

PGCPB No. 2024-088

File No. 4-23012

R E S O L U T I O N

WHEREAS, Renewal Christian Center is the owner of a 23.34-acre tract of land known as Parcel 2, said property being in the 3rd Election District of Prince George's County, Maryland, and being zoned Agricultural-Residential (AR); and

WHEREAS, on March 20, 2024, Renewal Christian Center filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-23012 for Renewal Christian Center 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 at a public hearing on September 5, 2024; and

WHEREAS, new Subdivision Regulations, Subtitle 24, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, pursuant to Section 24-1900 *et seq.* of the Prince George's County Subdivision Regulations, subdivision applications submitted and accepted as complete before April 1, 2024, may be reviewed and decided in accordance with the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022 (prior Subdivision Regulations); and

WHEREAS, the applicant has complied with the procedures required in order to proceed with development under the prior Subdivision Regulations contained in Section 24-1904 of the Prince George's County Subdivision Regulations; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed the application under the Subdivision Regulations, Subtitle 24, Prince George's County Code in existence prior to April 1, 2022; and

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

WHEREAS, at the September 5, 2024 public hearing, 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 Type 1 Tree Conservation Plan TCP1-008-2024 and APPROVED Preliminary Plan of Subdivision 4-23012 for one parcel, subject to the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised as follows:
 - a. Revise the outline of the property boundary on the PPS to a heavier line weight so that it clearly stands out.

- b. Revise the parcel identification (existing and proposed) on the plan to a larger font size so that it clearly stands out.
 - c. Clearly identify the existing and proposed well locations.
 - d. All existing fence callouts on the plan shall be accompanied with a designation of “existing to remain” or “to be removed.”
 - e. Label Chew Road as having an ultimate right-of-way width of 60 feet.
 - f. Remove the limit of disturbance (LOD).
 - g. Show clearly definable site ingress and egress arrows on the PPS.
- 2. Prior to signature approval of the preliminary plan of subdivision (PPS), the Type 1 tree conservation plan (TCP1) shall be revised as follows:
 - a. Revise the TCP1 worksheet as follows:
 - (1) Deduct the floodplain when calculating net tract area.
 - (2) Add the TCP1 number to the tree conservation plan worksheet.
 - (3) Verify that the woodland retained not credited values are consistent with those shown elsewhere on the TCP1.
 - (3) Revise the gross floor area shown on the Natural Resources Inventory and TCP1, and referenced in any notes on the plans, from 10,962 square feet to 24,920 square feet.
 - b. Have the plans signed and dated by the qualified professional who prepared them.
 - c. Add the TCP1 number to the approval block along with the associated PPS number.
 - d. Clearly identify the existing and proposed well locations.
 - e. Once a revised Natural Resources Inventory (NRI) is submitted and approved, revise the gross tract area, net tract area, and any other applicable data on the TCP1 to match the revised NRI.
- 3. In conformance with the 2013 *Approved Subregion 6 Master Plan*, the applicant and the applicant’s heirs, successors, and/or assignees shall show on their permit application plans and shall construct the following facilities, unless modified by the operating agency with written correspondence:
 - a. Minimum 5-foot-wide sidewalk along the frontage of Chew Road.

- b. Crosswalks and Americans with Disabilities Act curb ramps crossing each vehicular access point.
4. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-008-2024). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-008-2024 or most recent revision), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance (WCO). This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”
5. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

“This plat is subject to the recordation of a Woodland and Wildlife Habitat Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 tree conservation plan, when approved.”
6. At the time of the final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area except for any approved impacts and shall be reviewed by the Environmental Planning Section of the Development Review Division of the Prince George’s County Planning Department, 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 signature approval of the preliminary plan of subdivision, an approved stormwater management (SWM) concept plan shall be submitted. The limits of disturbance shall be consistent between the Type 1 tree conservation plan and the SWM concept plan.
8. Prior to signature approval of the preliminary plan of subdivision and the Type 1 tree conservation plan (TCP1), the Natural Resources Inventory (NRI) shall be revised to correct the gross tract and net tract area to be consistent with the boundary survey and preliminary plan of subdivision.

9. Prior to approval, the final plat of subdivision shall include the following:
 - a. The granting of public utility easements along the public rights-of-way, in accordance with the preliminary plan of subdivision.
 - b. The dedication of right-of-way along Chew Road, 30 feet from the centerline along the roadway frontage, in accordance with the preliminary plan of subdivision.
10. Development of this site shall be in conformance with Stormwater Management Concept Plan 39620-2022-0 and any subsequent revisions.

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

1. The subdivision, as modified with conditions, meets the applicable legal requirements of prior Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject site is located in the southwestern quadrant of the intersection of US 301 (Robert S Crain Highway) and Chew Road, on Tax Map 101, Grid E-1. The property totals 23.34 acres and consists of one parcel, designated by the Maryland State Department of Assessments and Taxation as Parcel 2, and recorded by deed dated December 4, 2008, in the Land Records of Prince George's County, Maryland in Book 30360 at page 171. The property is subject to the 2013 *Approved Subregion 6 Master Plan and Sectional Map Amendment* (master plan).

The property is in the Agricultural-Residential (AR) Zone. However, this preliminary plan of subdivision (PPS) was submitted and reviewed under the applicable provisions of the Prince George's County Zoning Ordinance and Prince George's County Subdivision Regulations effective prior to April 1, 2022 (the "prior Zoning Ordinance" and the "prior Subdivision Regulations"), pursuant to Section 24-1903(a) of the Subdivision Regulations. Under the prior Zoning Ordinance, the site was in the Residential-Agricultural (R-A) Zone, which was used for the analysis contained herein.

Parcel 2 is almost completely wooded, and the property's development history is limited to the use as a nursery, in a small portion of the property along Chew Road, established between 2000 and 2005 and which appears to have been used through 2009. This area has since been reclaimed by natural growth and vegetation, and all that remains of its former nursery use is an existing well and a small vinyl shed. This PPS subdivides the existing property into one parcel for 24,920 square feet of institutional development (a church).

The subject PPS qualifies for review under the prior Zoning Ordinance and prior Subdivision Regulations because it meets the requirements of Section 24-1904 of the current Subdivision Regulations. In accordance with Section 24-1904(a), a pre-application conference was held on May 5, 2023. In accordance with Section 24-1904(b), the applicant provided a statement of justification (SOJ) explaining why they were requesting to use the prior regulations. In

accordance with Section 24-1904(c), this PPS is supported by and subject to Certificate of Adequacy ADQ-2023-019.

3. **Setting**—The site is located within Planning Area 82A. The subject property is bound by US 301 at its northern property line and by Chew Road at its eastern property line. An abutting property, also east of the site, is zoned Industrial, Employment (IE) (formerly zoned Light Industrial (I-1)) and is developed with an industrial use. Properties to the south and west, and those beyond US 301 and Chew Road, are all within the AR Zone (formerly zoned R-A) and are developed with single-family detached dwellings and agricultural uses.
4. **Development Data Summary**—The following information relates to the subject PPS and the evaluated development.

	EXISTING	EVALUATED
Zones	AR	R-A
Use(s)	Vacant	Institutional
Acreage	23.34	23.34
Lots	0	0
Parcels	1	1
Dwelling Units	0	0
Variance	No	No
Variation	No	No

The subject PPS 4-23012 was accepted for review on March 20, 2024. Pursuant to Section 24-119(d)(2) of the prior Prince George’s County Subdivision Regulations, the PPS was reviewed by the Subdivision and Development Review Committee, which held a meeting on April 12, 2024, at which comments were provided to the applicant. Revised plans were received on April 26, 2024, which were used for the analysis contained herein.

5. **Previous Approvals**—The site is not subject to any previous development approvals.
6. **Community Planning**—The 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and conformance with the master plan are evaluated as follows:

Plan 2035

The subject property is located in the rural and agricultural areas of Plan 2035. “Plan 2035 recommends Rural Areas remain low-density residential or support park and open space land uses and focuses new investment on maintaining existing infrastructure and stabilizing small-scale neighborhood-oriented commercial activities that support the areas’ rural lifestyle and character” (page 20).

Master Plan

According to Plan 2035, all planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035, remain in full force and effect except for the designation of tiers, corridors, and centers, until those plans are revised or superseded. Pursuant to

Section 24-121(a)(5) of the prior Subdivision Regulations, a PPS must conform to the area master plan, unless events have occurred to render the relevant recommendations no longer appropriate, no longer applicable, or the District Council has not imposed the recommended zoning. The master plan recommends rural land use on the subject property (Map 10, page 101), described as “Agricultural land (cropland, pasture farm fields), forest, very low-density residential. The county’s intent is for these areas to remain rural and to conserve these areas’ natural resources, primarily forest and forest resources, for future generations. New residential development is permitted at a maximum density of one dwelling unit per five acres” (page 40). The District Council permits institutional uses in the R-A Zone. Therefore, the District Council has not imposed the recommended zoning that would limit development to agricultural land, forest, and very low-density residential. Therefore, pursuant to Section 24-121(a)(5), conformance to rural land uses recommended by the master plan is not required.

Notwithstanding the issues concerning the proposed institutional uses, the master plan sets forth other goals, strategies, and policies applicable to the subject property that will advance the plan’s intent and purpose. Analysis of conformance is provided below and throughout this resolution (text in **bold** is from the master plan, followed by analysis in plain text).

Development Pattern and Land Use

Policy 1: Promote a development pattern that allocated appropriate amounts of land for residential, commercial, employment, industrial, and institutional land uses in accordance with county development goals by considering local and regional needs, the integration of land uses wherever possible, and the impact of development proposals on the economy, environment, equity, and efficiency (page 58).

Strategy 2: Preserve and expand areas of institutional and public and private open space (page 58).

The PPS includes subdivision of the property for the development of a place of worship. This development would advance this strategy by adding a new institutional use for the community.

Pursuant to Section 24-121(a)(5), the PPS conforms to the relevant goals, strategies, and policies of the master plan as discussed above and throughout this resolution.

Sectional Map Amendment/Zoning

The 2013 *Approved Subregion 6 Sectional Map Amendment* retained the subject property in the R-A Zone. On November 29, 2021, the Prince George’s County District Council approved CR-136-2021, the Countywide Map Amendment (CMA), which reclassified the subject property from the R-A to AR, effective April 1, 2022. However, this PPS was reviewed pursuant to the prior zoning.

7. **Stormwater Management**—An application for a major subdivision must include an approved stormwater management (SWM) concept plan, or indication that an application for such approval has been filed with the appropriate agency or the municipality having

approval authority. A SWM concept plan was applied for on October 5, 2022, under case number 39620-2022-0, with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE). The SWM concept plan shows use of a bioswale, bypass, submerged gravel wetland, and three micro-bioretention facilities to address SWM requirements.

No further action regarding SWM is required with this PPS review. Development of the site in conformance with the SWM plan submitted, and any subsequent revisions thereof, will ensure that no on-site or downstream flooding will occur. Therefore, this PPS satisfies the requirements of Section 24-130 of the prior Subdivision Regulations.

8. **Parks and Recreation**—In accordance with Section 24-134(a) of the prior Subdivision Regulations, the subject PPS is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
9. **Transportation**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT), the master plan, and prior Subdivision Regulations, to provide the appropriate transportation facilities.

MPOT AND MASTER PLAN CONFORMANCE

Master Plan Right-of-Way

The subject property has frontage on both US 301 (F-10) and Chew Road, however, there is no direct access to US 301 included or required with this PPS. Chew Road is an historic road with a 60-foot-wide right-of-way (ROW), as designated by the 2006 *Guidelines for the Design of Scenic and Historic Roadways in Prince George's County*. The PPS includes dedication of land to provide 30 feet of ROW width from the road centerline along the frontage of Chew Road, for the ultimate ROW width of 60 feet.

US 301 is a master-planned freeway with four lanes and an ultimate ROW width of 450 feet. The ultimate ROW is based on a project for future roadway expansion for US 301 that is proposed to impact the frontage of this property. This project is not funded, but is considered important to the roadway network in the County as the alignment is discussed in the MPOT and the master plan.

In accordance with Section 24-139 of the prior Subdivision Regulations, the Prince George's County Planning Board, when reviewing a PPS, shall refer to the General Plan, master plans, or amendments and parts thereof to determine the need for reserving, for public use, any of the land included in the PPS. Reservations may be required for highways, transit, or ROW. If a reservation appears desirable, the Planning Board refers the PPS to the public agency concerned with acquisition and also refers the PPS to the County Executive, County Council, and any municipality within which the property is located, for their comments. The acquisition agency's recommendation, if affirmative, must include a map showing the boundaries of the area of the property to be reserved, and an estimated time required to complete the acquisition. Upon receipt of an affirmative report from the public agency, the Planning Board shall establish the reservation, with or without modifications, concurrently with the approval of the PPS.

In a letter dated June 12, 2024, comments were requested from the Maryland Department of Transportation, State Highway Administration (SHA), the Prince George's County Department of Public Works and Transportation (DPW&T), and DPIE to determine if reservation along the property's frontage of US 301 was desirable. In response, all agencies confirmed that a reservation was desirable. In addition, the Prince George's County Executive's office and the Prince George's County District Council were contacted to solicit their comments. On August 7, 2024, Prince George's County Planning Department staff met with the Assistant Deputy Chief Administrative Officer for Economic Development, who confirmed that the Prince George's County Executive's office is in favor of reservation. No response was received from the District Council, but any such response will be included in the record of this case if received prior to adoption of the Resolution memorializing the Planning Board's decision. As the operating agency, SHA confirmed their desire to place the property in reservation. On August 27, 2024, SHA indicated via email (Rogers to Daniels, incorporated by reference herein) the area of the parcel to be reserved as well as an estimate of the time required to complete the acquisition. SHA's comments are listed below:

"The proposed reservation of a portion of the subject property shown in the Renewal Christian Center Preliminary Plan of Subdivision (4-23012) is bound on the west by the existing SHA right-of-way line and on the east by the approximate SHA ultimate right-of-way line. The proposed reservation includes the SHA Highway Protective Easement Area – SHA plat # 6619 and 6621 (50' wide) and the SHA Drainage and Slope Easement – SHA plat # 6619 and 6621 (variable width). The attached map demonstrates these boundaries. It is the Maryland Department of Transportation (MDOT) State Highway Administration's (SHA) recommendation that the highlighted property depicted in attached map be placed in reservation by the Prince George's County Planning Department to preserve necessary right-of-way for the proposed roadway improvements along the US 301 corridor (F-10). Should SHA acquire the reserved property for US 301 improvements, the acquisition would take 9 to 12 months to complete."

Planning Department staff concurred with this finding and recommended placing the area between the property's frontage along US 301 (Robert S Crain Highway) and the MPOT ultimate ROW line (approximately 150 feet wide) in reservation.

Master Plan Pedestrian and Bike Facilities

The MPOT and master plan do not include any recommendations for bicycle and pedestrian facilities along US 301 or Chew Road for the subject site. The MPOT provides policy guidance regarding multimodal transportation and recommends the implementation of Complete Streets in the Developed and Developing Tiers; however, the subject property is located within the Rural Tier. Roads within the Rural Tier are frequently used for recreation due to their relatively low volume. As such, the MPOT and master plan recommend the following policies:

MPOT recommendations:

Policy 1: Promote and encourage cycling and walking as an alternative to the car for commuting and recreational purposes.

Master plan recommendations:

Policy 1: Develop a road network that balances regional mobility and local accessibility needs.

The subject site is along a regional roadway network, with connectivity to a small local community. The plan includes two site access points along Chew Road. A minimum 5-foot-wide sidewalk shall be provided along the property frontage of Chew Road and associated crosswalks, and Americans with Disabilities Act (ADA) curb ramps crossing each vehicular access point.

There are no master plan requirements for pedestrian or bicycle facilities along Chew Road or US 301.

Access and Circulation

The PPS includes two vehicle access points along Chew Road with a circuitous circulation: the northern access as an ingress and the southern access as the egress.

The vehicular access points and required pedestrian facilities are found to be appropriate.

Based on the findings presented above, multimodal transportation facilities will exist to serve the PPS, as required under Subtitle 24, and will conform to the MPOT and master plan.

10. **Public Facilities**—This PPS was reviewed for conformance to the master plan, in accordance with Sections 24-121(a)(5) and 24-122(b) of the prior Subdivision Regulations. The master plan contains the following overall goals (page 119):

- **Provide residents of Subregion 6 with needed public facilities in locations that serve existing and future populations.**
- **Ensure that all new public facilities will be constructed to LEED standards and existing buildings will be retrofitted to make them as energy efficient and sustainable as possible.**
- **Maintain the high level of service by providing essential equipment and professional training for personnel.**
- **Priority will be given to funding public facilities to support development in the Developing Tier.**

The proposed development will not impede achievement of the above-referenced goals. The analysis provided with approved ADQ-2023-019 illustrates that, pursuant to adopted tests and standards, public safety facilities are adequate to serve the proposed development. As discussed below, water and sewer service are also adequate to serve the proposed development. There are no master-planned police, fire and emergency medical service facilities, public schools, parks, or libraries proposed on the subject property.

The 2008 *Approved Public Safety Facilities Master Plan* also provides guidance on the location and timing of upgrades and renovations to existing facilities and construction of new facilities, however, none of its recommendations affect the subject site.

Section 24-122.01(b)(1) of the prior 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 PPS or final plat approval. The 2018 *Water and Sewer Plan* placed this property in Water and Sewer Category 6, Individual Disposal System. Category 6 properties are located outside the limits of planned water and sewer service and are required to be served by on-site sewage disposal systems (septic systems) which can be individual systems, shared systems, or community systems. In addition, the property is within Tier 4 of the Sustainable Growth Act. Tier 4 includes those properties served by well and septic or shared facilities and smaller community systems. The subject property is proposed to be served by private on-site water and sewer systems and is therefore deemed to be in conformance with Section 24-122.01(b)(1).

11. **Public Utility Easement**—In accordance with Section 24-122(a) of the prior Subdivision Regulations, when utility easements are required by a public company, the subdivider shall 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 standard requirement for public utility easements (PUEs) is a minimum of 10 feet wide along both sides of all public ROWs. The site abuts US 301 to the north and Chew Road to the east. The required PUE is reflected on the PPS, along the public ROWs.

12. **Historic**—The master plan contains goals and policies related to historic preservation (pages 161–173); however, these are not specific to the subject site. The subject property was once part of the Kingsdale Land patent and was used as a commercial nursery in the late 20th and early 21st centuries. 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 high. A Phase I archeology survey was completed in September 2023. A total of 44 shovel test pits were excavated across the study area. No cultural material was recovered in the areas formerly occupied by the nursery, other than coal ash and surface debris from the 21st century use of the property. No archeological sites were identified within the limits of disturbance on the subject property. Due to the lack of historically significant archeological deposits, no further work was recommended on the subject property. No additional archaeological investigations are necessary on the subject property, and no further work is required.
13. **Environmental**—The following applications and associated plans were previously reviewed for the subject site:

Development Review Case Number	Associated Tree Conservation Plan Number	Authority	Status	Action Date	Resolution Number
N/A	NRI-098-2021	Staff	Superseded	5-13-2021	N/A
N/A	NRI-098-2021-01	Staff	Approved	3-23-2023	N/A
4-23012	TCP1-008-2024	Planning Board	Approved	9-5-2024	2024-088

Grandfathering

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 because the application is for a new PPS.

Site Description

The 23.34-acre site is undeveloped with 12.55 acres of woodlands on-site. A review of the approved Natural Resources Inventory (NRI-098-2021-01) identified that regulated environmental features (REF) such as 100-year floodplain, streams, wetlands, associated buffers, steep slopes, and primary management area (PMA) exist on-site. This site is located in the Horse Tavern Branch portion of the Charles Branch watershed, which is part of the Patuxent River watershed. In a letter dated April 27, 2021, the Maryland Department of Natural Resources Natural Heritage Program determined that there are no state records for rare, threatened, or endangered species within the boundary of the project site, but there is a potential for forest interior dwelling species (FIDS) habitat.

Plan 2035

The site is located within the Environmental Strategy Area 3 (formerly the Rural Tier) of the Regulated Environmental Protection Areas Map as designated by Plan 2035, and within the rural and agricultural areas of the General Plan Growth Policy of Plan 2035.

ENVIRONMENTAL CONFORMANCE WITH APPLICABLE PLANS

Master Plan Conformance

The master plan contains environmental goals, policies, and strategies. In a SOJ dated May 8, 2024, the applicant stated how the proposed development design is in conformance with these policies, of which the following are applicable to the current project with regard to natural resources preservation, protection, and restoration. The text in **bold** is the text from the master plan (pages 68–79), and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve, and restore the identified green infrastructure network and areas of local significance within Subregion 6 in order to protect critical resources and to guide development and mitigation activities.

Strategy 2: Protect primary corridors (Patuxent River, Charles Branch, Collington Branch, Piscataway Creek, Mattawoman Creek, and Swanson Creek) during the review of land development proposals to ensure the highest level of preservation and restoration possible, with limited impacts

for essential development elements. Protect secondary corridors to restore and enhance environmental features, habitat, and important connections.

All regulated areas on-site within the 2017 *Countywide Green Infrastructure Plan* (GI Plan) are being preserved and will be protected with associated floodplain, conservation, and woodland conservation easements prior to development. The Horse Tavern Branch will be further protected with the installation of SWM facilities on-site that will help treat stormwater before it flows into the stream. The Type 1 tree conservation plan (TCP1) also shows natural regeneration areas, adjacent to the regulated areas, to further enhance habitat that will also be placed into permanent woodland conservation easements.

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

Strategy 7: Require environmentally-sensitive site design which includes limiting impervious surfaces and implementing best practices in on-site stormwater management to reduce the impact of development on important water resources (page 73).

This subject site does not currently have a stormwater system that is up to current standards. The new SWM facilities will bring the site into conformance with current design standards and regulations. DPIE will evaluate the SWM system for conformance with these standards and will not issue permits if they are not met.

Policy 3: Increase planning and informational data collection efforts at the watershed level, raising the profile and awareness about the importance of shared aquifers and other resources to water quality and supply.

This subject site proposes a septic recovery area that must comply with health standards. Although an existing well is shown on the PPS and TCP1, a proposed parking island is shown to be placed in its location. It is unclear how the relocation of this well will be mitigated on-site, as no proposed well is shown on the PPS or TCP1. The PPS and TCP1 must show how potable water will be delivered on-site.

Policy 4: Protect, restore, and enhance the Chesapeake Bay Critical Area.

This subject site is not within the Chesapeake Bay Critical Area. According to the applicant, the SWM concept plan has been designed to adequately treat all water landing on the site and leaving it in such a way that it will not further degrade the existing conditions, and ultimately serve to protect the Chesapeake Bay. DPIE will evaluate the final stormwater design prior to issuance of building permits, and it must conform to state and County standards.

Policy 7: Encourage the use of green building techniques and community designs that reduce resource and energy consumption.

The development applications for the subject property, which require architectural approval, should incorporate green building techniques and the use of environmentally sensitive building techniques, to reduce overall energy consumption. The use of green building techniques and energy conservation techniques is encouraged to be implemented to the greatest extent possible.

Conformance with the Green Infrastructure Plan

The GI Plan was approved with the adoption of the *Approved Prince George's County Resource Conservation Plan: A Countywide Functional Master Plan* (CR-11-2017), on March 7, 2017. According to the approved GI Plan, this site contains regulated and evaluation areas. The following policies and strategies are applicable to the subject PPS. The text in **bold** is the text from the GI Plan and the plain text provides findings on plan conformance:

POLICY 1: Preserve, enhance, and restore the green infrastructure network and its ecological functions while supporting the desired development pattern of Plan Prince George's 2035.

- 1.1 **Ensure that areas of connectivity and ecological functions are maintained, re-stored, and/or established by:**
 - a. **Using the designated green infrastructure network as a guide to decision-making and using it as an amenity in the site design and development review processes.**
 - b. **Protecting plant, fish, and wildlife habitats and maximizing the retention and/or restoration of the ecological potential of the landscape by prioritizing healthy, connected ecosystems for conservation.**
 - c. **Protecting existing resources when constructing stormwater management features and when providing mitigation for impacts.**
 - d. **Recognizing the ecosystem services provided by diverse land uses, such as woodlands, wetlands, meadows, urban forests, farms and grasslands within the green infrastructure network and work toward maintaining or restoring connections between these.**

All of the regulated areas on-site are to be protected. Many of the evaluation areas surrounding the regulated areas are also to be preserved or enhanced on-site through natural regeneration.

1.2 Ensure that Sensitive Species Project Review Areas and Special Conservation Areas (SCAs), and the critical ecological systems supporting them, are preserved, enhanced, connected, restored, and protected.

- a. Identify critical ecological systems and ensure they are preserved and/or protected during the site design and development review processes.**

No special conservation areas are located on or within the vicinity of the subject site.

POLICY 2: Support implementation of the 2017 GI Plan throughout the planning process.

All of the existing on-site forested area within the Horse Tavern Branch and its tributaries, along with wetlands, floodplain, and associated buffers, are to be preserved and enhanced with additional natural regeneration surrounding these areas, to meet the entirety of the woodland requirement on-site, with an additional 0.04 acre beyond what is required.

POLICY 3: Ensure public expenditures for staffing, programs, and infrastructure support the implementation of the 2017 GI Plan.

3.3 Design transportation systems to minimize fragmentation and maintain the ecological functioning of the green infrastructure network.

- a. Provide wildlife and water-based fauna with safe passage under or across roads, sidewalks, and trails as appropriate. Consider the use of arched or bottomless culverts or bridges when existing structures are replaced, or new roads are constructed.**

No stream crossings are included with this PPS. Preservation of the existing stream and tributaries will help facilitate safe passage of wildlife across the site. Protection of the stream area into conservation easements will help protect the existing network in perpetuity for wildlife and water-based fauna, to facilitate safe passage across the site.

- b. Locate trail systems outside the regulated environmental features and their buffers to the fullest extent possible. Where trails must be located within a regulated buffer, they must be designed to minimize clearing and grading and to use low impact surfaces.**

No trails are included within the REF and their buffers on-site.

POLICY 4: Provide the necessary tools for implementation of the 2017 GI Plan.

- 4.2 Continue to require the placement of conservation easements over areas of regulated environmental features, preserved or planted forests, appropriate portions of land contributing to Special Conservation Areas, and other lands containing sensitive features.**

Woodland preservation and natural regeneration areas will be placed into woodland conservation easements prior to the approval of the Type 2 tree conservation plan (TCP2), while all areas within the PMA will be protected within a conservation easement, with the recordation of the final plat. There are no special conservation areas on the subject property.

POLICY 5: Improve water quality through stream restoration, stormwater management, water resource protection, and strategic conservation of natural lands.

- 5.8 Limit the placement of stormwater structures within the boundaries of regulated environmental features and their buffers to outfall pipes or other features that cannot be located elsewhere.**
- 5.9 Prioritize the preservation and replanting of vegetation along streams and wetlands to create and expand forested stream buffers to improve water quality.**

A draft SWM concept plan, pending approval with DPIE, was submitted with the PPS for this site, the details of which are discussed in the Stormwater Management finding. In this PPS, no impacts were requested to REF. The design, as currently shown on the PPS and TCP1, will be in conformance with Policy 5.

POLICY 7: Preserve, enhance, connect, restore, and preserve forest and tree canopy coverage.

General Strategies for Increasing Forest and Tree Canopy Coverage

- 7.1 Continue to maximize on-site woodland conservation and limit the use of off-site banking and the use of fee-in-lieu.**
- 7.2 Protect, restore, and require the use of native plants. Prioritize the use of species with higher ecological values and plant species that are adaptable to climate change.**
- 7.4 Ensure that trees that are preserved or planted are provided appropriate soils and adequate canopy and root space to continue growth and reach maturity. Where appropriate, ensure that soil treatments and/ or amendments are used.**

All woodland conservation requirements will be met on-site. Woodland preservation areas and natural regeneration areas will be placed into woodland conservation easements prior to approval of the TCP2; while all areas within the PMA will be protected within a conservation easement with the recordation of the final plat. No detailed planting specifications are required, at this time, as part of a TCP1 and no on-site planting of woodlands is included. Planting details regarding spacing specifications and any soil amendments will be reviewed, as required, as part of the TCP2 and landscape plan, which will be reviewed at the time of permit application. Such planting specifications, for spacing and soil amendments, must be in conformance with the planting standards and details in the 2018 Prince George's County Environmental Technical Manual (ETM) and the 2010 *Prince George's County Landscape Manual* (Landscape Manual), respectively.

Forest Canopy Strategies

7.12 Discourage the creation of new forest edges by requiring edge treatments such as the planting of shade trees in areas where new forest edges are proposed to reduce the growth of invasive plants.

Some new forest edges will be created on-site as an inevitable consequence of developing a largely wooded site. However, where feasible, created edges will be restored through natural regeneration and, where afforestation is not feasible, the woodlands themselves will be largely protected by counting them as woodland preservation areas on-site. All woodland preservation and natural regeneration areas will be placed into woodland conservation easements, while all areas within the PMA will be protected within a conservation easement, prior to permit. Retention of existing woodlands and planting of native species on-site is required by both the ETM and the Landscape Manual, which can count toward the tree canopy coverage requirement for the development. Tree canopy coverage requirements will be evaluated at the time of the associated special exception plan review.

7.13 Continue to prioritize the protection and maintenance of connected, closed canopy forests during the development review process, especially in areas where FIDS habitat is present or within Sensitive Species Project Review Areas.

The site is not within a sensitive species project review area; however, FIDS habitat is mapped along the western portion of the site. The development has been prioritized to the eastern portion of the property. The majority of the mapped FIDS habitat boundary is being preserved, protected, and enhanced through woodland preservation and natural regeneration. Woodland preservation areas and natural regeneration areas will be placed into woodland conservation easements, while all areas within the PMA will be protected within a conservation easement prior to permit. Tree canopy coverage requirements will be evaluated at the time of permit.

ENVIRONMENTAL REVIEW

Natural Resources Inventory/Existing Conditions

An approved Natural Resources Inventory (NRI-098-2021-01) was submitted with the PPS. This site is associated with REF including 100-year floodplain, streams, wetlands, and their associated buffers. The PMA, which is comprised of REF, the 100-year floodplain, and any adjacent steep slopes, is mapped on-site. This site is not within a Tier II catchment area and is not mapped in a sensitive species review area per PGAtlas; however, no correspondence was received from the Maryland Department of Natural Resources (MDNR) regarding their evaluation of the site as it relates to the presence or absence of rare, threatened, or endangered species on-site. Prior to signature approval of the TCP1, a copy of a letter from MDNR is required to assess whether rare, threatened, or endangered species are present on-site, or if any development restrictions exist. Two forest stands covering a combined area of 12.55 acres exist on-site, consisting of 0.95 acre of woodlands in the 100-year floodplain and 11.60 acres outside of the 100-year floodplain. A total of 15 specimen trees are within the PPS boundaries.

Woodland Conservation

This site is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because this is a new PPS and is subject to the requirements of the ETM. TCP1-008-2024 was submitted with this PPS and requires minor revisions, to be found in conformance with the WCO.

According to the TCP1 worksheet, the woodland conservation threshold for this 23.37-acre property is 50 percent of the net tract area or 11.69 acres. The total woodland conservation requirement based on the amount of clearing proposed is 12.49 acres. This requirement is to be satisfied with 8.99 acres of on-site woodland preservation and 3.54 acres of natural regeneration. However, the TCP1 worksheet requirement was not calculated correctly. First, the gross tract area is inconsistent with the boundary survey and PPS, which reflect the property as 23.34 gross acres. Secondly, the 0.95 acre of 100-year floodplain was not deducted from the gross tract, as required in the net tract calculations. The net tract area, based off the boundary survey, should be 22.39 acres, which lowers the woodland conservation threshold to 11.20 acres and the overall woodland conservation requirement to 11.78 acres. The TCP1 worksheet must be revised to correct this error.

Additional technical revisions to the TCP1 are required and included in the conditions of approval.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site, or are associated with a historic structure, shall be preserved. The design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition, and the species' ability to survive construction as provided in the [Environmental] Technical Manual."

This property contains 15 specimen trees, and they are all to be preserved.

Preservation of Regulated Environmental Features/Primary Management Area

This site contains REF that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the prior Subdivision Regulations. The on-site REF includes streams, stream buffers, wetlands, wetland buffers, as well as 100-year floodplain, and steep slopes, inclusive in the PMA. All of these features are to be preserved on-site, with no direct impacts to these areas.

Erosion and Sediment Control

The County requires the approval of an erosion and sediment control plan. The tree conservation plan must reflect the ultimate limits of disturbance (LOD) not only for installation of permanent site infrastructure, but also for the installation of all temporary infrastructure including erosion and sediment control measures. A copy of the erosion and sediment control plan must be submitted at the time of the TCP2 review, so that the ultimate LOD for the project can be verified and shown on the TCP2.

Soils

The predominant soils found to occur on-site according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey include Marr-Dodon complex (2-15 percent slopes); Marr-Dodon-Urban land complex (0-5 percent slopes); Udorthents, highway (0-65 percent slopes); and Widewater and issues soils, frequently flooded.

According to available information, unsafe soils containing Marlboro clay or Christiana complexes are not mapped on this property. A geotechnical review was not requested with this PPS; however, one may be required for review by the County with a future development application, in conformance with Prince George's County Council Bill CB-94-2004.

14. **Urban Design**—The subject site proposes institutional use as a place of worship, which is permitted by-right in the R-A Zone, and does not require a detailed site plan under the prior Zoning Ordinance. The proposed development will be required to demonstrate conformance with the applicable requirements regarding landscaping, screening, buffering, fencing, and building setbacks at the time of permit review. This includes conformance to building height for places of worship of up to 80 feet, provided that for each 1-foot increase in height, every yard is increased by 1-foot, per Section 27-442(f), note 12.

It is important to note at the time of final design, prior to permit application, that Chew Road is a scenic and historic roadway. Per Section 4.6 of the Landscape Manual, a minimum 40-foot-wide buffer is required with a minimum of 80 plant units per 100 linear feet along this property's frontage. All plant material required by this section shall be located outside of PUEs adjacent to the ROW. In addition, the adjacent lot to the east is zoned I-1, and a Section 4.7 bufferyard is required, including a 30-foot building setback and a minimum 20-foot-wide landscaped yard, to be planted with a minimum of 80 plant units per 100 linear feet.

15. **Community Feedback**—The Prince George's County Planning Department did not receive any correspondence from the community for this PPS.

16. **Planning Board Hearing**—At the September 5, 2024 Planning Board hearing, staff presented the PPS to the Planning Board. No members of the community signed up to testify at the hearing. Prior to the Tuesday noon deadline, the applicant submitted exhibits in support of their request to delete three recommended conditions of approval related to the placement of a portion of the subject property, lying within the US 301 master plan ultimate right-of-way, in reservation. The applicant referenced correspondence received by Planning Department staff from SHA and challenged the recommended reservation on the grounds that SHA, in making their recommendation for reservation, did not meet all the requirements of the “Transportation Review Guidelines, Part 1”. Specifically, the applicant noted that SHA, as the operating agency, did not submit documentation identifying a funding source for the potential acquisition of land to be reserved. The applicant argues that, in its recommendation, SHA specifically stated that the US 301 Transportation Corridor Study was omitted from its current 2024–2029 Consolidated Transportation Program. The applicant also noted that no development is planned or approved for the strip of property that was intended to be reserved. After review, the Planning Board approved deletion of Condition 1g and Condition 10, related to reservation of land for the US 301 right-of-way.

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.

* * * * *

PGCPB No. 2024-088


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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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, September 5, 2024, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 26th day of September 2024.

Peter A. Shapiro
Chairman

By 
Jessica Jones
Planning Board Administrator

PAS:JJ:JB:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner
M-NCPPC Legal Department
Date: September 19, 2024