

R E S O L U T I O N

WHEREAS, New Home Baptist Church is the owner of a 3.09-acre parcel of land known as Parcel A, said property being in the 13 Election District of Prince George's County, Maryland, and being zoned R55; and

WHEREAS, on June 20, 2000, New Home Baptist Church filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 1 Parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-00035, 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 September 7, 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, with conditions of the application with conditions; and

WHEREAS, on September 7, 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 4-00035 for Parcel B with the following conditions:

1. Prior to signature approval, the preliminary plat shall be revised to graphically depict the 10-foot Public Utility Easement.
2. Prior to the issuance of any permits for the day care use within the subject property, the following road improvements shall have full financial assurances, have been permitted for construction through the SHA access permit process, and have an agreed-upon timetable for construction with the SHA:

MD 202 and Barlowe Road - Provide an eastbound exclusive left-turn lane (to serve U-turns), along with any signal modifications at that location which may be required by the State Highway Administration (SHA). All modifications are subject to the approval of SHA.

3. Total development within the subject property shall be limited to the existing 18,000-square-foot church to include the proposed 113-student day care use, or equivalent development, which generates no more than 105 AM and 111 PM peak hour vehicle trips. Development of up to 5,000 square feet of additional church facilities shall

not constitute a significant change in peak hour trip generation. Any development other than that identified above shall require a new preliminary plat of subdivision with a new determination of the adequacy of transportation facilities.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located in the Kent Community on the north side of MD 202, northwest of its intersection with the Capital Beltway (US 495).
3. Environmental - The project is subject to the County Woodland Conservation and Tree Preservation Ordinance. During the previous review of Preliminary Plat 4-92134, a Forest Stand Delineation was submitted and found to be adequate. The corresponding Type I Tree Conservation Plan(TCPI/95/92) was approved at that time. A Type II Tree Conservation Plan (TCPII/57/95) was approved on May 5, 1995, and subsequently revised several times. The current proposal is in conformance with the approved and revised TCP II. In the future, if changes are made to the limit of disturbance, the TCP II must be revised prior to permit application.

This property contains an extensive area of slopes in excess of 25 percent. However, the associated soils do not seem to be highly erodible. In previous reviews, grading and retaining walls were approved on the bottom of this slope to create a parking lot on the adjacent property.

The property is in Water and Sewer Category 3 and will be served by public systems.

4. Community Planning - There are no master plan issues associated with this application.
5. Parks and Recreation - In accordance with Section 24-134(a)(3)(B) of the Subdivision Regulations, the proposed subdivision is exempt from mandatory dedication because proposed Parcel AB@ is located within a one-family zone and has a net tract area greater than one acre.
6. Trails - The Adopted and Approved Landover and Vicinity Master Plan recommends that a sidewalk be provided on both sides of Landover Road (MD 202) in order to facilitate continuous pedestrian movement for nonvehicular access to Metro, shopping, employment and recreation. Since improvements to this road are under the jurisdiction of the State Highway Administration (SHA), the recommendation for a sidewalk being provided along the subject site=s entire frontage was forwarded, during the review of the original subdivision, to SHA. At the time of review of the original building permit, SHA did not require the construction of the sidewalk. However, future development along the

MD 202 corridor may eventually support the need for a sidewalk.

7. Transportation - The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property is located on the north side of MD 202 between Barlowe Road and Kenmoor Drive. The site is occupied by an existing church building. The applicant proposes to conduct day care services for up to 113 children. No new buildings are proposed to accommodate the day care facility.

The current application is for a property which was subdivided by Preliminary Plat of Subdivision 4-92134. The transportation staff reviewed that plan, and Finding 8 of PGCPB Resolution 93-62 concluded that Athe proposed development of a church on the subject property should not generate any weekday peak hour vehicle trips.@ The preliminary plan stated that the proposed use of the property would be limited to a church. As such, the preliminary plat was approved by the Planning Board with the following as Condition 4:

ANo church functions (excluding normal business or counseling) shall be allowed during non-holiday weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak hours.@

A detailed site plan has been submitted for a day care center operating within the existing church structure. Citing the above finding and condition, the transportation staff is not in support of the DSP. No traffic study was requested of the applicant; however, a limited study was submitted for review so that adequacy for the day care facility might be established. The findings and recommendations outlined below are based upon a review of relevant 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*.

The applicant proposes a day care facility for 113 children to be housed within the existing church facility. The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* do not provide trip rates for a day care center. The Sixth Edition of the Institute of Transportation Engineers' *Trip Generation Manual*, however, provides trip rates for this use. Under these trip generation rates, the provision of day care services on the subject property for 113 students would generate 49 inbound and 43 outbound trips during the AM peak hour, and 46 inbound and 52 outbound trips during the PM peak hour. Of these trips, approximately 70 percent are either pass-by trips, already on MD 202 in front of the site, or are diverted from nearby facilities.

The applicant has conducted counts at the two signalized intersections adjacent to the site along MD 202. These are the nearest median breaks to the site; the driveway into the site does not have a median break along MD 202. The following existing conditions have been observed:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202 and Barlowe Road	1,051	1,056	B	B
MD 202 and Kenmoor Avenue	1,090	869	B	A

There is virtually no approved and unbuilt development in the immediate area. There is very little, if any, growth in through traffic along MD 202.

As noted earlier, the day care facility for 113 students would generate 92 AM peak hour trips and 98 PM peak hour trips. The traffic study is not very explicit about trip distribution or the assignment of pass-by and diverted trips. However, the trip assignment shown in the study is very similar to staff's 1999 analysis. This analysis assumed a trip distribution of 10 percent northeast, 10 percent northwest, 40 percent west, 20 percent east and 20 percent south. The transportation staff also made the following assumptions for this site:

- \$ 30 percent of the trips generated would be new trips (AM & PM)
- \$ 15 percent of the trips generated are diverted from facilities west of Kenmoor Ave (AM and PM)
- \$ 15 percent of the trips generated are diverted from facilities east of Barlowe Road (AM and PM)
- \$ 25 percent of the AM trips generated are pass-by along MD 202 westbound
- \$ 15 percent of the AM trips generated are pass-by along MD 202 eastbound
- \$ All pass-by travel is reversed during the PM

Using this information, the following operating conditions have been determined using the existing roadway network:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 202 and Barlowe Road	1,079	1,066	B	B
MD 202 and Kenmoor Avenue	1,098	869	B	A

The addition of the day care facility would not result in transportation adequacy concerns.

However, the traffic consultant for the applicant did investigate the possibility of providing a median break at the site entrance which would allow eastbound MD 202 traffic to make a left turn directly into the site but would not allow traffic leaving the site to make a left turn directly onto eastbound MD 202. The construction of the additional median break was not favored by the State Highway Administration (SHA). Its effect on service levels at adjacent intersections would be minimal. SHA noted that new median breaks are generally discouraged along major highway facilities such as MD 202, and that the traffic study showed no major public benefit from providing a median break at the site entrance. SHA's comments on the traffic study submitted, concluded by recommending that the applicant provide a new eastbound left-turn lane to accommodate U-turns at MD 202/Barlowe, along with any required signal modifications. All modifications at the MD 202/Barlowe intersection would be coordinated with SHA. The Department of Public Works and Transportation had no comment.

The traffic study cites accident figures along MD 202 within the study area, and concludes that the critical intersections and the adjacent roadway section are not safety deficient. The transportation staff agrees with that finding.

The transportation staff has no comments on the physical facility or on-site circulation. Sufficient right-of-way, consistent with Master Plan recommendations, exists along MD 202, and no further dedication is required by this application.

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

8. Schools - The proposal is exempt from the requirements of Section 24-122.02 of the Prince George's County Subdivision Regulations for adequacy of public schools because it is a nonresidential use and no dwelling units are proposed.
9. Fire and Rescue - Growth Policy and Public Facilities Planning has reviewed the subdivision plans for adequacy of fire and rescue facilities in accordance with Section 24-122.01 and 24-122.02 of the Subdivision Regulations and concluded the following:
 - a. The existing fire engine service at Kentland Fire Station, Company 33, located at

7701 Landover Road, has a service response time of 1.14 minutes, which is within the 3.25-minute response time guideline.

- b. The existing ambulance service at Chapel Oaks Fire Station, Company 38, located at 5544 Sheriff Road, has a service response time of 4.92 minutes, which is beyond the 4.25-minute response time guideline. However, Kentland, Company 33 is located at 7701 Landover Road, which is 1.14 minutes from the development. This facility would be within the recommended response time for ambulance service.
- c. The existing paramedic service at Landover Hills Fire Station, Company 30, located at 68th Street and Annapolis Road, has a service response time of 6.02 minutes, which is within the 7.25-minute response time guideline.
- d. The existing ladder truck service at Tuxedo-Cheverly Fire Station, Company 22, located at 5711 Tuxedo Road, has a service response time of 6.07 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*. In order 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. Police Facilities - The proposed development is within the service area for Landover Police District III. In accordance with Section 24-122.1(c)(1)(A) and (B) of the Subdivision Regulations, staff concludes that the existing County police facilities will be adequate to serve the proposed New Home Baptist Church development.
- 11. Health Department - The Health Department has reviewed the proposed subdivision and has no issues associated with the application.
- 12. Stormwater Management - Condition 1 of Prince George's County Planning Board Resolution 93-62, File 4-92134, required the submission of a stormwater management concept plan approved by the Department of Environmental Resources (DER), Development Services Division, prior to final plat. The final plat of subdivision for this property, VJ 175@39, contains a plat note requiring development in accordance with approved stormwater management plan #958012200. The applicant is proposing no alteration to the existing improvement on site that was previously developed in accordance with that plan.
- 13. Public Utility Easement - The public utility easement should be delineated on the preliminary plat and final plat as shown on the existing record plat of subdivision VJ 175@39.

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.

* * * * *

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 Brown, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Brown, and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 7, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 28th day of September 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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