

C O R R E C T E D R E S O L U T I O N

WHEREAS, Walker Mill Baptist Church, Inc. is the owner of a 2.6-acre parcel of land known as Parcels 364 and 439, located on Tax Map 73 in Grid D-4, said property being in the 6th Election District of Prince George's County, Maryland, and being zoned C-O; and

WHEREAS, on August 5, 2008, Walker Mill Baptist Church, Inc. filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-08031 for Walker Mill Baptist Church 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 15, 2009, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on January 15, 2009, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plan of Subdivision 4-08031, Walker Mill Baptist Church for Parcel A with the following conditions:

1. Development of this site shall be in conformance with Stormwater Management Concept Plan, *~~[CSD 7109-2208-01]~~ CSD 7109-2008-01 and any subsequent revisions.
2. Permit plans shall demonstrate the installation of a wide sidewalk, a minimum of eight feet in width, along the subject site's entire frontage of existing Walker Mill Road to serve as a sidepath, unless modified by DPW&T.
3. The final plat of subdivision shall include a note requiring permit plans to demonstrate the installation of clear signage for circulation and egress and access points, including the installation of a one-way outbound sign on the driveway opposite Pine Grove Road.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

4. The final plat of subdivision shall show the proposed master plan alignment of Walker Mill Road. Since the proposed master plan alignment of Walker Mill Road is not recommended to be reserved pursuant to Sec. 24-139(b), building permits for the portion of the subject property within the realignment of Walker Mill Road may be issued pursuant to Sec. 27-259(a)(2)(B).
5. In addition to the development already existing on the property, the proposed development on this site shall be limited to uses generating no more than 39 trips during the AM peak hour, and 41 trips during the PM peak hour. Any development generating a traffic impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation.
6. 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.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the south side of Walker Mill Road, approximately 350 feet northeast of its intersection with Addison Lane and immediately across from the intersection of Walker Mill Road and Pine Grove Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	APPROVED
Zone	C-O	C-O
Use(s)	Church and accessory buildings	Church, day care and accessory buildings
Acreage	2.6	2.6
Lots	0	0
Outlots	0	0
Parcels	2	1
Square Footage	16,316	27,000±
	16,031 to remain	11,000± additional
Public Safety Mitigation Fee		N/A

4. **Environmental**—The Environmental Planning Section has not reviewed previous applications on the subject property. This application proposes one parcel in the C-O Zone for the construction of a day care center. The site contains an existing building and two accessory buildings.

This 2.68-acre site in the C-O Zone is located on the southeast side of Walker Mill Road, approximately 350 feet northeast of its intersection with Addison Road. A review of available information indicates there are no streams, 100-year floodplain, or wetlands on the property. The northwest portion of the site is in the Beaverdam Creek watershed which drains into the Anacostia River basin. The southeast portion of the site is in the Southwest Branch which drains into the Patuxent River basin. According to the *Prince George's County Soil Survey*, the principal soil series on the site are Beltsville and gravel and borrow pits. Marlboro clay is not found to occur in the vicinity of this site. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on this property or adjacent properties. No designated historic or scenic roads will be affected by this development. The site is adjacent to a future arterial right-of-way; however, no residential uses are proposed for this site. According to the June 2005 *Approved Countywide Green Infrastructure Plan*, there are no network features from the plan located on the site. The property is in the Developed Tier of the 2002 *Prince George's County Approved General Plan*.

The master plan does not note any environmental issues associated with this property. The property is not within the designated network of the Green Infrastructure Plan and is not located near any network elements.

A signed Natural Resources Inventory (NRI), NRI/030/08, was submitted with the application. There are no streams, wetlands, or 100-year floodplain on the property. The NRI shows that the property contains no existing woodland. On May 27, 2008, a standard letter of exemption was issued for the subject site.

This site is not subject to the provisions of the Woodland Conservation and Tree Preservation Ordinance because it contains less than 10,000 square feet of woodland and has no previously approved tree conservation plan.

According to the *Prince George's County Soil Survey*, the soils on the site are in the Beltsville and gravel and borrow pits series. No further action is needed as it relates to this preliminary plan review.

A Stormwater Management Concept Plan, *~~[CSD 7109-2208-01]~~ CSD 7109-2008-01, approved by the Prince George's County Department of Public Works and Transportation, was submitted with this application. No further action regarding stormwater management is needed as it relates to this preliminary plan review.

The water and sewer categories are W-3 and S-3 according to water and sewer maps obtained from the Department of Environmental Resources (DER) dated June 2003, and the site will therefore be served by public systems.

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5. **Community Planning**— This application is not inconsistent with the 2002 *General Plan* Development Pattern policies for the Corridors in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use pedestrian-oriented, medium- to high-density neighborhoods. The application maintains an existing church and accessory uses with the addition of a day care center on the site. This infill development increases the density of uses in the area. Required trail improvements improve the pedestrian access to the property and throughout the surrounding area. The General Plan did not note any environmental issues in the area.

This application conforms to the land use recommendations of the 1985 *Approved Master Plan for Suitland-District Heights & Vicinity, Planning Areas 75A and 75B* which retained the C-O Zoning. The applicant will make pedestrian and trail improvements as required by this plan. Transportation improvements to relocate Walker Mill Road are recommended by the Master Plan and are addressed by this Preliminary Plan, as further discussed in Finding No. 8 below. The proposed use of a church with accessory buildings and day care are permitted by the C-O Zoning of this property that was approved in this Master Plan.

6. **Department of Parks and Recreation**—In accordance with Section 24-134(a) of the Prince George's County Subdivision Regulations, the subject subdivision is exempt from mandatory dedication of parkland requirements because it is a nonresidential use.
7. **Trails**—The preliminary plan of subdivision was reviewed for conformance with the countywide trails plan and the appropriate area master plan in order to provide master plan trails.

The subject site is located on Walker Mill Road, between Addison Road and Karen Boulevard. The adopted and approved Suitland-District Heights and vicinity master plan recommends this section of roadway for a side path that will serve as a multi-use trail for pedestrians and bicyclists in this heavily urbanized area of the county. Major trails are planned for the area, including the Cabin Branch Stream Valley Trail, and the Addison Road bikeway that connects to the Addison Road Metro Station.

Walker Mill Road is a closed-road section and contains sidewalks in front of the subject site and on both sides of the road. It is designated for a proposed side path in the countywide trails plan. Wide sidewalks along the road will accommodate pedestrians and bicyclists along the frontage of the subject property and provide a link to other planned trails in the area, such as the Cabin Branch Trail and Addison Road bikeway. A wide sidewalk should be provided by the applicant.

8. **Transportation**—The applicant proposes a day care center adjacent to the existing church. It was determined that a traffic study was not warranted by the size of the proposed development. Traffic counts were requested of the applicant, and the needed counts for the critical intersections of Walker Mill Road and Karen Boulevard, and Walker Mill Road and Addison Road were obtained. The applicant also provided additional counts at the intersections of Walker Mill Road and Addison Road South, and Walker Mill Road and Pine Grove Road. The findings and

recommendations outlined below are based upon a review of these materials and analyses conducted by staff of the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

Growth Policy—Service Level Standards

The subject property is located within the developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better. Mitigation, as defined by Section 24-124(a)(6) of the Subdivision Regulations, is permitted at signalized intersections subject to meeting the geographical criteria in the guidelines.

Unsignalized intersections: *The Highway Capacity Manual* (Transportation Research Board) procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

The traffic generated by the proposed preliminary plan would impact the intersections of Walker Mill Road and Addison Road, and Walker Mill Road and Karen Boulevard. The intersection of Walker Mill Road and Addison Road is signalized. The intersection of Walker Mill Road and Karen Boulevard is unsignalized. The traffic counts were taken in June/July 2008. The findings are based on the submitted traffic counts, adjusted seasonally in accordance with the guidelines.

The application is for a day care center of 48 students. The two-story, 11,000-square-foot day care center is planned to be located adjacent to the existing church. The proposed development would generate a total of 39 AM (21 in, 18 out) and 41 PM (19 in, 22 out) peak-hour vehicle trips as determined using the *Trip Generation Manual* (Institute of Transportation Engineers). Not all of these trips will be new trips on the road generated by the day care center. Some vehicle trips are already assumed to be on Walker Mill Road, i.e., pass-by trips while other vehicle trips will change direction or divert from other nearby roads. These are known as diverted trips.

Day Care Percentages	New	Pass-by	Diverted
AM	35%	30%	35%
PM	35%	20%	45%

Day Care Trips	New	Pass-by	Diverted
AM	14 trips	12 trips	13 trips
PM	14 trips	8 trips	19 trips

The traffic generated by the proposed plan would impact the critical intersections of Walker Mill Road and Karen Boulevard, and Walker Mill Road and Addison Road.

The following conditions exist at the critical intersection of Karen Boulevard and Walker Mill Road, which is unsignalized: AM peak hour, maximum delay of 14.0 seconds, 14.5 seconds, and 14.7 seconds under existing, background, and total traffic conditions. During the PM peak hour, a maximum delay of 35.8 seconds, 40.8 seconds, and 42.6 seconds under existing, background, and total traffic conditions. Background conditions reflect a growth rate of five percent for all traffic movements. At the signalized intersection of Addison Road and Walker Mill Road the following conditions exist during the AM peak hour: CLV 996, CLV 1,024, and CLV 1,025 under existing, background, and total traffic conditions. During the PM peak hour the following conditions exist: CLV 1,292, CLV 1,357, and CLV 1,368 under existing, background, and total traffic conditions. With the addition of the proposed development, or total traffic conditions, the critical intersection operates acceptably, based on the guidelines.

Access to the proposed day care center will be via a new driveway onto Walker Mill Road. The driveway is shown as a one-way loop road that goes around the existing church and returns to Walker Mill Road opposite Pine Grove Road. Although somewhat circuitous, with some parts two-way, the one-way driveway near the proposed day care center will allow vehicles to continue around the existing church. The driveway opposite Pine Grove Road will also be one-way outbound. Both egress/access points should clearly be signed as one-way.

The 1985 and 1986 *Approved Master Plan and Adopted Sectional Map Amendment for Suitland-District Heights and Vicinity (Planning Areas 75A and 75B)* recommends that Walker Mill Road be realigned to the south of the subject property. The arterial roadway is planned to be realigned from Addison Road to a point near Shady Glen Road with 120 feet of right-of-way, and there is an impact along the southern side of this property.

Pursuant to Section 24-139(b) of the County Code Subdivision Regulations, reservation letters were sent to the State Highway Administration (SHA) and the County Department of Public Works and Transportation (DPW&T) regarding potential reservation of land for the realigned Walker Mill Road. These letters were dated October 17, 2008. E-mail follow-ups after the response deadline were provided as well. No responses have been received from either agency. Copies of the original letters to SHA and DPW&T are attached.

It is determined that the statutory requirements for reservations have not been met. Section 24-139(b) of the Subdivision Regulations requires that an agency's affirmative recommendation

“shall include a map showing the boundaries and area of the parcel to be reserved, and an estimate of the time required to complete the acquisition.” No responses or maps were received. Therefore, it is not recommended that reservation be pursued for the subject site.

Section 24-121(a)(5) of the Subdivision Regulations indicates that a plat (and presumably all plans that preceded it) shall conform to the area master plan. Similarly, Section 24-123(a)(1) Subdivision Regulations requires that the Planning Board, in approving any plat, shall require that all master plan rights-of-way be shown on any preliminary plan.

Therefore, it is advised that the preliminary plan be modified to indicate the planned right-of-way for Walker Mill Road, consistent with the existing master plan for the area.

Based on the preceding findings, adequate transportation facilities exist to serve the proposed subdivision as required under Section 24-124 of the Prince George’s County Code Subdivision Regulations.

9. **Schools**—The Special Project Section has reviewed this preliminary plan of subdivision and have no comments to offer because the applicant proposes a day care facility on the site of an existing church.
10. **Fire and Rescue**—The Special Projects Section has reviewed this subdivision plan for adequacy of fire and rescue services in accordance with Sections 24-122.01(d) and 24-122.01(e)(1)(B)–(E) of the Subdivision Regulations.

The existing engine service at District Heights Fire/EMS Station, Company 26, located at 5900 Marlboro Pike, has a service travel time of 2.2 minutes, which is within the 3.25-minute travel time guideline.

The existing ambulance service at District Heights Fire/EMS Station, Company 26, located at 5900 Marlboro Pike, has a service travel time of 2.2 minutes, which is within the 4.25-minute travel time guideline.

The existing paramedic service at Silver Hill Fire/EMS Station, Company 29, located at 3900 Silver Hill Road, has a service travel time of 2.6 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at District Heights Fire/EMS Station, Company 26, located at 5900 Marlboro Pike, has a service travel time of 2.2 minutes, which is within the 4.25-minute travel time guideline.

11. **Police Facilities**—The proposed development is within the service area for Police District III, Palmer Park.

The police facilities test for nonresidential development is performed on a countywide basis in accordance with the policies of the Planning Board. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department, and the latest population estimate is 825,520. Using the 141 square feet per 1,000 residents, it calculates to 116,398 square feet of space for police. The current amount of space, 267,660 square feet, is above the guideline.

12. **Health Department**—Section 24-122.01 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 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 Systems.
13. **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, *~~[CSD 7109-2208-01]~~ CSD 7109-2008-01, 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.
14. **Cemeteries**—No Cemeteries have been identified on the property.
15. **Historic**—A Phase I archeological survey is not recommended on the 2.67-acre Walker Mill Baptist Church property located at 6801 Walker Mill Road in Capitol Heights, 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. Aerial photographs and topographic data indicate that most of the property was previously graded and is covered with modern buildings and parking lots. However, the applicant should be aware that two historic archeological sites have been identified within a one-mile radius of the subject property. There are no historic sites or resources within a one-mile radius of the subject property.

Moreover, Section 106 review may require archeological survey for state or federal agencies. Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their undertakings on historic properties, to include archeological sites. This review is required when state or federal funds, or federal permits are required for a project.

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16. **Nonresidential Uses**—The subject property is zoned C-O. While the subject application is not proposing any residential development, if legislation would permit such a land use, a new preliminary plan should be approved. Because there exist different adequate public facility tests, and there are considerations for recreational components for residential subdivisions, a new preliminary plan should be required if residential development is to be considered.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Vaughns, seconded by Commissioner Cavitt, with Commissioners Vaughns, Cavitt, Squire, Clark and Parker voting in favor of the motion at its regular meeting held on Thursday, January 15, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 5th day of February 2009 and corrected on May 17, 2010.

Patricia Colihan Barney
Executive Director

By Frances J. Guertin
Planning Board Administrator

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