

R E S O L U T I O N

WHEREAS, Greater Mount Nebo A.M.E.Church is the owner of a 81.03-acre parcel of land known as Parcel 98 and Parcel 16, Tax Map 70, Grid E-2, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned R-A; and

WHEREAS, on June 18, 2001, K.C.I. Technologies, Inc. filed an application for approval of a Preliminary Subdivision Plat (Staff Exhibit #1) for 2 parcels and 1 outlot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plat, also known as Preliminary Plat 4-01052 for Greater Mount Nebo A.M.E. 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 November 15, 2001, 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 November 15, 2001, 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 the Type I Tree Conservation Plan (TCPI/25/97-01), and further APPROVED Preliminary Plat of Subdivision 4-01052, Greater Mount Nebo A.M.E. Church for Parcel A, B and Outlot C with the following conditions:

1. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan #8007940-1997-01.
2. Prior to signature approval the preliminary plan shall be revised:
  - a. To delineate the future right-of-way of the interchange of MD 214 and US 301 in accordance with the plan marked ARight-of-Way/P.G. Master Plan.@.
  - b. To provide the zoning of the property.
  - c. To relabel the outparcel as Outlot C.
  - d. To label the 60-foot street between US 301 and Old Mitchellville Road as being dedicated to DPW&T for public use.
  - e. To provide documentation as to the exact location of the access easement shown along the east property line of Parcel A.

- f. To clearly label the center line and ultimate right-of-way of Old Mitchellville Road.
  - g. To revise the site notes to reflect that this is a subdivision of Parcel 98 and Parcel 16.
  - h. To remove the parking calculations.
  - i. To remove Site Note 23 regarding parking provided for the MTA use.
  - j. To revise the vicinity map to include Parcel 16.
  - k. To provide the center line and ultimate right-of-way of US 301 and MD 214.
3. Total development within the subject property shall be limited to a 120,000-square-foot church, with approximately 3,000 seats, and a 120-student day care facility, or equivalent development which generates no more than 63 AM, 78 PM, and 1,091 Sunday peak hour vehicle trips. Development of up to 5,000 additional square feet of gross floor area shall not constitute a significant change in trip generation. Any development causing a greater impact than that identified herein above shall require the approval of a new Preliminary Plan of Subdivision.
4. The Final Plat of Subdivision shall indicate a building restriction line coincident with the line marked ARIGHT OF WAY/P.G. MASTER PLAN.@ The clear intent of this line should be to prevent the construction of permanent structures, buildings, and fixtures to the south and west of this line within the future F-10 right-of-way.
5. The applicant shall dedicate and construct a new connecting roadway between northbound US 301 (at Pennsbury Drive) and Old Mitchellville Road. The connection to US 301 northbound must be designed to SHA standards in accordance with the requirements of SHA=s Engineering Access Permits, and will be a temporary access. At a minimum, the requirements must include acceleration and deceleration lanes at the new access point, and closure of the existing access point from US 301 northbound to Old Mitchellville Road when the new access roadway is opened to traffic. This access point will be closed in accordance with SHA requirement once the F-10 facility is constructed, and access at that time would be via Old Mitchellville Road.
6. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/25/97-01). The following note shall be placed on the Final Plat of Subdivision:

ADevelopment is subject to restriction shown on the approved Type I Tree Conservation Plan (TCPI/25/97-01), or as modified by the Type II Tree Conservation Plan, and precludes any disturbance or installation of any structure

within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25.@

7. The Final Plat of Subdivision shall reflect a Conservation Easement described by bearings and distances. The conservation easement shall contain the Patuxent River Primary Management Areas (PMA) as delineated on the approved preliminary plan, and be reviewed by the Environmental Planning Section prior to approval. 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 is prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

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.
1. The property is located in the southeast quadrant of the intersection of MD 214 and uS 301 in Bowie.
3. EnvironmentalCThis site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. The subject property was originally reviewed by the Environmental Planning Section in 1997, as a Preliminary Plan of Subdivision (4-97041), and a Type I Tree Conservation Plan (TCPI/25/97). That preliminary plan subsequently expired pending further action by the applicant. This site has an approved Type I Tree Conservation Plan (TCPI/25/97). Due to changes to the proposed entrance, a revised TCP was submitted, TCP1/25/97-01.

The revised TCP shows the minimum woodland requirement for the site as 29.2 acres of the Net Tract. Additionally, 0.4 acre is required due to the removal of woodlands, for a total minimum woodland requirement of 29.6 acres. The plan shows the requirement being met with 29.05 acres of on-site preservation, and 0.8 acres of reforestation. Staff is recommending approval of the revised TCPI.

The subject property is zoned R-A, and is located on the east side of MD 301, Crain Highway northbound, at the northeast quadrant of Central Avenue and MD 301. Based on aerial photographic observation the site is vacant, undeveloped, and partially wooded, with existing forested areas on the western half and eastern boundary lines. The property is currently in active agricultural production and is now proposed for church-related

activities.

Adjacent to the site are two noise generators, Central Avenue (MD 214) and Crain Highway (US 301). The surrounding properties are vacant, undeveloped, and zoned R-A. The site is characterized with steep slopes and rolling terrain to the west and south, which drains into unnamed tributaries of Mt. Nebo Branch of the Patuxent River watershed. There are streams, wetlands, Waters of the U.S., and erodible soils associated with the site. The delineation of the Patuxent River Primary Management Areas (PMA) shown are adequate and provide the necessary protection to all sensitive environmental areas with relationship to the proposed development.

There are no rare/threatened/endangered species located in the vicinity of this property. According to the Sewer Service and Water Service maps produced by DER, the property is in categories S-6 and W-6. The predominant soil types on-site are Adelphia, Sandy Land, Shrewsbury, and Westphalia. These soil types generally exhibit slight limitations to development due to steep slopes. There are Marlboro Clay outcrops along the extreme western portion of the site. The delineation of Marlboro Clay outcrops between 130-115 elevation as shown is satisfactory. No encroachments into these areas are proposed. There are no historic or scenic roads affected by this proposal.

4. Community Planning The proposed preliminary plan is located within the limits of the 1991 *Bowie-Collington-Mitchellville and Vicinity Master Plan* in Planning Area 74A. The land use recommendation for the subject property is for large lot development.

The master plan delineates an interchange at US 301 and MD 214 and recommends that MD 3/US 301 be upgraded to a freeway with six to eight lanes. The following recommendations are taken from the plan and apply to the development of this property. They include:

- a. Ultimate rights-of-way should be acquired and/or protected in order to provide for incremental extension or expansion of planned transportation facilities as demand warrants, and at reasonable costs, with minimum property displacements.
- b. Properties adjacent to PT-1, A-44, A-58, US 50 (I-595), MD 3/US 301, Central Avenue, and area railroads should be required, at the time of subdivision or building permit approval, to preserve existing vegetation and/or to have a landscape/buffering plan approved. Such plans should provide appropriate noise and visual mitigation measures to reduce the impact of these new or improved transportation facilities on future development. Further, these landscape/buffering plans should be implemented upon approval so that vegetation will be mature by the time the facility is constructed. These areas will remain as permanent undisturbed buffer areas.
- c. Occupants of new developments adjoining highways shall be protected from

visual intrusion by the use of reverse frontage, setbacks, landscaping and fencing, as required by county ordinances, and should be protected from the negative impacts of noise and air pollution to the degree that is legally possible.

The proposed preliminary plan is in conformance with the 1991 *Bowie-Collington-Mitchellville and Vicinity Master Plan*

5. Parks and Recreation - In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed preliminary plan of subdivision is exempt from the requirements of mandatory dedication of parkland because the applicant is proposing a non-residential use.
6. Trails - There are no master plan trail issues associated with this application.
7. Transportation - The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 81.03 acres of land in the R-E Zone. The property is located on the northeast corner of US 301 and MD 214. The applicant proposes to construct church facilities totaling 120,000 square feet (a sanctuary seating 3,000 persons) on a portion of the site, along with day care facilities for 120 students.

The transportation staff determined that a traffic study detailing weekday and Sunday analyses was not needed; however, traffic counts adjacent to the site were deemed necessary. In response the applicant submitted traffic counts dated October 2001. 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*.

#### Summary of Traffic Impacts

The applicant has conducted traffic counts in support of the application dated October 2001. The staff's traffic analysis considers the intersection of US 301 northbound and Pennsbury Drive, which is deemed to be the critical intersection for this application. This intersection is unsignalized.

The existing operating conditions at the critical intersection, based on recent counts, are summarized using maximum vehicle delay under the Highway Capacity Manual analysis procedure. Currently, the intersection of northbound US 301 at Pennsbury Drive operates with a maximum delay of 31.4 seconds during the AM peak hour and a maximum delay of 125.0 seconds during the PM peak hour. This delay is 23.3 seconds during the Sunday peak hour. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined the upper limit of LOS E (or a maximum vehicle delay of 50.0 seconds) as the lowest acceptable operating condition for unsignalized intersections on the transportation system. As a result, the US 301 northbound/Pennsbury Drive intersection currently operates unacceptably in the PM

peak hour only.

The staff did an analysis of approved background developments in the vicinity of the subject property. Staff identified a few approved but unbuilt residences to the west along Pennsbury Drive, and otherwise factored traffic along US 301 by 2.0 percent per year over four years. There are no funded capital improvements in the area. Background traffic conditions (existing plus growth in through traffic plus traffic generated by background developments with funded improvements) would be maximum delays of 40.1 seconds and 168.6 seconds during the AM and PM peak hours respectively. The delay on Sunday would be 26.2 seconds.

This subdivision proposes a 120,000-square-foot church facility plus day care facilities for up to 120 students. The trip generation for a 120,000 square foot church has been determined using information in the Institute of Transportation Engineers= *Trip Generation Manual* (sixth edition). A church of that size with 3,000 seats would have the following trip generation:

Weekday, AM peak hour:	15 in 14 out 29 total
Weekday, PM peak hour:	23 in 18 out 42 total
Sunday, peak hour: 557 in	534 out 1,091 total

The day care use would have the following trip generation:

Weekday, AM peak hour (with 65% pass-by):	20 in 14 out 34 total
Weekday, PM peak hour (with 65% pass-by):	15 in 21 out 36 total
Sunday, peak hour:	0

Staff has assumed a trip distribution for the site as follows:

West along Pennsbury	5% - weekday; 2.5%-Sunday
North along US 301	45%-weekday; 46.5%-Sunday
South along US 301	50%-weekday; 51%-Sunday

With the site characteristics, total traffic conditions (background plus site traffic) would be a maximum vehicle delay of 857.6 seconds during the AM peak hour at the critical intersection. Estimated delays exceed 999 seconds during the PM and the Sunday peak hours upon buildout of the site.

The traffic generated by the proposed preliminary plan would have a minimal impact on the intersection of US 301 northbound and Pennsbury Drive, this is particularly true for weekdays because of the design of the proposed site access. The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals* has defined vehicle delay in any movement exceeding 50.0 seconds as an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has often imposed a condition to perform a traffic signal warrant study in similar circumstances. However, because the impact of the development proposed on the subject property would have minimal impact on the intersection due to the design of the proposed site access point, staff cannot justify any further study or improvements at this location. The proposed site access point minimizes any conflicts between traffic leaving the site and existing traffic using US 301. Therefore, by building the site access roadway according to SHA requirements, staff believes the applicant would be providing all needed improvements for off-site adequacy of trips generated by the proposed development.

The transportation staff recommends a trip cap condition for the property consistent with the use as proposed by the applicant.

#### Plan Comments

The transportation recommendations in the *Bowie, Collington, Mitchellville, and Vicinity Master Plan* indicate that a major facility, F-10, will cross the western side of the subject property. Furthermore, the intersection of this facility and MD 214 is proposed for a future interchange, and the right-of-way for this interchange has a significant impact on the site.

The transportation staff has determined that SHA is not likely to complete a possible purchase of the potential F-10 right-of-way within the immediate future. Aside from the fact that the applicant, as a nonprofit organization, would receive no benefit from reservation, this finding strongly indicates that reservation is not an appropriate tool of right-of-way preservation in this circumstance. Furthermore, staff could not identify a legal basis for dedication of the future right-of-way because the church/day care facility does not create a need for the future freeway proportionate to the amount of land needed.

The past approval of preliminary plan of subdivision 4-97041 does not provide much

guidance in this matter. The plan was approved with the future right-of-way marked for reservation, while the resolution approving the plan requires dedication. However, the approved tree conservation plan TCPI shows preservation of existing woodlands within the right-of-way, suggesting that dedication was not explicitly considered (woodland preservation is not permitted within dedicated rights-of-way, meaning the TCPI would have needed significant revision at a later date). Transportation staff has spoken to SHA about this matter. SHA is actively engaged in corridor preservation in the F-10 corridor within Prince George's County. Both agencies have agreed that a building restriction line should be shown on the final plat, with no development on the property to the west or south of that line. This recommendation will work to preserve the future right-of-way, and is consistent with the approval of the previous subdivision as well as the applicant's current development plan. A copy of the subject plan with the right-of-way highlighted is provided as an attachment to the original copy of this memorandum.

The applicant plans to access US 301 via a new connecting roadway between northbound US 301 (at Pennsbury Drive) and Old Mitchellville Road. The connection to US 301 northbound must be designed to SHA standards in accordance with the requirements of SHA's Engineering Access Permits Division. At a minimum, the transportation staff believes that these requirements must include acceleration and deceleration lanes at the new access point, and closure of the existing access point from US 301 northbound to Old Mitchellville Road when the new access is opened to traffic.

The new roadway between US 301 northbound and Old Mitchellville Road is to be a temporary access. Once the F-10 facility is constructed, access would be via Old Mitchellville Road.

#### Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Subdivision Regulations if the application is approved with the recommended conditions.

8. Schools The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concluded that the above subdivision is exempt from the APF test for schools because it is a commercial use.
9. Fire and Rescue The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
  - a. The existing fire engine service at Bowie Fire Station, Company 43, located at



16400 Pointer Ridge Drive, has a service response time of 1.82 minutes, which is within the 3.25-minute response time guideline.

- b. The existing ambulance service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 1.82 minutes, which is within the 4.25-minute response time guideline.
- c. The existing paramedic service at Bowie Fire Station, Company 43, located at 16400 Pointer Ridge Drive, has a service response time of 1.82 minutes, which is within the 7.25-minute response time guideline.
- d. The existing ladder truck service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service response time of 10.70 minutes, which is beyond the 4.25-minute response time guideline.

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.

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*.

- 10. Police FacilitiesCThe proposed development is within the service area for District II-Bowie Police Station. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Greater Mount Nebo A.M.E. Church development and the population generated by the proposed subdivision.
- 11. Health DepartmentCThe subject property is in water and sewer categories 6. The development of this property is proposed to utilize an individual sewage disposal system and an individual water supply system. The property has sufficient percolation to accommodate the sewage disposal area required for this and future development of the property. The Health Department has no objection to the proposed development.
- 12. Stormwater ManagementCThe Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, #8007940-1997-01, 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.

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 Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Scott, Brown and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, November 15, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 6th day of December 2001.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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