the proposed development would generate 3 AM (2 inbound, 1 outbound) and 5 PM (2 inbound, 3 outbound) weekday peak-hour vehicle trips. On Saturdays, a church of this size would generate 170 (85 inbound, 85 outbound) during the peak hour of the use. The traffic generated by the proposed preliminary plan would impact the following intersections, interchanges, and links in the transportation system:

- **Ammendale Road and Old Gunpowder Road (signalized)**

Due to the size of the subdivision, the weekday impact could be deemed to be de minimus. However, the impact of the site necessitates that a weekend analysis be done focusing on Saturday, which is the day of the week for the largest massed assembly for this church. Traffic counts at the critical intersection were requested for the purpose of making an adequacy finding, and counts dated January 29, 2011 were submitted by the applicant. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the "Guidelines for the Analysis of the Traffic Impact of Development Proposals." While Saturday counts are being used, given the localized nature of traffic using the critical intersection during the weekend, the analysis will represent a weekend peak-hour analysis for a church use on this site.

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. 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 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.

The critical intersection of Ammendale Road and Old Gunpowder Road, when analyzed with existing traffic and existing lane configurations, operates at LOS A with a CLV of 838 during the weekend peak hour. The Prince George's County Planning Board has defined a standard of LOS D with a maximum CLV of 1,450 as the lowest acceptable operating condition for signalized intersections within the Developing Tier.

The critical intersection identified above is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program. Background traffic has been developed using four approved developments in the area and a 0.8 percent annual growth rate in through traffic along Ammendale Road and Old Gunpowder Road. The critical intersection of Ammendale Road and Old Gunpowder Road, when analyzed with background traffic and existing lane configurations, would operate at LOS A with a CLV of 872 during the weekend peak hour.

The critical intersection of Old Fort Road North and Allentown Road, when analyzed with total future traffic as developed using the guidelines, including the site trip generation as described above and a distribution of 25 percent north along Old Gunpowder Road, 45 percent west along Ammendale Road, and 30 percent east along Ammendale Road, would operate at LOS A with a CLV of 888 during the weekend peak hour.

Therefore, it is found that the critical intersection operates acceptably under existing, background, and total traffic during the weekend peak hour. Notwithstanding the above findings, a trip cap consistent with the current adequacy finding is recommended as a means of regulating the overall off-site transportation impact of this site. Considering the church use proposed, the site should be capped at 3 AM and 5 PM weekday peak-hour trips, and 170 weekend peak-hour trips.

As noted earlier, due to the limited trip generation of this site during weekday peak hours, the Planning Board deemed the site's impact at this location to be de minimus. Therefore, the Planning Board finds that 3 AM and 5 PM peak-hour trips will have a de minimus impact upon delay in the weekday critical movements at the Ammendale Road and Old Gunpowder Road intersection.

The site is adjacent to Ammendale Road, which is a master plan arterial facility. The current master plan calls for a six-lane facility within a 120-foot right-of-way. Per the Maryland State Highway Administration (SHA) Right-of-Way Plat 56083, it is determined that the recent

widening project along Ammendale Road has resulted in a right-of-way varying from 114 to 117 feet in width in front of the subject property. This does not include a five-foot perpetual easement on the north side of the widened right-of-way containing "drainage, landscape maintenance, roadway lighting, and guiderail fixtures" that would normally be within the stated right-of-way. Therefore, the master plan requirement is satisfied by the existing right-of-way that has been dedicated, sold, or otherwise deeded for the construction of Ammendale Road.

The site is encumbered by a perpetual easement held by SHA along the property frontage of Ammendale Road. By letter dated February 23, 2011, DPW&T indicated that a portion of the frontage that is encumbered by the perpetual easement extending to the proposed sidewalk along the frontage of the service road should be dedicated to public use and for connection of a bikeway within the right-of-way of Ammendale Road. Staff Exhibit A shows the proposed right-of-way dedication. The dedication to DPW&T is acceptable to SHA and the applicant, and should be reflected on the preliminary plan of subdivision prior to signature approval.

As noted above, the site is adjacent to the Ammendale Road right-of-way. The plan proposes driveway access onto a service roadway associated with the right-of-way of Ammendale Road. While Ammendale Road is an arterial roadway, direct access is not proposed in accordance with Section 24-121(a)(3) of the Subdivision Regulations, which requires access to a service road or interior street; therefore, a variation from Section 24-121(a)(3) is not required.

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

10. **Schools**—The proposed preliminary plan is for a church facility and will have no impact on existing schools.
11. **Fire and Rescue**—The proposed preliminary plan 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 Road	1.56	3.25	Within
31	Beltsville	Ladder Truck	4911 Prince George's Ave.	2.70	4.25	Within
49	Laurel Rescue Squad	Paramedic	14910 Bowie Road	8.01	7.25	Beyond
41	Beltsville	Ambulance	3939 Powder Mill Road	1.56	4.25	Within

Capital Improvement Program (CIP)

The Capital Improvement and Program for Fiscal Years 2011–2016 provides funding for a new Fire/EMS station in the vicinity of Old Gunpowder Road and Van Dusen Road. This will improve the paramedic service level in the vicinity. However, Fire/EMS Company 41 would be within the recommended travel time for paramedic service if an operational decision to locate this service at that facility is made by the county.

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.”

12. **Police Facilities**—The proposed preliminary plan is within the service area of Police District VI, Beltsville. 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 guidelines.
13. **Water and Sewer**—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 this property in water and sewer Category 3, Community System, and will therefore be served by public systems.

Water lines in Ammendale Road abut the property. Sewer lines in Ammendale Road are in close proximity. A sewer line extension may be required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC).

14. **Health Department**—The Prince George’s County Health Department has evaluated the proposed preliminary plan of subdivision. A raze permit must be obtained through the Department of Environmental Resources (DER) prior to the removal of any existing building (former public swimming pool bathhouse). Any hazardous materials located in any structures on-site must be removed and properly stored or discarded prior to the structures being razed.
15. **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 public utility easement along the public right-of-way as requested by the utility companies once the plan is revised in accordance with Staff Exhibit A.

16. **Historic**—A Phase I archeological survey is not recommended for the subject 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. The northeastern portion of the subject property has been previously impacted by the construction of a swimming pool in the late 1950s or early 1960s. However, the applicant should be aware that there are three previously identified archeological sites, one prehistoric and two historic, located within a one-mile radius of the subject property. In addition, there are three historic sites, St. Joseph's Chapel (#60-007), Ammendale Normal Institute and Cemetery (#60-004), and Orme-Shaw House (#60-002), and one historic resource, Washington, Berwyn, and Laurel Railroad Culvert (#60-009) located 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 (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.

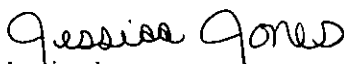
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

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, March 24, 2011, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of April 2011.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Acting Planning Board Administrator

PCB:JJ:QN:arj

APPROVED AS TO LEGAL SUFFICIENCY

M-MCPPC Legal Department
Date 4-5-11