

C O R R E C T E D R E S O L U T I O N

WHEREAS, Laurel Maryland Congregation and Kingdom Hall is the owner of a 5.3 acres parcel of land known as Parcel 89, Tax Map 5, Grid C-2, said property being in the 10th Election District of Prince George's County, Maryland, and being zoned R-80 and

WHEREAS, on March 26, 2003, Laurel Kingdom Hall 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 4-03022 for Kingdom Hall of Jehovah's Witness 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 September 4, 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 September 4, 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/25/03), and further APPROVED Preliminary Plan of Subdivision 4-03022, Kingdom Hall of Jehovah's Witness 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 provide bearings and distances along all of the perimeter property lines.
 - b. To revise the general notes to include the current parcel description.
2. Prior to the issuance of permits, a Type II Tree Conservation Plan shall be approved.
3. Development of this property shall be in conformance with the approved Stormwater Management Concept Plan, # 3348-2002-00.
4. The applicant shall provide standard sidewalks along the entire street frontage of the property unless modified by the Department of Public Works and Transportation at the time of issuance of street construction permits.

5. An automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
6. Prior to the issuance of grading permits for an institutional use as proposed, a DSP shall be approved by the Planning Board or its designee.
- *7. [Prior to signature approval of TCPI/25/03], [t]The Detailed Site [p]Plan shall be revised to show the 1.33 acres currently proposed for fee-in-lieu as being met through off-site mitigation, if additional on-site preservation or reforestation is deemed not practical by the Planning Board or its designee at the time of Detailed Site Plan.
8. Development of this subdivision shall be in compliance with an approved Type I Tree Conservation Plan (TCPI/25/03). 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/25/03), 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.”

9. Total development within the subject property shall be limited to 11,000 square feet of church facilities, or equivalent development that is permitted within the R-80 Zone, which generates no more than 7 AM, 8 PM, and 104 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 with an impact greater than that identified herein shall require an additional Preliminary Plan 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 subject property is located on the north side of Sweitzer Lane approximately 120 feet north of its intersection with MD 198.

*Denotes correction

[Brackets] denotes deletion

Underlining denotes addition

3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-80	R-80
Use(s)	Vacant	Religious Institution 11,000 sq ft/ 400 seats
Acreage	5.3	5.3
Parcel	2	1

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

This 5.36-acre property has a 20 percent Woodland Conservation Threshold of 1.07 acres and replacement requirements of 1.83 acres. The total woodland conservation requirement for this site is 2.46 acres. The requirement for this property is proposed to be satisfied by 0.62 acre of preservation, 0.51 acre of on-site reforestation and 1.33 acres of fee-in-lieu. The use of fee-in-lieu for satisfying the requirements of the Woodland Conservation Ordinance should only be used after all other options have been exhausted. Off-site mitigation is an option that has not been proposed in order to satisfy the woodland conservation requirements on this site. The 1.33 acres proposed for fee-in-lieu must be met through off-site mitigation. Staff does not support the payment of a fee-in-lieu. TCPI/25/03 is recommended for approval subject to conditions.

A review of the information available indicates that the site does not contain streams, wetlands or 100-year floodplain. This site is predominantly wooded and is located in the Lottsford Branch watershed, which drains into the Patuxent River. The predominant soils found to occur on this property according to the Prince George’s County Soil Survey are the Sassafras soils. These soils do not pose any difficulties for development. No Marlboro clay has been identified on this site.

There are no rare, threatened, or endangered species located in the vicinity of this property based on information provided by the Maryland Department of Natural Resources, Natural Heritage Program. There are no designated scenic or historic roads in the vicinity of this project. No transportation-related noise issues have been found to impact this property.

5. **Community Planning**—The subject property is located within the limits of the 1990 Master Plan for Subregion I in Planning Area 60 in the Northwestern Area. The recommended land use is for suburban density. The 2002 General Plan locates the property in the Developing Tier. The proposed subdivision is consistent with the recommendations of the master plan and the General Plan. There are no master plan issues associated with the application

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed subdivision is exempt from the requirements of the mandatory dedication of parkland because the parcel is greater than one acre in size.
7. **Trails**—There are no master plan trail issues associated with this application. However, a standard sidewalk is recommended along the subject site's entire frontage with Sweitzer Lane.
8. **Transportation**—The Transportation Planning Section has reviewed the subdivision application referenced above. The subject property consists of approximately 5.35 acres of land in the R-80 Zone. The property is located on the north side of Sweitzer Lane, just north of its intersection with MD 198. The applicant proposes to construct church facilities totaling 11,000 square feet (a sanctuary seating up to 400 persons) on a single lot to be created by this subdivision. 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 recent traffic counts available for the review of weekday traffic for this case. Staff requested and received Sunday traffic counts at the critical intersection. 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*.

Growth Policy—Service Level Standards

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.

Summary of Traffic Impacts

The application is a preliminary plan of subdivision for a single parcel on which the applicant has proposed to develop a church of 11,000 square feet. A larger church or additional uses must be re-analyzed for traffic impacts.

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

EXISTING TRAFFIC CONDITIONS						
Intersection	Critical Lane Volume (AM & PM & Sunday)			Level of Service (LOS, AM & PM & Sunday)		
MD 198/Sweitzer Lane	1,279	1,238	515	C	C	A

Staff has identified two developments, Maryland 95 Corporate Park and Fairland, which must be included in consideration of background traffic. Growth along MD 198 is assumed to be 1 percent per year. Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS						
Intersection	Critical Lane Volume (AM & PM & Sunday)			Level of Service (LOS, AM & PM & Sunday)		
MD 198/Sweitzer Lane	1,410	1,380	600	D	D	A

The applicant proposes 11,000 square feet of church facilities. This additional development would generate 7 AM, 8 PM, and 104 Sunday peak-hour vehicle trips. The site was analyzed using the following trip distribution:

MD 198 from the east:	55%	
MD 198 from the west:		40%
Sweitzer Lane from the south:		5%

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

TOTAL TRAFFIC CONDITIONS						
Intersection	Critical Lane Volume (AM & PM & Sunday)			Level of Service (LOS, AM & PM & Sunday)		
MD 198/Sweitzer Lane	1,415	1,385	672	D	D	A

Based on the review of transportation adequacy issues in the area, the critical intersection would operate acceptably in both peak hours and on Sunday. As noted earlier, however, a trip cap on the subject property is recommended consistent with the analysis that has been done.

The site is not adjacent to any master plan transportation rights-of-way. Therefore, no additional right-of-way dedication is required along Sweitzer Lane.

Based on the preceding findings, adequate transportation facilities would exist to serve the proposed subdivision as required by Section 24-124 of the Subdivision Regulations.

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 subdivision is exempt from APF test for schools because it is an institutional use.
10. **Fire and Rescue**—The Historic Preservation 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 at Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service travel time of 3.93 minutes, which is beyond the 3.25-minute travel time guideline.
 - b. The existing ambulance at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 5.25 minutes, which is beyond the 4.25-minute travel time guideline.
 - c. The existing paramedic at Laurel Rescue Squad, Company 49, located at 14910 Bowie Road, has a service travel time of 5.25 minutes, which is within the 7.25-minute travel time guideline.
 - d. The existing ladder truck at Beltsville Fire Station, Company 31, located at 4911 Prince George's Avenue, has a service travel time of 8.70 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*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system shall be provided in all new buildings proposed in this subdivision, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

The existing ambulance service, located at Laurel Rescue Squad, Company 49, is beyond the recommended travel time guideline. The nearest fire station, Laurel, Company 10, is located at 7411 Cherry Lane, which is 3.93 minutes from the development. This facility would be within the recommended travel time for ambulance service.

11. **Police Facilities**—The proposed development is within the service area for Police District VI-Beltsville. In accordance with Section 24-122.1(c) of the Subdivision Regulations the existing county police facilities will be adequate to serve the proposed Kingdom Hall of Jehovah's

Witness, Laurel development. This police facility will adequately serve the population generated by the proposed subdivision.

The Planning Board's current test for police adequacy is based on a standard for square footage in police stations relative to the number of sworn duty staff assigned. The standard is 115 square feet per officer. As of 6/30/2002, the county had 874 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for additional 69 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision

12. **Health Department**—The Health Department has no comment to offer.
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, # 3348-2002-00, 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.
14. **Detailed Site Plan**—Due to the location of the 100-foot-wide WSSC easement on this property, development of this property could be difficult. The applicant has proposed to provide all of the development of the property to the north of the WSSC easement, with access extending from Sweitzer Lane to the northern portion of the property on the north side of the WSSC easement. There is no proposal for development at this time on the south side of the easement. Essentially, the applicant has proposed to construct this facility on a portion of the property totaling 3.1 acres. Development includes a substantial stormwater management facility along the entire north property line. Staff would note that the conceptual site plan demonstrates development of parking spaces and interior green island within the existing 100-foot-wide WSSC easement. Approval by WSSC of development within the easement should be secured prior to the approval of development.

At this time Sweitzer Lane is the only point of access from Sandy Spring Road (MD 198) to the residential development located to the east and northeast of this site. A neighborhood bordered by Bond Mill Road is to the north. The subject property is in a location that will perceptually be the entrance to this residential neighborhood from MD 198. Because of the site constraints, the proximity to the residential development to the east and northeast and the amount of frontage this property has on Sweitzer Lane (655 feet), staff is recommending the review of a detailed site plan prior to the issuance of grading permits to ensure that the development is compatible with the surrounding community to the north and east.

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

PGCPB No. 03-178(C)
File No. 4-03022
Page 8

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, Harley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 4, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 2nd day of October 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:WC:rmk