

R E S O L U T I O N

WHEREAS, St. John Freewill Baptist Church is the owner of a 24.74-acre parcel of land known as Parcels 18 and 24, Tax Map 100, Grid A-4, said property being in the 15th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on December 18, 2002, Applied Civil Engineering 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 4-02115 for St. John's Freewill Baptist 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 December 18, 2002, 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 March 6, 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/68/02), and further APPROVED Preliminary Plan of Subdivision 4-02115, St. John Freewill Baptist Church 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 provide the Stormwater Management Concept Plan number and approval date.
  - b. To locate the 65 dBA noise contour from MD 4.
  - c. To provide general notes relating to the proposed development square footages and number of seats.
  - d. To provide the required 10-foot public utility easement along MD 4 and Old Marlboro Pike.
2. Prior to the issuance of permits a Type II Tree Conservation Plan shall be approved.
3. The applicant shall provide a fee to Prince George's County, which shall serve as a fair-share

contribution toward the construction of the Melwood-Westphalia Station and acquisition of an ambulance. The fee is based upon the cost of the facility and ambulance divided by the expected population of the service area. The fee shall be paid prior to the issuance of building permits. The fair share fee is \$2,332.

4. Prior to signature approval of the Preliminary Plan of Subdivision, the Type I Tree Conservation Plan, TCPI/68/02, shall be revised as follows:
  - a. TCPI Note #1 indicates that the TCPII will be reviewed at a later phase of the development process but does not indicate what phase that will be. Clarify this note to indicate that the TCPII will be reviewed with a Detailed Site Plan or a grading permit application.
  - b. Remove the old TCP approval stamp and replace it with the new TCP approval stamp that has been attached to this memorandum.
  - c. The Woodland Conservation Area cannot extend into the PUE. In addition, the PUE should be considered as woodland being cleared because utility construction activities are ongoing in this area.
  - d. The Woodland Conservation Area along the western property boundary is less than 35 feet wide. All Woodland Conservation Areas shall be no less than 35 feet wide.
5. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/68/02). The following note shall be placed on the Final Plat of Subdivision:

“Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/68/02), 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.”
6. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$210.00 to the Department of Public Works and Transportation for the placement of a bikeway sign(s) along Old Marlboro Pike, designated a Class III Bikeway. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit. If the Department of Public Works and Transportation declines the signage, this condition shall be void.
7. Total development within the subject property shall be limited to 20,000 additional square feet of church facilities (for a total of 30,000 square feet, including the existing church), or equivalent development which generates no more than 15 AM, 14 PM, and 190 Sunday peak-hour vehicle trips. Development of up to 5,000 additional square feet of church space shall not constitute a significant change in trip generation. Any development greater than that identified herein shall

require a new Preliminary Plan of Subdivision with a new determination of the adequacy of transportation facilities.

8. At the time of final plat approval, the applicant shall dedicate right-of-way along Old Marlboro Pike of 40 feet from the centerline of the existing pavement.
9. The final plat of subdivision shall note that direct vehicular access to MD 4 is denied.
10. All (new) structures shall be fully sprinkled in accordance with National Fire Protection Association Standard 13D and all applicable Prince George's County laws.

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 south side of Old Marlboro Pike approximately 500 feet east of its intersection with Roblee Drive.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Church/ 10,000 sq.ft	Church/ 20,000 sq.ft.
Acreage	24.74	24.74
Parcels	2	1
Total	10,000 sq.ft./700 seats	30,000 sq.ft./ 1,500 seats

4. **Environmental**— This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is greater than 40,000 square feet, the existing woodland is greater than 10,000 square feet, and more than 5,000 square feet of woodland clearing is proposed.

The Type I Tree Conservation Plan, TCPI/68/02, has been reviewed and found to generally address the requirements of the Prince George's County Woodland Conservation Ordinance. This 24.74-acre property has a 20 percent Woodland Conservation of 4.95 acres and replacement requirements of 1.67 acres for a total requirement of 6.62 acres. This requirement will be satisfied by 6.62 acres of on-site preservation. In addition, there will be 6.05 acres of woodland saved but not counted towards the Woodland Conservation requirements. TCPI/68/02 is recommended for approval subject to conditions.

A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on the property. The soils found to occur according to the Prince George's County Soil Survey include Westphalia fine sandy loam and Westphalia-Evesboro complex, which have no significant limitations which would affect the development of this property. 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 September 2001. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, publication titled "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. There are no designated scenic and historic roads in the vicinity of this property. This property is located in the Western Branch watershed of the Patuxent River Basin and in the Developing Tier as reflected in the adopted *General Plan*.

Although transportation-related noise impacts have been found to impact this property, those impacts will have no adverse effect on the proposed use and development of this property. The 65 dBA noise contour associated with MD 4 extends approximately 409 feet from the centerline of the road. That would place the 65 dBA noise contour approximately 15 feet into the existing building, which would be considered as a marginal impact that would not require any noise attenuation.

5. **Community Planning**—The subject property is located within the limits of the *Melwood-Westphalia Master Plan*, 1994, in Planning Area 78 in the Westphalia Community. The 2002 *General Plan* locates this property in the Developing Tier. The land use recommendation for this property is for public/quasi-public land use. The underlying zoning is R-R, indicating that either residential land use or a quasi-public land use is appropriate at this location. The proposed preliminary plan is consistent with the land use recommendation for the master plan and the *General Plan*.

The subject property is situated between a collector roadway, Old Marlboro Pike (C-604), and a freeway, MD 4 (F-6). C-604 is proposed to be upgraded to a two- to four-lane roadway from C-614 (Dille Drive Extended) to A-37 (Woodyard Road Extended). F-6 (Pennsylvania Avenue Extended) is proposed to be upgraded to a six- to eight-lane road with two additional reversible lanes from the Capital Beltway to Anne Arundel County.

A six-mile MD 4 Scenic Corridor Study was prepared for the master plan. The purpose of the study was to identify scenic assets, to retain landscape features, and to enhance the overall aesthetic appearance of MD 4. The viewshed boundaries were defined by areas seen by motorists traveling at 40 miles per hour along MD 4; areas not included are those that are screened from view by vegetation or man-made features. The following recommendation in the study is relevant to the subject application:

“Within the scenic viewshed north of MD 4 between Woodyard Road and

Ritchie-Marlboro Road, residential subdivision(s) should be designed to reflect the low-density characteristics of residential development on the south side of MD 4. Woodlands along this corridor should be carefully protected to act as visual barriers. Intensive natural screening should also be provided to ensure a visual barrier between manmade structures and natural features.”

Although the plan contemplates residential development along this stretch of MD 4, the visual barriers recommended for this viewshed are appropriate recommendations for any type of development that occurs at this location. Therefore, it would seem prudent to site any future development as far as possible from the right-of-way for MD 4 while retaining as much of the existing woodland as possible adjacent to MD 4. The applicant has proposed tree conservation along the properties frontage with MD 4.

6. **Parks and Recreation**—In accordance with Section 24-134 of the Subdivision Regulations the proposed subdivision is exempt from the requirements of the mandatory dedication of parkland because the parcel being created is greater than one acre in size.
7. **Trails**—The *Adopted and Approved Melwood Westphalia Master Plan* recommends that Old Marlboro Pike be designated as a Class III bikeway with appropriate signage. Because Old Marlboro Pike is a county right-of-way, the applicant should provide a financial contribution of \$210.00 to the Department of Public Works and Transportation (DPW&T) for the placement of this signage. A note should be placed on the final record plat for the payment to be received prior to the issuance of building permits. If road frontage improvements are required by DPW&T, wide asphalt shoulders are recommended to accommodate bicycle traffic.
8. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 24.74 acres of land in the R-R Zone. The property is located on the south side of Old Marlboro Pike, approximately 500 feet east of its intersection with Roblee Drive. The applicant proposes to construct church facilities totaling 30,000 square feet (a sanctuary seating 1,500 persons) on a single lot to be created by this subdivision. A 10,000-square-foot church building already exists on the subject property. No other uses, such as a day school, housing, or care facilities, are planned at this time.

No traffic study was requested of the applicant nor was one submitted for review. Staff had information from the recent traffic study for the Charles Hill Property, Preliminary Plan 4-01097, available for the review of weekday traffic for this case. Staff requested and received Sunday traffic counts at the critical intersections. 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 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:

**Links and signalized intersections:** Level-of-service (LOS) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better.

**Unsignalized intersections:** The *Highway Capacity Manual* procedure for unsignalized intersections 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.

The application is a preliminary plan of subdivision for a single lot, which is proposed to contain a significant addition to an existing church. The existing building is assumed to be in place and generating traffic; therefore, the staff's adequacy finding will be based upon the additional 20,000 square feet which is proposed. The analysis rate only considers 20,000 square feet of additional church facilities, and does not consider day care or a day school on the site. This assumption was communicated to the applicant at the Subdivision Review Committee meeting of January 3, 2003, and no further information was received. A larger church or additional uses must be reanalyzed for traffic impacts as a part of a new preliminary plan application if they are planned.

Existing conditions in the vicinity of the subject property are summarized as follows:

<b>EXISTING TRAFFIC CONDITIONS</b>						
Intersection	Critical Lane Volume (AM & PM & Sunday)			Level of Service (LOS, AM & PM & Sunday)		
MD 223/Old Marlboro Pike/Mellwood Road	26.8*	11.7*	9.6*	--	--	--
Old Marlboro Pike/site access	17.7*	8.9*	7.3*	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection are measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According the <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.						

Staff has used background traffic from the Charles Hill Property study, with the exception that the Charles Hill Property itself is now an approved development and must be included in background. Background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>						
Intersection	Critical Lane Volume (AM & PM & Sunday)			Level of Service (LOS, AM & PM & Sunday)		
MD 223/Old Marlboro Pike/Mellwood Road	42.5*	12.9*	10.3*	--	--	--
Old Marlboro Pike/site access	18.3*	9.4*	7.7*	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection are measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According the <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.						

The applicant proposes an additional 20,000 square feet of church facilities. This additional development would generate 15 AM, 14 PM, and 190 Sunday peak-hour vehicle trips. The site was analyzed using the following trip distribution:

Old Marlboro Pike from the east:	35%
MD 4 from the west:	40%
MD 223 from the south:	25%

Total traffic with the development of the church addition is summarized below:

TOTAL TRAFFIC CONDITIONS						
Intersection	Critical Lane Volume (AM & PM & Sunday)			Level of Service (LOS, AM & PM & Sunday)		
MD 223/Old Marlboro Pike/Mellwood Road	43.0*	13.0*	18.2*	--	--	--
Old Marlboro Pike/site access	18.7*	9.7*	28.5*	--	--	--
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection are measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According the <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.						

Based on the staff's review of transportation adequacy issues in the area, the transportation staff notes that both intersections would operate acceptably in both peak hours. As noted earlier, however, the staff will recommend a trip cap on the subject property consistent with the analysis that has been done.

Old Marlboro Pike is a master plan collector facility, and the plan correctly shows dedication of 40 feet from centerline. Also, MD 4 is a master plan freeway facility, and the existing right-of-way is consistent with master plan recommendations, so no further dedication is required along MD 4. However, the plan should note that the site will not have direct driveway access onto MD 4.

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 Prince George's County Code.

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 the proposed subdivision is exempt from the APF test for schools because it is an institutional use.
10. **Fire and Rescue**— The Historic Preservation and Public Facilities Planning Section (HP&PFPS) has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
  - a. The existing fire engine service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service travel time of 6.81 minutes, which is beyond the 3.25-minute travel time guideline.



- b. The existing ambulance service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service travel time of 6.81 minutes, which is beyond the 4.25-minute travel time guideline.
- c. The existing paramedic service at Marlboro Fire Station, Company 20, located at 14815 Pratt Street, has a service travel time of 6.81 minutes, which is within the 7.25-minute travel time guideline.
- d. The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service travel time of 6.93 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*.

HP&PFPS has concluded that the church is beyond the recommended response time standards from existing facilities which provide ambulance service. This finding is based on using the existing road system and existing stations.

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

In order to mitigate the ambulance response time deficiencies the staff recommends that the applicant participate in providing a fair-share contribution toward the construction of the Melwood-Westphalia 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 (16,270). The service area includes those areas that will be served by the planned facility. The fair-share fee is \$86.36 per person for this development.

2006 service area population/workers 16,270  
Station Cost 1,405,000/16,270 = \$86.36 per person  
Hence, fair share = \$86.36 x 27 employees = total fee of \$2,332

The total of 27 workers is based upon the rate of one employee per 750 square feet for the 20,000-square-foot facility addition. The Information Management Division bases the factor of 1 employee per 750 square feet upon analysis of similar uses.

11. **Police Facilities**— The proposed development is within the service area for Police District II-Bowie. In accordance with Section 24-122.01(c) of the Subdivision Regulations the existing county police facilities will be adequate to serve the proposed Saint John Freewill Baptist Church development. This police facility will adequately serve the population generated by the proposed subdivision.

12. **Health Department**—The Health Department had no comment.
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 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.

\* \* \* \* \*

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, March 6, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27th day of March 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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