

R E S O L U T I O N

WHEREAS, Emmanuel Baptist Church is the owner of a 4.60-acre parcel of land known as Parcel 1 and Lot 1, record plat NLP 104 @ 91, Tax Map 15, Grid A-3 and 4 said property being in the 10th Election District of Prince George's County, Maryland, and being zoned; and

WHEREAS, on September 24, 2002, Emmanuel Baptist Church of South Laurel filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-02086 for Emmanuel Baptist Church of South Laurel 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 February 13, 2003, 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 February 13, 2003, 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/50/02), and further APPROVED Preliminary Plan of Subdivision 4-02086, Emmanuel Baptist Church of South Laurel for Parcel A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
 - a. To locate the existing well and septic field location.
 - b. To note that the existing shed is to be razed.
 - c. To note that the ingress and egress easement in the southwest corner of the property is to remain and access will continue uninterrupted and unchanged in accordance with Liber 6098, Folio 134, during all phases of development.
 - d. To provide the stormwater management concept plan number and approval date.
2. Prior to signature approval, TCPI/50/02 shall be revised to

- a. Show all areas of woodland conservation being at least 35 feet in width.
 - b. Include a legend identifying the symbols for tree save areas and a limit of disturbance.
 - c. Show the most current version of the Type I TCP notes.
 - d. Have a qualified professional sign and date the revised plan.
3. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/50/02). The following note shall be placed on the final plat of subdivision:

“This development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/50/02), 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.”
4. Prior to the issuance of permits, a Type II tree conservation plan shall be approved.
5. Prior to the issuance of a building permit, the applicant, the applicant’s heirs, successors, and/or assignees shall provide the installation of one “Share the Road with a Bike” sign in accordance with state requirements, and upon state approval, along MD 197. If the state declines the signage, this condition shall be void.
6. The applicant shall provide a fee to Prince George’s County, which shall serve as a fair share contribution toward the construction of the Blue Ponds Emergency Services Station, and acquisition of an ambulance. The fee shall be paid prior to the issuance of the first building permit. The fee amount is based upon the construction cost of the station (\$1,275,000) and the purchase price of an ambulance (\$130,000), divided by the total amount of population and employees within the proposed service area at projected buildout in 2006 (64,841). The fair share fee is \$22 per employee, which equates to a total of \$638 for the entire development.
7. Any abandoned well or septic system shall be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
8. All (new) commercial structures shall be fully sprinklered in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws.
9. Development shall be in conformance with the approved Stormwater Management Concept Plan, # 27903-2002-00.

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

1. The subdivision, as modified, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and of Article 28, Annotated Code of Maryland.
2. The property is located on the north side of Laurel-Bowie Road (MD 197) approximately 1,400 linear feet east of its intersection with Basswood Drive.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the development proposed.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Church 3,000 GFA	Church, related facilities 21,600 GFA (total)
Acreage	4.4	4.4
Lot	1	0
Parcel	1	1

4. **Environmental**— This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on site. This project has a 1.97-acre woodland conservation requirement that is proposed to be satisfied with a combination of on-site preservation and off-site mitigation. TCPI/50/02, as submitted with this application, has been found to require revisions that may be addressed prior to signature approval of the preliminary plan. The TCPI shows several areas of woodland preservation that are less than 35 feet in width. The Woodland Conservation Ordinance requires that all areas of woodland conservation be at least 35 feet in width. A legend has not been provided indicating the symbols for tree save areas and a limit of disturbance as previously requested. The TCPI needs to be revised to show a legend for these features. In addition, the Type I TCP notes are out of date. The TCPI must be revised to show the most current notes. TCPI/50/02 is recommended for approval subject to conditions.

A review of the available information indicates that 100-year floodplain, wetlands, streams and steep or severe slopes are not found to occur on the property. The predominant soils found to occur, according to the Prince George's County Soil Survey, include the Matapeake and Sunnyside series. Neither of these soils poses difficulties for development. According to available information, Marlboro clay is not found to occur on this property.

The sewer and water service categories are S-3 and W-3, according to information obtained from the Department of Environmental Resources dated November 1, 2001. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. No transportation-related noise impacts have been found to impact

this property. There are no Scenic or Historic Roads in the vicinity of this property. This property is located in the Patuxent River watershed of the Patuxent River basin.

5. **Community Planning**—The subject property is located within the 1990 Master Plan for Subregion I, in Planning Area 62 in the South Laurel-Montpelier community. The 2002 General Plan locates this property in the Developing Tier. The master plan land use recommendation is for low suburban residential density development. The proposed subdivision is consistent with the master plan and General Plan recommendations.
6. **Parks and Recreation**—In accordance with Section 24-134a)(3)(B) of the Subdivision Regulations, the proposed subdivision is exempt from the requirements of mandatory dedication of parkland because the lot being created is greater than one acre in size.
7. **Trails**— The Adopted and Approved Subregion I Master Plan recommends that Laurel-Bowie Road (MD 197) be designated as a Class III bikeway with appropriate signage. The existing wide asphalt shoulders will accommodate bicyclists on MD 197. The provision of standard bikeway signage is recommended.

Because Laurel-Bowie Road is a state right-of-way, the applicant should provide the installation of one "Share the Road with a Bike" sign in accordance with state requirements. However, prior to the Planning Board conditioning the placement of the signs, SHA should have the opportunity to review the proposed locations to ensure they are acceptable. The developer would purchase the signs from the state and install them in accordance with the state's *Manual on Uniform Traffic Control Devices* dealing with the section on bicycle facilities. A note should be placed on the final record plat that installation will take place prior to the issuance of the first building permit.

8. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The site is currently improved with an existing church approximately 3,000 square feet in area. The applicant proposes to develop the site by expanding the church 9,600 square feet and by building a 9,000 square foot multi-purpose facility.

The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* (revised 2002) does not provide trip generation rates for churches, hence staff applied trip rates from the Institute of Transportation Engineer's (ITE) *Trip Generation Manual*. Based on the ITE manual, a church typically generates 0.72 trips during the weekday AM peak hour, and 0.66 trips during the weekday PM peak hour for every 1,000 square feet of gross floor area. The manual's trip rate

for a church on a Sunday is 9.49 trips during the peak hour of operation, based on 1,000 square feet of gross floor area.

Because the proposed development represents an expansion of an existing use, the required finding of adequacy will be based on trip generation associated with the net increase in gross floor area. Hence, 9,600 square feet less 3,000 square feet=6,600 square feet. Applying the ITE trip rates: $6.6 \times 0.72=5$ AM trips; $6.6 \times 0.66=5$ PM trips. In addition to the expanded church building, the applicant is proposing a 9,000-square-foot multipurpose facility. Given the generic

nature of these types of facilities, there are no established trip generation rates. The applicant did indicate to staff however, that most of the daily activities are not likely to occur during either peak hour.

The traffic generated by the proposed plan would impact the unsignalized intersection of MD 197/Snowden Pond Road/Basswood Drive intersection. This intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program.

The subject property is located within the Developing Tier as defined in the General Plan for Prince George's County. As such, the subject property is evaluated according to the following standards:

Unsignalized intersections: The procedure for unsignalized intersections as outlined in the *Highway Capacity Manual* is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections.

In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency. Within the past 12 months, a traffic analysis was undertaken for the subject intersection. Under existing condition, the MD 197/Snowden Pond Road/Basswood Drive intersection was found to be operating with a delay of 86.4 seconds per car during the AM peak hour and 51.6 seconds per car during the PM peak hour. Added background development shows an even further increase in vehicular delay.

Because the MD 197/Snowden Pond Road/Basswood Drive intersection was found to be operating with delays in excess of 50 seconds, a recommendation for a signal warrant study by staff would have been the normal course of action. However, within the past 12 months, such a study was indeed done by another developer whose proposed development would have affected the subject intersection. The recommendation of that study was that even with the proposed planned development (4-02008; 197 Investment Partnership Property), a signal was not warranted for that intersection. The State Highway Administration (SHA) is the public agency that has jurisdiction over the maintenance of the intersection. In their review of the signal warrant study, they also concluded that a signal was not warranted.

In light of the fact that the subject application will generate no more than five trips during either peak hour, thus making it a *de minimus* impact, and the fact that the closest intersection is not eligible for signalization, the Transportation Planning Section concludes that adequate transportation facilities would exist to serve the proposed subdivision as required under Section 24-124 of the Prince George's County Code if the application is approved.

9. **Schools**— The Historic Preservation 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 *Adequate Public Facilities Regulations for Schools* (CR-23-2001 and CR-38-2002) and concluded that this subdivision is exempt from the school APF test because it is a nonresidential use.

10. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities and concluded the following:
- a. The existing fire engine service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane has a service travel time of 7.82 minutes, which is beyond the 3.25-minute travel time guideline.
 - b. The existing ambulance service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road has a service travel time of 5.78 minutes, which is beyond the 4.25-minute travel time guideline.
 - c. The existing paramedic service at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road has a service travel time of 5.78 minutes, which is within the 7.25-minute travel time guideline.
 - d. The existing ladder truck service at Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue has a service travel time of 10.93 minutes, which is beyond the 4.25-minute travel 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*.

The Historic Preservation and Public Facilities Planning Section has concluded that the entire development is beyond the recommended response times from existing facilities that provide ambulance service. This finding is based on using the existing road system and existing stations.

The staff of the HP&PFP found that the planned Blue Ponds Emergency Services Facility will be the first new station to provide ambulance and paramedic service to this development. The cost of this emergency services facility is \$1,405,000.

In order to mitigate the ambulance response time deficiencies, staff recommends that the applicant participates in providing a fair share contribution toward the construction of the Blue Ponds Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$1,275,000) and ambulance (\$130,000) divided by the total amount of residential and employment population within the entire service area in 2006 (64,841). The service area includes those areas that will be served by the planned facility. The fair share fee is \$22 per person for this development.

2006 service area population/workers=64,841

Station Cost of \$1,405,000/64,84=\$22 per person
\$22 x 29 workers=\$638

The total of 29 workers is based upon the rate of one employee per 750 square feet for the 21,600 square feet of structures, existing church, proposed church, and proposed multipurpose facility. (Note: The factor of one employee per 750 square feet is based upon analysis of similar uses by the Information Management Division).

In addition, the Fire Department recommends that a fire suppression system be installed in all commercial structures in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

11. **Police Facilities**—The proposed development is within the service area for District VI-Beltsville. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Emmanuel Baptist Church development. This police facility will adequately serve the population generated by the proposed subdivision
12. **Health Department**—The preliminary plan should be revised to locate the existing well and septic tank. The applicant is proposing to utilize public systems to serve development on this property. Any abandoned well or septic system should be pumped, backfilled and/or sealed in accordance with COMAR 26.04.04 by a licensed well driller or witnessed by a representative of the Health Department prior to final plat approval.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 27903-2002-00, has been submitted, but not yet approved. To ensure that development of this site does not result in on-site or downstream flooding, this concept plan must be approved prior to signature approval of the preliminary plan. 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 Scott, seconded by Commissioner Eley, with Commissioners Scott, Eley, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 13, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of March 2003.

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File No. 4-02086
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