

R E S O L U T I O N

WHEREAS, Hindu Temple of Metropolitan Washington is the owner of a 3.354-acre parcel of land known as Hindu Center of Metropolitan Washington, Parcel 15, said property being in the 21st Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on November 5, 1999, Hindu Temple of Metropolitan Washington Inc. filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for Lot 1; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-99059, 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 January 27, 2000, 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 January 27, 2000, 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/43/99), and further APPROVED Preliminary Plat of Subdivision 4-99059 with the following conditions:

1. Prior to signature approval, the preliminary plat shall be revised:
  - a. To remove the proposed stormdrain outfall from the Knollwood Park property to the east.
  - b. To show the limits of the stormdrain outfall easement for future possible connection from the Knollwood Park property to the east.
1. Prior to certificate approval, the TCP I shall be revised:
  - a. To indicate correct quantities for existing woodlands and woodland preservation.
  - b. To expand proposed woodland preservation area to

include Specimen Tree G and the 20" Oak to the east of Specimen Tree F.

- c. To revise the disposition of Specimen Trees F & G to ATo Remain. @
  - d. Labeling shall be corrected from ATree Conservation Area@ to AWoodland Preservation Area. @
3. The following notes shall be placed on the final plat:
- a. AAn automatic fire suppression system shall be provided in all proposed buildings. @
  - b. APrior to the issuance of any building permit(s), the applicant shall obtain a street construction permit to construct a turn around within the existing public right-of-way of Vireo Street to the satisfaction of DPW&T. @
  - c. AAccess to Vireo Street is denied. @
  - d. AHours of operation for any organized activity on site shall be limited to 12:00 PM to 9:00PM Monday through Sunday only. @
  - e. AEvergreen trees planted for buffering along the north property line of the subject site shall have a minimum height of eight feet, specifically along the south property line of Lot 2 Block A and the west property line of Lot 13 Block A of the Delphi Forest Subdivision to the north. @
  - f. ALighting provided on site shall be downcast to ensure no adverse impact on adjoining properties. @
4. The applicant=s heirs, successors, and/or assigns shall provide the installation of one A Share the Road with a Bike@ sign in accordance with State requirements. The SHA shall review and approve the sign location prior to the installation.

5. Development of this property shall be in conformance with the approved Stormwater Concept Plan, Concept #008002210.
6. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
7. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/43/99). The following note shall be placed on the Final Plat of Subdivision:

A development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/43/99), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy. @

8. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved. In addition to the normal requirements, the TCP II shall provide a specific management plan for the protection of Specimen Trees F&G and the 20" Oak in the expanded Woodland Preservation Area.

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 in the north east quadrant of the overpass of Riggs Road (MD 212) and the Capitol Beltway (MD 495).
3. Section 24-111(c)(2) of the Prince George's County Subdivision Regulations requires a subdivision plat when the gross floor area of new development exceeds 5,000 square feet. The applicant is proposing to construct a 17,556-square-foot temple with associated parking. The temple will not contain seating in the main sanctuary. Staff requested that the applicant estimate the number of seats that could be located in the sanctuary. This estimate is necessary to determine the number of required parking spaces in accordance with Part 11 of the Zoning Ordinance and assist in determining the number of vehicle trips that may be generated by the new development. The applicant has estimated a total of 690 seats based on church use.

Based on written evidence provided by the applicant, the temple will be open to worshippers continuously throughout the day with no scheduled services. This will distribute the number of parishioners visiting the temple over the course of the entire day.

The applicant has indicated that the greatest number of worshipers attending at one time will be after 7:00 p.m.

4. Environmental - The Environmental Planning Section has reviewed the above referenced Preliminary Plat of Subdivision and Tree Conservation Plan as revised on December 2, 1999, and is recommending approval of TCPI/43/99.

This site is subject to the provisions of the Woodland Conservation Ordinances. The entire site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. The minimum woodland conservation requirement for this site is 0.50 acres (15% of the Net Tract afforestation requirement). The applicant has proposed to meet the requirement with .37 acres of on-site preservation, 0.14 acres of on-site reforestation, for a total of 0.50 acres of woodland conservation.

The site contains several large specimen trees. The site plan submitted shows limited consideration for the preservation of specimen trees. Staff recognize that the site is somewhat small, and oddly shaped for the size of the proposed temple, but we feel that additional preservation of specimen trees can be accommodated, particularly where they are located adjacent to proposed woodland preservation areas.

Staff recommends that the TCPI be revised to include the preservation of Specimen Trees AF@ and AG,@ and the 20" Oak located adjacent to Specimen Tree AF.@ The notes should be changed to indicate that trees are ATo Remain@ in addition to being graphically indicated. The TCPI and the site plan should be revised to show all grading outside of the drip line of these trees. At time of TCP II, a specific management plan should be proposed for the preservation of these trees.

Interstate I-95/495 is an eight lane freeway, with a projected noise corridor extending 2,835 feet from the centerline of the roadway impacting the entire site. The proposed use for this property is a Achurch/sanctuary,@ which is not required by County regulation to meet interior noise standards. However the applicant has consulted with an acoustical engineer in the design of the new temple.

If the outfall shown on the Knollwood Community Park is not removed a Letter of Exemption from Woodland Conservation or TCPII will be required prior to the issuance of grading permits for the disturbance to the abutting park property. The applicant has obtained an approved Stormwater Management Concept Plan. Staff recommends the applicant obtain technical stormwater management approval prior to the approval of the TCP II.

No streams or 100-year floodplain has been identified on this site or within 25 feet of the site boundary. There are small areas of steep and/or sever sloped on site adjacent to I-95/495. These slopes are treed, providing a visual buffer and are to remain.

The soils on site are in the Sassafrass (ShC2) series, which pose few difficulties for

development. No Marlboro clay has been identified on site.

5. Community Planning - The 1989 *Approved Langley Park College Park-Greenbelt Master Plan* recommends that the subject property be developed for single-family detached residential uses in the ALow Suburban@ density, with a maximum of 2.17 dwelling units per acre.

The master plan identifies the subject site within the areas of Alimited views from roadways.@ The plan text identifies these areas as generally visible to passing motorists, ranging from zero to 300 feet from either side of the roadway. These areas are significant to the extent that they project positive and negative images of neighborhoods and communities to passers-by. Due to the 80-foot change in elevation from the Capital Beltway (I-95/495) up to the subject site, the proposed temple will not be generally visible to passing motorist. Passing motorist may have limited views of the temple spire. Staff has noted the importance of developing this site with a positive visual image through appropriate landscaping and site design. To that end the applicant has proposed an extensive increase in the landscaping and buffering that exists on site today, particularly along the north property boundary (adjacent to the existing single-family homes). The applicant has proposed to locate the temple to the rear of the existing two story dwelling on site. Its location, along with the gradual slope of the topography away from Riggs Road, will minimize the apparent mass of the temple.

The closest historic resource is located one mile northeast of the subject site near Powder Mill Road at its intersection with Paint Branch. The APowder Mill Site@ is an unclassified historic resource.

The proposed subdivision of this site to build a religious facility will not raise any major issues impeding the goals, concepts and guidelines of the master plan.

6. Parks and Recreation - In accordance with Section 24-134(a) (3)(B) of the Prince George =s County Subdivision Regulations, the subject application is exempt from the mandatory dedication requirements because the proposed lot exceeds one acre.

The subject lot is adjacent to park property to the east. A review of the approved stormwater management concept plan shows a stormwater outfall extension onto the abutting park property. The Department of Parks and Recreation has concerns regarding the effect of the runoff from this outfall on park property and has requested that the outfall be removed. Staff has discussed this issue with the Department of Environmental Resources (DER), who has stated that no significant impacts will occur to the subject site as a result of the relocation of the outfall to a location just inside the property line of the subject site.

DER staff has suggested that the applicant provide a stormdrain outfall easement at this location. This easement would provide the Department of Parks and Recreation with the ability for connection to the existing outfall should future development on the park

property warrant it.

7. Trails - The *Adopted and Approved Langley Park-College Park-Greenbelt Master Plan* recommends that Riggs Road (MD 212) be designated as a Class III bikeway with appropriate signage. Because Riggs Road is a State right-of-way, the applicant should provide the installation of oneeAShare the Road with a Bike@ sign in accordance with State requirements. Prior to the placement of the signage the State Highway Administration (SHA) should have the opportunity to review the location of the sign and ensure it=s location is acceptable.

The developer would purchase the signs from the State and install them in accordance with the State's *Manual on Uniform Traffic Control Devices* prior to building permits. The existing shoulder along the subject property=s entire frontage is currently adequate to accommodate bicycle traffic, therefore, no additional dedication would be required.

8. Transportation - The proposed development, for a religious facility consisting of 17,556 square feet, would generate 13 AM and 12 PM peak hour vehicle trips as determined using the *Institute of Transportation Engineer=s (ITE) Trip Generation Manual 6<sup>th</sup> edition*.

These trip rates from the ITE are based on an assumption that this proposed facility will take on similar operational characteristics as those of a church. Staff however, has received documented information from the applicant which indicates that the proposed Hindu Temple will not have structured services. The applicant further stated that while the proposed facility will be accessible during the day, most of the usage will occur after 7:00 p.m. which is usually beyond the traditional evening peak hour.

The traffic generated by the proposed preliminary plan would impact the intersection of Towhee Avenue and Riggs Road (MD 212). The critical intersection 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*. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined level of service D (LOS D) as the lowest acceptable operating condition on the transportation system. The critical intersection when analyzed with total future traffic as developed using the *Guidelines*, was found to be operating at LOS D or better.

Vireo Street is a publicly maintained street which currently dead-ends at the northern boundary of the subject property. Because there are no future plans to extend Vireo Street beyond its current terminus, staff and the Department of Public Works and Transportation are recommending that the applicant construct a hammer-head at the terminal point of Vireo Street. This improvement will accommodate vehicles in making a turn-around at the end of the street within the public right-of-way.

The Transportation and Public Facilities Planning Division concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Subdivision Regulations if the application is approved.

9. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised August 1999) (CR-4-1998). The subject subdivision is exempt from APF test for schools because it is a non-residential use.
10. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities in accordance with Section 24-122.01 of the Subdivision Regulations, and concluded the following.
  - a. The existing fire engine service at Beltsville Fire Station, Company 41 located at 3939 Powder Mill Road has a service response time of 4.93 minutes, which is beyond the 3.25 minutes response time guideline.
  - b. The existing ambulance service at Beltsville Fire Station, Company 41 located at 3939 Powder Mill Road has a service response time of 4.93 minutes , which is beyond the 4.25 minutes response time guideline.
  - c. The existing paramedic service at College Park Fire Station, Company 12 located at 8511 Baltimore Avenue has a service response time of 7.10 minutes, which is within the 7.25 minutes response time guideline.
  - d. The existing ladder truck service at Chillum-Adelphi Fire Station, Company 34 located at 7833 Riggs Road has a service response time of 5.30 minutes, which is beyond the 4.25 minutes response time guideline.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990 and the Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*. To alleviate the negative impact on fire and rescue services the Fire Department recommends that all commercial structures be fully sprinkled in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County Laws.

11. Police Facilities - The proposed development is within the service area of the District VI-Beltsville Police Station. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations staff concludes that the existing County's police facilities will be adequate to serve the proposed development.
12. Health Department - The Health Department has reviewed the proposed subdivision and raised several concerns. The applicant should be aware that the well located on the site

plan does not appear to be a well in the field. It may have served as an opening to a pump pit. Since the area is to be excavated for the construction of the temple, the area should be evaluated. If a buried well is found it must be backfilled and sealed in accordance with the Code of Maryland (COMAR) 26.04.04, by a licensed well driller or witnesses by a representative of the Health Department.

The existing privy on site does not appear to have been used for an extended period of time. However, the privy should be removed and the area limed to minimize any potential bacteria contamination. If any liquid remains within the privy, it must be pumped out by a licensed scavenger and limed.

13. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #008002210, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. In accordance with the Department of Parks and Recreation=s request, the approved plan should be revised to remove the outfall from park property. Development must be in accordance with the final approved plan or its subsequent revisions.
14. State Highway - Riggs Road (MD 212) is a State right-of-way. The applicant must obtain a permit for improvements within the State right-of-way. The applicant will be required to submit storm drainage design and computations for review prior to permits.
15. At the January 27, 2000, hearing held for the subject preliminary plat citizens raised several concerns resulting in additional conditions for development.

In accordance with the Department of Public Works and Transportation recommendation to provide a hammer head turn around at the terminus of Vireo Street the final plat of subdivision shall further contain a note to deny access from the subject site to Vireo Street.

Due to the size of the proposed temple the possible number of visitors that could attend the site at one time raised concerns regarding noise and traffic. Specifically the citizens were concerned with organized activities, such as weddings and picnics. Therefore, the applicant has agreed to limit the hours of operation for Aorganized activities.@

The applicant has proposed evergreen plantings to meet the 4.7 bufferyard requirement of the Prince George=s County *Landscape Manual* along the existing parking compound in the northwest corner of the subject site. The required bufferyard abuts two single family homes in the R-R Zone. To ensure adequate buffering the applicant has proffered eight-foot Leeland cypress trees in lieu of the six-foot high evergreen trees required by the *Landscape Manual*.

The subject site is located at a higher elevation than the adjoining residential dwellings to



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the north. In an effort to ensure that lighting provided on site does not adversely affect these neighbors a note specifying this will be added to the final plat of subdivision.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner McNeill, seconded by Commissioner Brown, with Commissioners McNeill, Brown and Hewlett voting in favor of the motion, and with Commissioner Boone absent, at its regular meeting held on Thursday, January 27, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17th day of February 2000.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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