



Note: Staff reports can be accessed at www.mncppc.org/pgco/planning/plan.htm.

Preliminary Plan 4-09011

Application	General Data	
<p>Project Name: Calvary Chapel Breath of Life Parcel A</p> <p>Location: North side of Westphalia Road, 825 feet northeast of D'Arcy Road</p> <p>Applicant/Address: Calvary Chapel Breath of Life 9410 Westphalia Road Upper Marlboro, MD 20774</p> <p>Property Owner: Calvary Chapel Breath of Life 9410 Westphalia Road Upper Marlboro, MD 20774</p>	Planning Board Hearing Date:	12/17/09
	Staff Report Date:	
	Date Accepted:	09/15/09
	Planning Board Action Limit:	02/17/10
	Plan Acreage:	5.55
	Zone:	R-R
	Gross Floor Area:	N/A
	Lots:	0
	Parcels:	1
	Planning Area:	78
	Tier:	Developing
	Council District:	06
	Election District:	15
	Municipality:	N/A
200-Scale Base Map:	204SE08	

Purpose of Application	Notice Dates	
Subdivide Parcel 249 into Parcel A and proposes a 27,296-square-foot church with Sunday school and community activity facilities.	Informational Mailing	05/26/09
	Acceptance Mailing:	09/11/09
	Sign Posting Deadline:	11/17/09

Staff Recommendation		Staff Reviewer: Quynn Nguyen	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Plan of Subdivision 4-09011
Calvary Chapel Breath of Life
Parcel A

OVERVIEW

The subject property is located on Tax Map 82, in Grid E-4, and is known as Parcel 249. The property consists of 5.55 acres within the Rural Residential (R-R) Zone and is currently undeveloped. The property is a deed parcel recorded in Liber 29182 Folio 703 and has never been the subject of a preliminary plan. The recorded deed states that the property is 5.696 acres while this preliminary plan indicates that the total acreage is 5.55 acres. The engineer of the preliminary plan certified that the total acreage for the property is 5.55 acres and the acreage used in the deed is from an older method of measurement. The parcel has frontage on Westphalia Road along the southern edge of the property and on D'Arcy Road at the northwest corner of the property. The applicant will be dedicating approximately 5,453 square feet for road widening along Westphalia Road and D'Arcy Road.

The applicant proposes to subdivide Parcel 249 into Parcel A and proposes a church with Sunday school and community activity facilities. The preliminary plan indicates that the proposed building is 20,000 square feet. A rendering of the proposed building submitted by the architect to the Transportation Planning Section indicated that the total gross floor area for the proposed building is 27,296 square feet. After a discussion with the engineer and architect, it is concluded that the foot print of the proposed building is 20,000 square feet but the actual gross floor area is 27,296 square feet and it should be reflected on the preliminary plan. This proposed subdivision will not create any additional parcels.

The February 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* rezoned the subject property from the Residential Agricultural (R-A) Zone to the Rural Residential (R-R) Zone. This preliminary plan was referred to the Westphalia Sector Development Review Advisory Council for review and comments. As of the writing of this staff report, no response has been received.

The property has streams and wetlands associated with the Turkey Branch in the Western Branch watershed of the Patuxent River basin. The majority of the site is located within the Patuxent Management Area (PMA). Section 24-130(b)(5) of the Subdivision Regulations requires that the PMA be preserved in a natural state to the fullest extent possible. A letter of justification was received with this application. A revised letter of justification was stamped as received on November 2, 2009 and is discussed further in the Environmental Section of this report.

SETTING

The property is located in the north side of Westphalia Road approximately 825 feet northeast of D'Arcy Road. The neighboring properties around the site are zoned Rural Residential and are mostly made up of single-family detached dwellings.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Undeveloped	Church, school, community activity facilities
Acreage	5.55	5.55
Lots	N/A	N/A
Parcels	1	1
Public Safety Mitigation Fee	N/A	N/A

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) meeting on October 10, 2009.

2. **Environmental**—The revised Preliminary Plan of Subdivision 4-09011 and the revised Type I Tree Conservation Plan, TCPI/010/09, were stamped as received on November 4, 2009, a revised letter of justification stamped as received on November 2, 2009 and a visual inventory of properties along Westphalia Road stamped as received on November 4, 2009, have been reviewed. A signed Natural Resource Inventory, NRI/015/09, was submitted with this application.

This 5.55-acre site has streams and wetlands associated with the Turkey Branch in the Western Branch watershed of the Patuxent River basin. No transportation-related noise generators with a classification of arterial roadway or higher have been identified in the vicinity of this property. According to the *Prince George's County Soil Survey*, the principal soils on-site are included in the Beltsville, Sassafras and Westphalia series. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Natural Resource Inventory, NRI/015/09, there are no rare, threatened, or endangered species found to occur on this property or on adjacent properties. Westphalia Road is a designated historic road. The property is further located in the Developing Tier as reflected in the 2002 *Prince George's County Approved General Plan*.

Conformance with the Westphalia Sector Plan and Sectional Map Amendment (SMA)

The subject property is located in the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment (SMA)*. There are four policies in the Westphalia sector plan that relate to Environmental Infrastructure. The relevant language of the sector plan is shown in [bold type] and the Environmental Planning Section (EPS) comments are provided in regular type.

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

- **Limit overall impacts to the primary management area to those necessary for infrastructure improvements, such as road crossing and utility installations.**
- **Evaluate and coordinate development within the vicinity of primary and secondary corridors to reduce the number and location of primary management area impacts.**
- **Develop flexible design techniques to maximize preservation of environmentally sensitive areas.**

The subject site is not within the designated network of the June 2005 *Approved Countywide Green Infrastructure Plan*; however, it contains sensitive environmental features that are part of primary management area (PMA) and protected by Section 24-130 of the Subdivision Regulations. The stream and wetlands on the subject property are part of the headwaters of Turkey Branch, identified in the plan as a secondary corridor, deserving of special protection. Turkey Branch flows to Western Branch which is a designated primary corridor in other master plans.

The plan is not in conformance with the master plan because the Type I Tree Conservation Plan, TCPI/010/09 shows impacts that are not limited to necessary infrastructure improvements. The TCPI proposes impacts to 13,174 square feet of wetlands, impacts to 15,919 square feet of wetland buffer and impacts to 348 square feet of stream buffer for a total of 29,441 square feet or 0.68 acre of impacts. Consideration should be given to the fact that the sensitive environmental features clearly delineate the developable area and the use of flexible design techniques, such as underground or decked parking, should be explored.

Comment: The proposed development does not conform to Policy 1 because it proposes significant impacts to sensitive environmental features; however, with appropriate changes to minimize the impacts, the development proposal could conform.

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

- **Remove agricultural uses along streams and establish wooded stream buffers where they do not currently exist.**
- **Require stream corridor assessments using Maryland Department of Natural Resources protocols and include them with the submission of a Natural Resource Inventory as development is proposed for each site. Add stream corridor assessment data to the countywide catalog of mitigation sites.**
- **Coordinate the road network between parcels to limit the need for stream crossings and other environmental impacts. Utilize existing farm crossings where possible.**
- **Encourage shared public/private stormwater facilities as site amenities.**
- **Ensure the use of low-impact development (LID) techniques to the fullest extent possible during the development review process with a focus on the core areas for use with bioretention and underground facilities.**

There are no agricultural uses on the subject property. The property has streams and wetlands associated with Turkey Branch in the Western Branch watershed of the Patuxent River basin and all of the PMA is wooded. No stream crossings are proposed.

A Stormwater Concept Plan, CSD No. 25047-2009-00, was approved by the Prince George's County Department of Public Works and Transportation (DPW&T) on September 3, 2009. The plan shows the use of an underground facility that could be considered a low-impact development technique. No additional impervious surfaces are created by using this technique and the underground storage assists in cooling the water before it is released into the nearby streams.

Comment: The proposed development is generally in conformance with Policy 2.

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

- **Encourage the use of green building techniques that reduce energy consumption. New building designs should strive to incorporate the latest environmental technologies in project buildings and site design. As redevelopment occurs, the existing buildings should be reused and redesigned to incorporate energy and building material efficiencies.**
- **Encourage the use of alternative energy sources such as solar, wind, and hydrogen power. Provide public examples of uses of alternative energy sources.**

There are no existing buildings on the site that could be reused. The Environmental Planning Section received an oblique rendering of the main façade of the proposed church on November 2, 2009. The accompanying text notes the use of design techniques to reduce the energy needs for indoor lighting, heating and cooling.

Comment: The proposed development conforms to Policy 3.

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

- **Limit the impacts of aircraft noise on future residential uses through the judicious placement of residential uses.**
- **Restrict uses within the noise impacts zones of Andrews Air Force Base to industrial and office use.**
- **Evaluate development proposals using Phase I noise studies and noise models.**
- **Provide for adequate setbacks and/or noise mitigation measures for projects located adjacent to existing and proposed noise generators and roadways of arterial classification or greater.**
- **Provide for the use of appropriate attenuation measures when noise issues are identified.**

There are no nearby sources of traffic-generated noise; however, this property is located within the noise impact zone for Andrews Air Force Base. According to the 2007 Air Installation Compatible Use Zone Study (AICUZ) prepared for Andrews Air Force Base, the noise levels on this property are approximately 68 dBA Ldn. These noise levels are within the state noise standards for the proposed use, because residential uses or residential-type uses are not proposed.

Summary of Master Plan Conformance: The plans as submitted do not conform to Policy 1; however, with appropriate changes to minimize the proposed impacts on sensitive environmental features, the development proposal could be found to be in conformance.

Conformance with the *Approved Countywide Green Infrastructure Plan*

The subject site is not within the designated network of the *Approved Countywide Green Infrastructure Plan*; however, it contains sensitive environmental features that are protected by Section 24-130 of the Subdivision Regulations.

Environmental Review

A signed Natural Resource Inventory, NRI/015/09, was submitted with the review package. The NRI indicates that there are streams, wetlands, and steep and severe slopes located on-site. The Forest Stand Delineation (FSD) notes two stands totaling 5.53 acres and includes nine specimen trees. The wetlands, streams and associated buffers shown on the NRI are correctly illustrated on the preliminary plan and the the Type I Tree Conservation Plan, TCPI/010/09

Forest Stand A covers approximately 2.11 acres on the higher elevations of the property, particularly on the southern 40 percent. This stand is a mature woodland dominated by white oak with an average diameter at breast height of 13 inches. The understory includes sassafras and low-bush blueberry. There are some invasive plants species in this stand. One 34-inch diameter white oak specimen tree was identified in this stand. Forest Stand A has a high priority for preservation because of its excellent species diversity and minimal invasive species.

Forest Stand B covers approximately 3.42 acres, is located on the lower elevations of this site and occupies most of the northern 60 percent of the site and includes all of the sensitive environmental features on-site. This stand is classified as a mature, mixed lowland forest. The dominant species are yellow poplar, red maple and American holly with an average diameter at breast height of 16 inches. The understory contains sweetbay magnolia and high-bush blueberry. There are no invasive plant species in this stand. Eight of the nine specimen trees identified on the property occur in this stand. Forest Stand B has a very high priority for preservation because of the excellent species diversity, location within regulated features, and lack of invasive species. This is the stand with the highest priority for preservation on this site.

The site is subject to the Prince George's County Woodland Conservation and Tree Preservation Ordinance because it is larger than 40,000 square feet in area and contains more than 10,000 square feet of woodland. The Type I Tree Conservation Plan, TCPI/010/09, has been reviewed and requires revisions as noted above. The woodland conservation threshold is 1.11 acres. Based upon the proposed clearing, the total woodland conservation requirement has been correctly calculated as 1.72 acres. The plan proposes to meet the requirement by providing 2.85 acres of on-site preservation.

Justification for Section 24-130(b)(5)

The Subdivision Regulation, Section 24-130(b)(5) requires that the PMA be preserved in a natural state to the fullest extent possible. A letter of justification was received with this application. A revised letter of justification, dated October 30, 2009, was stamped as received on November 2, 2009.

The TCPI proposes impacts to:

- 13,174 square feet of wetlands
- 15,919 square feet of wetland buffers
- 348 square feet of stream buffer
- 29,441 square feet or 0.68 acre of impacts proposed

The proposed impacts constitute approximately 25 percent of the area proposed to be disturbed for construction of the church and parking area.

The property has streams and wetlands associated with Turkey Branch in the Western Branch watershed of the Patuxent River basin. Turkey Branch is designated as a Use I waterway by the Maryland Department of the Environment (COMAR 28.08.02.08). COMAR Use I waters allow: (a) Water contact sports; (b) Play and leisure time activities where individuals may come in direct contact with the surface water; (c) Fishing; (d) The growth and propagation of fish (other than trout), other aquatic life, and wildlife; (e) Agricultural water supply; and (f) Industrial water supply. COMAR further requires that this class of streams be protected and maintained for existing uses and the basic uses of water contact recreation, fishing, protection of aquatic life and wildlife, and agricultural and industrial water supply. The most effective way to maintain water quality in a stream system is to protect the headwater areas.

Staff generally will not support impacts to sensitive environmental features that are not associated with essential development activities. Essential development includes such features as public utility lines [including sewer and stormwater outfalls], street crossings, and so forth, which are mandated for public health and safety; non-essential activities are those, such as grading for lots, stormwater management ponds, parking areas, and so forth, which do not relate directly to public health, safety or welfare.

The letter of justification, dated October 30, 2009, references the findings of Section 24-113 of the Subdivision Regulation regarding variation requests and also addresses the required finding of Section 24-130(b)(5) of the Subdivision Regulations regarding impacts to the PMA. The justification does not state how the finding of “fullest extent possible” has been met by a plan that disturbs such a large area and does not limit development to the developable portion of the site. This is, clearly, a “tight” site; there is not a lot of land available for development; however, there are building techniques and site designs that have not been explored. The design could incorporate underground parking, decked parking, a smaller building that would reduce the need for parking, etc. These techniques would result in the preservation of the PMA in a natural state to the fullest extent possible and the minimization of the impacts on the site.

Westphalia Road, Historic Road

Westphalia Road, from D’Arcy Road east to Ritchie-Marlboro Road, is a designated historic road because the alignment dates from the third quarter of the eighteenth century, before 1762. Although the February 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* has specific strategies for Ritchie-Marlboro Road and Melwood Road, there are only general

strategies for Westphalia Road. These include preservation of the scenic and historic views, limiting driveways and avoiding large entrance features.

The June 1994 *Design Guidelines and Standards for Scenic and Historic Roads, Prince George's County* provides guidance for the review of applications that could result in the need for roadway improvements. In conformance with other subdivisions recently approved, the plan should either provide a Visual Assessment Survey to identify the appropriate viewshed protection measures for this segment of Westphalia Road or provide a 40-foot-wide landscape buffers adjacent to the 10-foot public utility easement (PUE) parallel to the land to be dedicated for Westphalia Road. The Visual Assessment may result in more or less of a buffer along the road as indicated by the existing character and features available for preservation.

A visual assessment was received on November 4, 2009. The assessment included approximately 1.20 miles of Westphalia Road west of the subject property and approximately 0.32 miles along Westphalia Road to the east of the subject property. The inventory shows that significant segments of both sides of Westphalia Road have been developed with residential structures. Staff have compared the photos and made the following estimates using PGATLAS:

- a. The south side of Westphalia Road from the subject property to approximately 2,400 feet east is developed with single-family detached residential structures, mostly within 45-feet of the right-of-way, and none contain landscape buffers.
- b. The north side of Westphalia Road from the subject property to approximately 500 feet east is developed with single-family detached residential structures, mostly within 30-feet of the right-of-way, and none contain landscape buffers.
- c. The north side of Westphalia Road from the subject property west to Melwood Road is developed with single-family detached residential structures, mostly within 45-feet of the right-of-way, and none contain landscape buffers.
- d. The south side of Westphalia Road from the subject property west to Melwood Road is developed with one single-family detached residential structure set back from the right-of-way.

Overall, most of the Westphalia Road corridor near the subject property lacks special scenic values; therefore, a 40-foot-wide landscape buffer is not necessary for the site. Based on the visual assessment, it is appropriate for the Type I tree conservation plan to provide a ten-foot-wide landscape easement adjacent to the ten-foot public utility easement, parallel to the land to be dedicated for Westphalia Road. The Prince George's County Landscape Manual requires a ten-foot-wide landscape strip for this type of development. The proposed ten-foot-wide landscape easement exceeds the requirements of the Landscape Manual because it is placed farther back than the minimum required.

Environmental Conclusions

Based on the preceding findings, the preliminary plan and the Type I Tree Conservation Plan TCPI/010/09 can be approved with conditions. The recommended conditions address the appropriate protection of the regulated areas.

3. **Community Planning**—The land use proposed by this application is consistent with the 2002 General Plan Development Pattern policies for 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 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* rezoned the subject property from the Residential Agricultural (R-A) Zone to the Rural Residential (R-R) Zone as part of SMA Change 14. The land use proposed by this application conforms to the recommendations of the 2007 *Approved Westphalia Sector Plan and Sectional Map Amendment* for low-density residential development in this area. Institutional uses such as the proposal for a church, Sunday school, and community activity facility are consistent with land uses anticipated in residential communities.

The General Plan and the sector plan do not specifically identify locations for quasi-public institutional uses, such as the proposed church facility, which is often considered an integral part of residential communities and is permitted in nearly all zones. As such, this application for a small church in a residential community is considered to be consistent with Development Pattern goals for the Developing Tier to “maintain low- to moderate-density land uses (except in Centers and Corridors)” (General Plan, p 37) and with the recommendations of the sector plan for land use within residential communities.

4. **Department of Parks and Recreation (DPR)**—In accordance with Section 24-134(a) of the Prince Georges County Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it is a nonresidential use.
5. **Trails**—The plan was reviewed for conformance with the Adopted and Approved Countywide Trails Plan and/or the appropriate area master/sector plan in order to implement planned trails. The subject property is in the area described in the 2007 *Approved Westphalia Sector Plan and Map Amendment*. The plan’s bicycle, pedestrian, and trails element policy on page 26 recommends that trails and bikeways be implemented throughout the Westphalia planning area. Westphalia Road (C-626) is a master-planned road with 80-foot right-of-way (ROW) and two-to-four travel lanes. Westphalia Road is a designated historic road. The plan recommends that a sidepath be implemented along the road for pedestrians and bicyclists. Page 30 of the plan recommends that all “designs should support pedestrian and bicycle activity.” Sidewalks are also recommended throughout the area.

The applicant is proposing dedication of land 40 feet from the centerline of the road for the Westphalia Road and D’Arcy Road rights-of-way. This proposed dedication is sufficient to implement a sidepath along Westphalia Road. It is unknown at this time which side of the road will contain the master planned sidepath, but it could be constructed on one or both sides of the road, depending on the ultimate design of the road by the Department of Public Works and Transportation (DPW&T). County standard 100.18 provides for an eight-foot-wide “hiker biker” trail within county rights- of-way.

6. **Transportation**—The application is a preliminary plan of subdivision for a church. The 5.55-acre, R-R zoned property is located in the northeast quadrant of the intersection of Westphalia Road and D’Arcy Road. The Institute of Transportation Engineer’s (ITE) *Trip Generation Manual, 8th Edition*, lists churches as having a trip rate of 0.56 trip per 1,000 square feet of gross floor area (GFA) during the AM peak hour, and 0.55 trip per 1,000 square feet of GFA during the PM peak hour. Additionally, the ITE manual shows a trip rate of 11.76 trips/1,000 sq. feet of GFA on Sundays.

The applicant is proposing a building with a total gross floor area of 27,296 square feet. Approximately 6,800 square feet of the proposed building will be used as a gymnasium. The remaining 20,496 square feet will be used as a church as well as other church-related activities. Based on the ITE rates, the proposed church facility (20,496 sq. ft.) would generate 12 AM and 11 PM peak-hour vehicle trips on weekdays, and 241 trips during the peak hours on Sundays.

The traffic generated by the proposed preliminary plan would impact the unsignalized intersection of Westphalia Road and D'Arcy Road. This 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 subject property is located within the Developing Tier as defined in the 2002 *Approved Prince George's County General Plan*. As such, the subject property is evaluated according to the following standards: **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 Westphalia Road / D'Arcy Road intersection, when analyzed with existing traffic was found to be operating with a level-of-service (LOS) of B/12.5 seconds during the AM peak hour and B/11.7 seconds during the PM peak hour. A similar analysis revealed that on Sundays, during the peak hour of operation, the intersection operated with a LOS of A/9.3 seconds.

During the past five years, several developments (including a few large ones) were approved within the Westphalia SMA planning area. Many of those developments will add traffic to the local transportation network, including the subject intersection as background traffic. When the subject intersection was analyzed under total traffic conditions, (background plus site traffic) the resulting LOS was F/999+ seconds during both the AM and the PM peak hour.

Staff is in receipt of a letter from the applicant dated October 1, 2009 outlining the proposed uses associated with the subject preliminary plan. In addition to the traditional Sunday worship and other church-related activities, the applicant proposes the gymnasium use between the hours of 9:00 a.m.–4:00 p.m., 6:00–9:00 p.m. on weekdays, as well as 8:00 a.m.–8:00 p.m. on Saturdays. There is also a Thursday Night Bible Study between 6:30–9:00 p.m. that is being proposed.

While it appears that the proposed uses will generate traffic throughout the day, staff concludes that most of the daily traffic generation will be confined to the off-peak periods. Consequently, staff's finding of adequacy was predicated on the traffic to be generated during the weekday peak hours. In light of this finding, the property should be limited to such uses that generate no more 12 AM and 11 PM peak-hour vehicle trips during the AM and PM peak hours respectively.

Comment: Regarding on-site circulation, there are no issues.

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

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

Fire/EMS Company #	Fire/EMS Station Name	Service	Address	Actual Travel Time (minutes)	Travel Time Guideline (minutes)	Within/Beyond
23	Forestville	Engine	8321 Old Marlboro Pike	3.0	3.25	Within
20	Upper Marlboro	Ladder Truck	14815 Pratt St.	11.7	4.25	Beyond
20	Upper Marlboro	Paramedic	14815 Pratt St.	11.7	7.25	Beyond
23	Forestville	Ambulance	8321 Old Marlboro Pike	3.0	4.25	Within

In order to alleviate the negative impact on fire and rescue services noted above, an automatic fire suppression system should 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.

Capital Improvement Program (CIP)—The Capital Budget and Program Fiscal Years 2010-2015 proposes a new station, Beechtree Fire/EMS, be built at Leeland Road. This station will improve fire/EMS response times along the US 301 corridor.

9. **Police Facilities**—The proposed development is within the service area of Police District II, Bowie.

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, 2008 (U.S. Census Bureau) county population estimate is 820,520. Using 141 square feet per 1,000 residents, it calculates to 115,693 square feet of space for police. The current amount of space, 267,660 square feet, exceeds the guideline.

10. **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 designates this property in water Category 3 and sewer Category 4, and the site is therefore in the appropriate service area to be served by public systems. The property must be approved for sewer Category 3 through the administrative amendment procedure before approval of a final plat.

Water and sewer lines abut the property. Water and sewer line extensions are required to service the proposed subdivision and must be approved by the Washington Suburban Sanitary Commission (WSSC) before approval of a final plat.

11. **Health Department**—The Prince George’s County Health Department has evaluated the proposed preliminary plan of subdivision and has no comments to offer.
12. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T), Office of Engineering, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 25047-2009-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
13. **Cemeteries**—No cemeteries have been identified on the property.
14. **Historic**—A Phase I archeological survey is not recommended on the above-referenced 5.55-acre property located at 9410 Westphalia 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. However, the applicant should be aware that there are 22 previously identified archeological sites, one prehistoric site, 18 historic sites—most of which are late 19th to early 20th century house sites, and three multi-component prehistoric and historic sites, located within one mile of the subject property. In addition, there is one county historic site, Dunblane and Cemetery (78-010), located within a one-mile radius of the subject property.

Moreover, a Section 106 review may require an 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.

15. **Andrews Air Force**—This property is not located within any identified noise contour or Accident Potential Zone (APZ), as documented in the 2007 Andrews AFB Air Installation Compatible Use Zone (AICUZ) study.

However, this property is located underneath the inner horizontal airspace imaginary surface for Andrews AFB, with a threshold elevation of 150 feet. Section 27-548.39(b) of the Zoning Ordinance requires that every application for permit and preliminary plan shall demonstrate compliance with the height restrictions of Section 27-548.42(b). This section restricts the height of buildings and other structures to no greater than 300 feet unless the applicant demonstrates compliance with FAR Part 77, of the Federal Aviation Regulations.

16. **Use Conversion**—The subject application proposes to construct a church with a Sunday school and community facility in the R-R Zone. A new preliminary plan should be approved if the site proposes residential development. 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 to be considered.

RECOMMENDATION

Staff recommends APPROVAL of Preliminary Plan of Subdivision 4-09011, subject to the following conditions:

1. Prior to signature approval of preliminary plan of subdivision, the following corrections shall be made:
 - a. Note 4 shall be revised to water Category 3 and sewer Category 4.
 - b. Note 3 shall be revised to reflect the total gross floor area of 27,296 square feet for the church, Sunday school, and community activity facilities.
 - c. Show a landscape buffer in a ten-foot-wide easement adjacent to the ten-foot public utility easement (PUE), parallel to the land to be dedicated for Westphalia Road.
2. At the time of final plat, a ten-foot-wide scenic easement shall be established abutting the ten-foot public utility easement, parallel to the Westphalia Road right-of-way and a note shall be placed on the final plat as follows:

“Westphalia Road is a county designated Scenic/Historic Road. The scenic easement described on this plat is an area where the installation of structures and roads and/or 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.”
3. Prior to the approval of the building permit, the applicant and the applicant’s heirs, successors, and/or assignees shall submit a planting detail for the required ten-foot scenic easement to be approved by the Environmental Planning Section. The plant unit requirements of Section 4.2 and 4.3 of the *Prince George’s County Landscape Manual* shall apply.
4. Prior to signature approval of the preliminary plan, the Type I tree conservation plan shall be revised to reflect the following:
 - a. Limit grading within the primary management area (PMA) to the minimum required for a stormwater outfall
 - b. Revise the worksheet as needed
 - c. The revised plan shall be signed and dated by the qualified professional who prepared the plan
5. Prior to the issuance of any permits which impact wetlands, wetland buffers, streams or Waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, showing evidence that approval conditions and associated mitigation plans have been complied with.
6. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the primary management area except for the areas of impact approved by the Planning Board and shall be reviewed by the Environmental Planning Section prior to certification. 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 approval of the final plat, the following notes shall be placed on the plat:
 - a. Development of this site shall be in accordance with approved Stormwater Management Concept Plan 25047-2009-00 and any subsequent revisions.
 - b. Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/010/09), 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 and Tree Preservation Ordinance. This property is subject to the notification provision of County Council Bill CB-60-2005. Copies of all approved tree conservation plans for the subject property are available in the office of The Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.
 - c. The height of buildings and other structures shall be no greater than 300 feet unless the applicant demonstrates compliance with FAR Part 77, of the Federal Aviation Administration Regulations.
8. 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.
9. The proposed development shall be limited to uses that generate no more than 12 AM and 11 PM peak-hour vehicle trips during the AM and PM weekday peak hours respectively. 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.
10. At the intersection of Westphalia Road and D’Arcy Road, the applicant shall perform a signal warrant study and shall install a traffic signal if deemed to be warranted and approved by the Department of Public Works and Transportation (DPW&T). If signalization or other traffic control improvements are deemed warranted at that time, the applicant shall bond the improvements with DPW&T prior to the release of any building permits within the subject property, and complete installation at a time when directed by DPW&T.
11. At the time of final plat, the applicant shall dedicate a ten-foot public utility easement (PUE) along the public right-of-way (ROW) as delineated on the approved preliminary plan of subdivision.
12. Prior to the issuance of any building permits, a Type II tree conservation plan shall be approved.
13. 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.