

R E S O L U T I O N

WHEREAS, Breath of Life Church is the owner of a 20.21-acre parcel of land known as Breath of Life Seventh Day Adventist Church (Parcel 144), said property being in the 5th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on March 13, 2000, Breath of Life Seventh Day Adventist Church filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for two lots and one outlot (Lot 1 and 2, and Outlot A), and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-00013, 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 May 11, 2000, for its review and action in accordance with Article 28, Section 7-116, Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

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

WHEREAS, on May 11, 2000, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Preliminary Plat of Subdivision 4-00013 with the following conditions:

1. Development of this property shall be in conformance with the approved Stormwater Concept Plan, Concept #948003350.
2. A Type II Tree Conservation Plan shall be approved for this site prior to the issuance of grading or building permits.
3. Total development within the subject property shall be limited to a 48-unit senior housing complex and 47,800 square feet of church and church-related multi-purpose facilities (including the existing 70-student day care facility), or equivalent development which is permitted within the R-R Zone. Development of up to 5,000 additional square feet of church or church-related space shall not constitute a significant change in peak hour trip generation. Any development other than that identified herein above shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.
4. At the time of final plat approval, the applicant shall dedicate a right-of-way along

Livingston Road and Fort Washington Road of 40 feet from the center line of the existing pavement.

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. Parcel 144 is an unusually shaped Athrough@ lot having frontage on both Fort Washington Road to the west and Livingston Road to the east. Existing site access is via Fort Washington Road. The property is located approximately 800 feet south of the intersection of Fort Washington Road and Livingston Road. All abutting properties to the north are zoned R-R. To the south are R-80 zoned single-family lots. Across Livingston Road to the east is I-3 zoned industrial land. Across Fort Washington Road to the west is Outlot AA,@ and R-E zoned single family lots.
3. The Environmental Planning Section previously reviewed this site in conjunction with SE-4331. This site is subject to the Woodland Conservation Ordinance because the site is more than 40,000 square feet and contains more than 10,000 square feet of woodland. Tree Conservation Plan TCP I/32/98 was submitted for review in conjunction with SE-4331 and recommended for approval. The plan proposes the preservation of 3.99 acres to meet the minimum requirement of 3.70 acres of woodland preservation.

There are streams, wetlands and floodplain on the site. Two minor impacts are proposed for stormwater management. These impacts are necessary for the safe conveyance of stormwater off the developed portion of the site.

Noise is not a significant factor. The site is more than 1,000 feet from Indian Head Highway. Additionally, the building closest to Indian Head Highway is further buffered by 750 feet of retained onsite woodland.

Livingston Road is a Scenic Historic Road. The plan proposes woodland conservation on the upland adjacent to the road and preservation of the floodplain woodlands along the remainder of the property line abutting Livingston Road. All proposed new development is well-screened from impacting the views from Livingston Road.

The Ten Year Water and Sewer Plan designates this property in water and sewer category 4. An application for category 3 has been submitted to the December 1999 Cycle of Amendments. The County Council is expected to act on the request in May 2000. A water sewer category of 3 will be required prior to final plat.

4. The Community Planning Division reviewed this site in conjunction with the special exception application SE-4331 for the proposed elderly housing facility and found no master plan issues associated with this application.

The Zoning Hearing Examiner (ZHE), whose decision was adopted by the District Council for SE-4331, found in conclusion that, A[t]he use proposed in no way conflicts with the Master Plan for the area.@ Further, the ZHE discusses that the elderly community that must be served by the special exception use is not only those who reside in the immediate area. Instead, the Zoning Ordinance addresses the need of the retirement-aged community in general, and the ZHE found that the needs of the elderly community will be served by the application (SE-4331). Finally, the Zoning Hearing Examiner states, A[t]his Examiner has fully considered the concerns and desires of the neighboring property owners, but must find from a land use perspective that the proposed use is not incompatible with the existing uses and properties within the neighborhood.@

5. Although multifamily dwelling units are proposed pursuant to the approved special exception, the subject application is exempt from Mandatory Dedication requirements because the proposed lots are greater than one acre in size and the land is in a one-family zone (Section 24-134(a)(3)(B)).
6. There are no master plan trail issues associated with this application.
7. The site contains a 14,800-square-foot building containing a church and 70-student day care facility. The applicant proposes to construct a 48-unit senior housing complex and expand the church facilities by adding a multi-purpose building.

The applicant has not prepared a traffic impact study nor was one requested by the transportation staff. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, and in consideration of findings made and analyses done in support of SE-4331, which approved the senior housing component (all other uses are permitted by right in the R-R Zone).

Ultimately, the applicant proposes to construct 48 units of elderly housing, along with an expansion of the church facilities to be used as a multi-purpose building. The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* do not provide specific trip rates for the proposed uses, but staff has analyzed them as detailed below:

- a. The staff has analyzed this proposal using statistics in the Institute of Transportation Engineers= *Trip Generation Manual* for ACongregate Care Facility.@ This use is described in the Manual as Aone or more multi-unit buildings designed for elderly living; they may also contain dining rooms, medical facilities, and recreational facilities.@ This use is very similar to the A Elderly Housing - Attached@ and the AElderly Housing - Detached@ uses except that these latter two uses seem to encompass larger complexes with a different housing type. Using the rates for ACongregate Care Facility,@ the subject property would generate a total of 3 AM (2 in, 1 out) and 8 PM (4 in, 4

out) peak hour vehicle trips.

- b. The conceptual plan provided with this application indicates that the applicant plans an expansion to the church facilities. According to the plan, this multi-purpose expansion would be approximately 33,000 square feet. This expansion would generate 22 AM (11 in, 11 out) and 21 PM (11 in, 10 out) peak hour vehicle trips (using the *Trip Generation Manual* rates for AChurch@).

The trips of all planned uses on the site would be distributed to the local roadway network as follows:

- 10% - southwestbound along Fort Washington Road
- 15% - northbound along Livingston Road
- 15% - southbound along Livingston Road
- 60% - eastbound along Fort Washington Road

The majority of vehicle trips generated by the subject property would utilize the intersection of Fort Washington Road and Livingston Road. The staff counts at this location were done in September 1997. Using these recent counts, this intersection operates at a critical lane volume (CLV) of 1,091 and Level-of-Service (LOS) B in the AM peak hour, and a CLV of 1,078 and LOS B in the PM peak hour. With approved development in the area, plus the elderly housing facility and the expanded church facility proposed by this plan, this intersection would operate at a CLV of 1,183 and LOS C in the AM peak hour, and a CLV of 1,239 and LOS C in the PM peak hour.

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined LOS D as the lowest acceptable operating condition for signalized intersections on the transportation system. Based on the counts that the transportation staff has at hand and the analyses documented above, the critical intersection of Fort Washington Road and Livingston Road will operate well within acceptable limits, if the Preliminary Plat of Subdivision is approved.

The transportation staff has long documented that operating conditions worse than LOS D exist along Indian Head Highway (MD 210). Given the community-oriented nature of the use along with the size of its impact, however, it would not be typical for transportation staff to consider intersections beyond the nearest major intersection. For that reason, the transportation staff's analysis is limited to Fort Washington Road and Livingston Road. Also, the transportation staff has noted that the expansion of the church facilities does not include a significant expansion of the sanctuary. As such, the staff has determined that the Sunday impact of the additional development of the site would be minimal, and that a Sunday analysis of local traffic is not warranted.

On-site circulation is acceptable. The rights-of-way proposed for dedication along Fort Washington Road and Livingston Road are both acceptable and in accordance with Master Plan needs.

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code.

8. Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of public facilities in accordance with Sections 24-122.01 and 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2000) (CR-4-1998) and has concluded that this subdivision application is exempt from the APF test for schools because the site contains both non-residential uses and an elderly housing facility. Elderly housing is exempt from the APF test for schools.
9. Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of fire and rescue facilities in accordance with Section 24-122.02 of the Subdivision Regulations, and concluded the following.
 - a. The existing fire engine service at Allentown Road Fire Station, Company 47, located at 109000 Fort Washington Road has a service response time of 0.95 minutes, which is within the 3.25-minute response time guideline.
 - b. The existing ambulance service at Allentown Road Fire Station, Company 47, located at 109000 Fort Washington Road has a service response time of 0.95 minutes, which is within the 4.25-minute response time guideline.
 - c. The existing paramedic service at Allentown Road Fire Station, Company 47, located at 109000 Fort Washington Road has a service response time of 0.95 minutes, which is within the 7.25-minute response time guideline.
 - d. The existing ladder truck service at Oxon Hill Fire Station, Company 21, located at 7600 Livingston Road has a service response time of 5.78 minutes, which is beyond the 4.25-minute response time guideline.

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

10. The proposed development is within the service area for District IV Oxon Hill Police. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations the existing County's police facilities will be adequate to serve the proposed Breath of Life Seventh Day Adventist Church development.
11. The Health Department has reviewed the proposed application and has no comments.

12. The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #948003350, 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.

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

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner McNeill, seconded by Commissioner Boone, with Commissioners McNeill, Boone, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, May 11, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of June 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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