

R E S O L U T I O N

WHEREAS, Union Bethel A.M.E. Church is the owner of a 36.84-acre parcel of land known as Parcels 15, 155, 190, 205, 224 and 76, Tax Map 144, Grid D-1 said property being in the 11th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on April 18, 2003, Union Bethel A.M.E. Church 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 4-03031 for Union Bethel 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 September 25, 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 25, 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/28/03), and further APPROVED Preliminary Plan of Subdivision 4-03031, Union Bethel A.M.E. 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. General Notes to include reference to Parcel 76.
  - b. To label the property as Parcel A.
  - c. To provide a note that the church and dwelling shall be connected to public sewer service upon availability.
  - d. To provide a note as to when the cemetery and church use were constructed.
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 # 21720-2001-00.

4. 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 Brandywine Road, 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.
5. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the expanded stream buffer, excluding those areas where variation requests have been approved, and be reviewed by the Environmental Planning Section prior to certification. 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 are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."
6. 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/28/01), 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."
7. The following note shall be placed on the final plat:

"Development of the site shall adhere to 'Viewshed Inventory Report for Floral Park Road for Union Bethel AME Church' or any revisions approved by the Prince George's County Department of Public Works and M-NCPPC, Environmental Planning Section."
8. 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.
9. Prior to final plat the applicant shall demonstrate to the Health Department that the possible asbestos-containing materials (ACM) have been tested in a licensed laboratory and properly discarded if appropriate.
10. 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.
11. The existing church and dwelling shall be connected to public sewer service upon availability.

12. At the time of final plat approval, the applicant shall dedicate 40 feet from the centerline of the right-of-way of Floral Park Road and Brandywine Road as shown on the preliminary plan of subdivision. At the time of final plat staff will ensure that the centerline shown is consistent applicable county right-of-way plats.
13. The applicant shall provide frontage and safety improvements based on county standards along Floral Park Road and Brandywine Road, if deemed appropriate by DPW&T.
14. Total development within the subject property shall be limited to 14,800 of additional gross floor area of church facilities and a 120-student day care center, over that which currently exists on site or equivalent development which is permitted within the R-R Zone which generates no more than 53 AM and 61PM additional peak hour vehicle trips over that what currently exists. 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.

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 Floral Park Road, approximately 150 feet from its intersection with Brandywine Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R	R-R
Use(s)	Church/Cemetery	Addition of Daycare (120 students) and Recreation Center (14,800 sq.ft)
Acreage	36.84	36.84
Parcels	6	1

4. **Environmental**—This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size, has more than 10,000 square feet of woodland and a portion of the site has a previously approved Type II Tree Conservation Plan. A Type I Tree Conservation Plan is required for the entire area of this application.

The plan proposes clearing 7.05 acres of the existing upland woodland and no clearing of any of the 1.29 acres of floodplain woodland. The woodland conservation requirement has been

correctly calculated as 8.87 acres. The plan proposes to meet the requirements by providing 8.87 acres of on-site preservation and proposes to retain an additional 3.98 acres of woodland that is not part of any requirement.

The designated woodland conservation area is a contiguous area that will serve to protect the major stream on the site. According to the 1938 air photographs, this same area is the oldest woodland on the property. The location and area of the proposed woodland conservation area is in conformance with the Woodland Conservation Ordinance.

The property is the site of a past violation of the Woodland Conservation Ordinance. A Type II Tree Conservation Plan, TCPII/144/98, was approved to assist in removing the violation. TCPII/144/98 covers a smaller area than TCPI/28/01. When TCPI/28/01 is approved, TCPII/144/98 will need to be revised prior to issuance of any permit to include all of the property included in TCPI/28/01.

The site contains significant natural features that are required to be protected under Section 24-130 of the Subdivision Regulations. The plan shows all streams, wetlands, 100-year floodplain, 50-foot-wide stream buffers, 25-foot-wide wetland buffers, and areas with steep slopes containing highly erodible soils and the expanded stream buffer.

The extent of wetlands and locations of streams shown on the plans are different than those shown on the July 1998 wetland evaluation report submitted with TCPII/144/98. The extent of streams shown on the M-NCPPC GIS is greater than that shown on the plans and the area of wetlands on the plans is greater than that shown on the National Wetland Inventory Map and the Maryland Wetland Map. However, a field visit by staff revealed that the delineations of the wetlands and the streams shown on the plans for the current application are correct. The current application proposes no impacts to sensitive environmental features.

Floral Park Road from MD 223 to Brandywine Road is a designated scenic road as indicated in the *Subregion V Approved Master Plan and Sectional Map Amendment* (September 1993) and a historic road as designated in the 1992 *Historic Sites and Districts Plan*. Proposed applications on or adjacent to scenic and historic roads are reviewed for conformance with "Design Guidelines and Standards for Scenic and Historic Roads," prepared by the Prince George's County Department of Public Works and Transportation.

A viewshed inventory report for Union Bethel AME Church was submitted with this application. The inventory contains 23 color photographs of the existing conditions along Floral Park Road and a plan showing their locations. Additionally, the report contains a rendered drawing for the proposed development of the site, woodland areas proposed for preservation, and proposed landscaping.

The proposed recreation center will be located 600 feet from Floral Park Road and be mostly shielded from view by the existing church and a strip of trees to be retained. The proposed day care will be located about 125 feet from the edge of Floral Park Road with the intervening parking area creating the most significant new intrusion into the viewshed from Floral Park Road. Landscaping is proposed between the parking area and Floral Park Road. Staff recommends that

development of this site adhere to the “Viewshed Inventory Report for Floral Park Road for Union Bethel AME Church,” which addresses treatment for the sites frontage along Floral Park Road.

The “Prince George’s County Soils Survey” indicates that the principal soils on the site are in the Beltsville, Chillum, Galestown, Iuka and Leonardtown soils series. The Beltsville and Iuka soils are in hydrologic soil class C and have limitations with respect to perched water table, slow permeability, and impeded drainage. Leonardstown soils are in hydrologic soil class D and may have limitations due to perched water tables and poor drainage. Chillum soils are in hydrologic group C and may have seepage and hard stratus, but pose few other issues for development.

5. **Community Planning**—The subject property is located within the limits of the *1993 Subregion V Master Plan*, Planning Area 85A, in the Brandywine Community. The recommended land use for the property is Low Suburban residential at a density of up to 2.6 dwelling units per acre. The 2002 General Plan locates the property in the Developing Tier. The proposed subdivision is consistent with the land use recommendations of the master plan and the General Plan.
6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the subject site is exempt from the requirements of the mandatory dedication of parkland because the parcel being created is over one acre and the proposed use is nonresidential.
7. **Trails**—The Adopted and Approved Subregion V master plan recommends that Brandywine Road be designated as a Class III bikeway with appropriate signage. Because Brandywine Road is a county right-of-way, the applicant should provide a financial contribution to the Department of Public Works and Transportation (DPW&T) for the placement of this signage. A note should be placed on the final plat for payment to be received prior to the issuance of the first building permit. If road improvements are required by DPW&T, wide asphalt shoulders are recommended to safely accommodate bicyclists.
8. **Transportation**—The applicant proposes an expansion of its church facilities located at 6810 Floral Park Road. The existing site includes the Church’s main sanctuary and related administrative space. The proposed expansion includes a separate building for the day care center for up to 120 students and a separate 14,800 square foot community building or recreational center.

The applicant has submitted a traffic study using counts taken in October 2002. 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 site is 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.

#### **Staff Analysis of Traffic Impacts**

The applicant has prepared a traffic impact study in support of the application using counts taken in October 2002. With the development of the subject property, the traffic consultant concludes that adequate transportation facilities exist to serve the proposed subdivision as required by Section 24-124 of the Subdivision Regulations. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections during weekday peak hours:

Brandywine Road/Floral Park Road (unsignalized)  
Brandywine Road/Moores Road (unsignalized)  
Floral Park Road/East Entrance (unsignalized)  
Floral Park Road/West Entrance (unsignalized)

The following conditions exist at the critical intersections:

<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Average Vehicle Delay (AM & PM)		Level of Service (LOS, AM & PM)	
Brandywine Road/Floral Park Road	14.1*	16.1*	B	C
Brandywine Road/Moores Road	11.3*	13.4*	B	B
Floral Park Road/East Entrance	9.3*	9.3*	A	A
Floral Park Road/West Entrance	9.9*	10.3*	A	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Background developments include three residential developments totaling 425 single-family units. Traffic along Brandywine Road and Floral Park Road includes an annual factor of 2% to account for growth. There are no funded capital improvements in the area, so the resulting transportation network is the same as was assumed under Existing Traffic. Given these assumptions, background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Average Vehicle Delay (AM & PM)		Level of Service (LOS, AM & PM)	
Brandywine Road/Floral Park Road	16.9*	20.1*	C	C
Brandywine Road/Moores Road	11.6*	14.0*	B	B
Floral Park Road/East Entrance	9.6*	9.6*	A	A
Floral Park Road/West Entrance	10.5*	11.1*	B	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The applicant proposes an expansion of the existing facilities. The existing site includes the Church’s main sanctuary and related administrative space. The proposed expansion includes a separate day care center for up to 120 students and a separate 14,800 square foot community or recreational center.

Since the *Guidelines* do not provides rates for these two uses, the trip rates were based on the Institute of Transportation Engineer’s (ITE) Trip Generation Manual, 6<sup>th</sup> Edition. The proposed expansion would result in 53 AM peak hour trips (31 in, 22 out), and 61 PM peak hour trips (26

in, 35 out) according to the assumed rates in the traffic study. Staff notes that a significant portion of the trips to/from the day care center are assumed to be pass-by trips, i.e., trips already on the adjacent roadways. With site traffic, the following operating conditions were determined:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Average Vehicle Delay (AM & PM)		Level of Service (LOS, AM & PM)	
Brandywine Road/Floral Park Road	21.1*	29.5*	C	D
Brandywine Road/Moores Road	11.7*	14.5*	B	B
Floral Park Road/East Entrance	10.2*	9.6*	B	A
Floral Park Road/West Entrance	9.4*	10.2*	A	B
Floral Park Road/West Site Entrance	9.8*	10.7*	A	B
Floral Park Road/Day Care Entrance	14.1*	11.7*	B	B
Brandywine Road/Site Entrance	12.2*	14.3*	B	B
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

### **Comments-Operating Agencies**

The Maryland State Highway Administration and the Prince George's County Department of Public Works and Transportation were given the opportunity to provide comments on the traffic study and site plan.

DPW&T:

DPW&T provided comments about background traffic conditions. They do not specifically address the site plan.

SHA:

On site access, the State Highway Administration deferred to DPW&T since Floral Park Road and Brandywine Road are both county -wned and maintained. The rules and regulations of the DPW&T will govern access onto the property from these roadways.

### **Site Plan Comments**

Access to the existing church property is from two driveways along Floral Park Road. The proposed day care center, a stand alone facility on the east side of the property, will have direct access to Floral Park Road. A new forty-foot wide internal driveway will serve the proposed recreation center and create two access points, one on Brandywine Road to the east and one on Floral Park Road to the south. These access points, which appear to be adequate, will have to be



approved by the Prince George's County Department of Public Works and Transportation.

From a traffic engineering and safety viewpoint it would be preferable to have the proposed day care center located adjacent or near the proposed recreation center, allowing both facilities access to the internal driveway and parking lot. This would eliminate two driveways on Floral Park Road and improve safety for drop-offs and pick-ups at the day care center.

Floral Park Road and Brandywine Road are both listed in the Subregion V Master Plan (1993) as collector roadways with 80' ROW recommended.

### **Master Plan Comments**

The applicant should dedicate 40' ROW from the centerline of Floral Park Road and Brandywine Road. As provided on the submitted preliminary plan. Floral Park Road is identified as a two- to four-lane collector with an 80' ROW in the master plan. Brandywine Road (C-513) is listed as a four lane collector with an 80' ROW.

The applicant will also make any necessary frontage and safety improvements along Floral Park Road and Brandywine Road per the Prince George's County Department of Public Works and Transportation recommendations. This could include acceleration or deceleration lanes on either roadway.

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 the school APF test because it is a commercial 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 service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 3.93 minutes, which is beyond the 3.25 minutes travel time guideline.
  - b. The existing ambulance service at Brandywine Fire Station, Company 40 located at 14201 Brandywine Road has a service travel time of 3.93 minutes, which is within the 4.25 minutes travel time guideline.
  - c. The existing paramedic service at Brandywine Fire Station, Company 40, located at 14201 Brandywine Road has a service travel time of 3.93 minutes, which is within the 7.25 minutes travel time guideline.

- d. The existing ladder truck service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road has a service travel time of 7.37 minutes, which is beyond the 4.25 minutes 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

11. **Police Facilities**—The proposed development is within the service area for Police District V—Clinton. In accordance with Section 24-122.01(c) of the Subdivision Regulations, the existing county police facilities will be adequate to serve the proposed Union Bethel AME Church development. 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 6/30/02, 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 an additional 69 sworn personnel. This police facility will adequately serve the population generated by the proposed subdivision.
12. **Health Department**—The Health Department notes that an abandoned well that served a trailer on site has been backfilled since it can no longer be located since initial site visits occurred for this preliminary plan. The applicant should demonstrate that the well was appropriately abandoned. In addition, once the church and existing dwelling are connected to public sewer the septic tanks should be properly abandoned.

Possible asbestos-containing materials (ACM) in the form of concrete-like pipes (4-inch diameter, 4-foot lengths, 15-20 pieces) were found west of the manmade irrigation pond on site. These materials should be tested in a licensed laboratory for the presence of asbestos fibers and a report provided to the Health Department.
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, # 21720-2001-00, 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. The property is approximately 36.84 acres and is zoned R-R. The property is currently improved with a 500-seat church with accessory parking and an existing cemetery. The cemetery is permitted as an accessory to the church if both uses existed as of January 1, 1991. The engineer for the applicant has indicated that the church and cemetery have existed on this property since

the 1930s.

The applicant is proposing to add to the existing uses a 14,800-square-foot recreational building and a day care center building for 120 children. There are several existing accessory structures that are to be removed. A previous preliminary plan, 4-01073, for this site was withdrawn by the applicant because of outstanding issues. This application is a resubmittal of that previous preliminary plan.

The subject property has frontage on Brandywine Road to the east and Floral Park Road to the south. The existing church has direct vehicular access onto Floral Park Road. With the additional uses the applicant has proposed to provide a secondary point of access via Brandywine Road, crossing Parcel 190. Parcel 190 previously was the subject of Special Exception 727, approved in 1962 for "grading, removal of excess gravel and soil."

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 Harley, with Commissioners Lowe, Harley, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September 25, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 16th day of October 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:WC:rmk