

R E S O L U T I O N

WHEREAS, Our Savior Lutheran Church of Laurel is the owner of a 4.30-acre parcel of land known as Parcel A, Outlot A, part of Parcel B and Parcel 61, Tax Map 10, Grid D-2, said property being in the 10th Election District of Prince George's County, Maryland, and being zoned R-80 and R-R; and

WHEREAS, on April 24, 2003, Our Savior Lutheran 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 4-03036 for Our Savior Lutheran 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 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/31/03), and further APPROVED Preliminary Plan of Subdivision 4-03036, Our Savior Lutheran Church for Parcel B with the following conditions:

1. Prior to signature approval of the preliminary plan:
  - a. A stormwater management plan shall be approved by the Department of Environmental Resources.
  - b. The Stormwater Management approval number and date shall be added to the preliminary plan.
2. Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/31/03). 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/31/03), 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.”

3. A Type II Tree Conservation Plan shall be approved prior to the issuance of permits.
4. Total development within the subject property shall be limited to the existing church facilities plus 20,600 square feet of new church facilities which are intended to house a 185-student day care center plus relocated existing nursery facilities, or equivalent development which generates no more than 150 AM and 159 PM peak-hour vehicle trips. Development of up to 5,000 square feet of additional church facilities beyond the above quantity shall not constitute a significant change in peak hour trip generation. Any development that generates more trips than those identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
5. The following note shall be placed on the final plat:

“An automatic fire suppression system shall be provided in all proposed buildings in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.”

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 east side of Laurel-Bowie Road (MD 197), approximately 1,500 feet north of its intersection with Contee Road.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	PROPOSED
Zone	R-R and R-80	R-R and R-80
Use(s)	Church and Nursery	Church, nursery and day care
Acreage	4.30	4.30
Parcels	4	1

4. **Environmental**— A review of the information available indicates that this site does not contain streams, wetlands, 100-year floodplain or steep and severe slopes. The site is located in the Patuxent River watershed. The predominant soil type found to occur on this property according

to the Prince George's County Soil Survey is in the Beltsville series. This soil series is considered highly erodible. 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 historic or scenic roads affected by the proposal. There are no significant transportation-related noise impacts associated with Laurel-Bowie Road in this location. The property is located in the Developing Tier according to the adopted *General Plan*.

### **Woodland Conservation**

A Forest Stand Delineation (FSD) has been submitted with this application and was found to address the criteria for simplified FSD as found in the Woodland Conservation and Tree Preservation Technical Manual.

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 4.30-acre property has a 20 percent Woodland Conservation Threshold of 0.86 acre, a replacement requirement of 0.68 acre and an afforestation requirement of 0.31 acre for a total requirement of 0.99 acre. The requirement for this property is to be satisfied by 0.99 acre of off-site mitigation. TCPI/31/03 is recommended for approval.

### **Water and Sewer Categories**

The property is in Water Category W-3 and Sewer Category S-3. It is and will continue to be served by public systems.

5. **Community Planning**—The property is in Planning Area 62/South Laurel-Montpelier. It is in the Developing Tier as defined by the 2002 General Plan. The vision for the Developing Tier is to maintain a pattern of low- to moderate-density suburban residential communities, distinct commercial Centers, and employment areas that are increasingly transit serviceable.” One of the challenges cited for future development in the Developing Tier is “to direct growth in order to encourage design of new communities and neighborhoods, and existing communities to be more land efficient, more environmentally sensitive, and more transit supporting than conventional subdivisions.” The broad goals and policies of the General Plan that encourage revised development patterns will be implemented primarily through revisions to the land use regulations, area master plans and sector plans, and through other public initiatives. In the interim, this preliminary subdivision application in the Developing Tier, prepared in accordance with existing regulations, is not inconsistent with General Plan policies.

The 1990 Master Plan for Subregion I recommends public or quasi-public land use for the majority of the property. A small portion of the property, located next to the access road that runs along its northern edge, is recommended for parkland. The 1990 Sectional Map Amendment for Subregion I rezoned the existing church site to the R-80 Zone from the R-R Zone. The remainder of the site along the northern edge of the proposed subdivision was retained in the R-R Zone.

There are no master plan issues raised by this application. This preliminary subdivision application is in the Developing Tier; prepared in accordance with existing regulations, it is not inconsistent with the 2002 General Plan policies.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the preliminary plan is exempt from the requirements of mandatory park dedication because it is a nonresidential use.
7. **Trails**—The Adopted and Approved Subregion I Master Plan recommends a master plan bicycle/trail facility along MD 197. This facility will have to be provided comprehensively by the State Highway Administration through a highway improvement project. There are no recommendations for the subject site. Bicycle and pedestrian improvements should be addressed comprehensively for the entire MD 197 corridor.
8. **Transportation**—The applicant has submitted a traffic study dated June 2003. 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*. The study has been referred to the appropriate operating agencies, and comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are included in the file.

#### **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.

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

The applicant has prepared a traffic impact study in support of the application using new counts taken in May 2002. With the development of the subject property, the traffic consultant has determined that adequate transportation facilities in the area can be attained. The traffic impact study prepared and submitted on behalf of the applicant analyzed the following intersections:

MD 197/Cherry Lane  
MD 197/Briarcroft Lane (unsignalized)  
MD 197/site entrance (unsignalized)  
MD 197/Contee Road

The following conditions exist at the critical intersections:

<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 197/Cherry Lane	957	1,152	A	C
MD 197/Briarcroft Lane	17.5*	26.5*	--	--
MD 197/site entrance	14.3*	10.5*	--	--
MD 197/Contee Road	1,210	1,242	C	C
<p>*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.</p>				

The traffic study considers existing safety conditions at each of the critical intersections as well as capacity issues. Safety measures are not specifically addressed in the Planning Board’s guidelines; however, the statistics for intersections in the traffic study are based upon a traffic measure called million entering vehicles, or MEV. To compute MEV for an intersection, average daily traffic volumes are used to estimate the number of vehicles using an intersection over the period of an entire year. Using the average number of accidents per year (based on at least two years’ data) within an intersection, an accident rate $\frac{3}{4}$  accidents per MEV $\frac{3}{4}$  is computed for the intersection.

The following accident data was collected and computed in the traffic study:

MD 197/Cherry Lane, 4.0 accidents per year, 0.3 accidents per MEV  
MD 197/Briarcroft Lane, 1.6 accidents per year, 0.1 accidents per MEV  
MD 197/site entrance, 0 accidents per year, 0.0 accidents per MEV  
MD 197/Contee Road, 5.3 accidents per year, 0.3 accidents per MEV

These accident rates are very typical for accident rates at intersections along urbanized highways.

SHA identifies a rate of 2.0 accidents per MEV as a rate that warrants study for remedial safety measures, and the accident rates within the study area are well below that rate. Therefore, there are no existing deficiencies that must be addressed by the applicant.

Five approved developments were identified in the immediate area. Traffic along MD 197 includes a factor of two percent annually to account for growth in through traffic. The traffic study assumes no funded capital improvements within the study area. Given these assumptions, the following background traffic conditions were determined:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 197/Cherry Lane	990	1,185	A	C
MD 197/Briarcroft Lane	19.3*	28.3*	--	--
MD 197/site entrance	14.6*	10.8*	--	--
MD 197/Contee Road	1,245	1,282	C	C
<p>*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.</p>				

The applicant proposes facilities that will include a new day care center for up to 185 students. The peak-hour trip generation for the day care facility is estimated using rates in the Institute of Transportation Engineers' *Trip Generation Manual*. The day care facility would generate 150 AM peak hour trips (80 in, 70 out) and 159 PM peak hour trips (74 in, 85 out). As with most day care facilities, many of the trips generated by the use are already on the road, and the analysis considers a pass-by rate of 65 percent (that is, 65 percent of trips are already on the adjacent roadway, while 35 percent of site trips are new trips in the study area). With site traffic, the following operating conditions were determined:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 197/Cherry Lane	998	1,194	A	C
MD 197/Briarcroft Lane	22.9*	46.5*	--	--
MD 197/site entrance	15.2*	11.1*	--	--
MD 197/Contee Road	1,253	1,290	C	C
*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 traffic analysis identifies no inadequacies within the immediate study area that would require off-site transportation conditions.

SHA and DPW&T both reviewed the traffic study, and neither agency had comments on the findings and recommendations of the traffic study.

MD 197 is a master plan arterial facility. Sufficient right-of-way consistent with master plan recommendations already exists; therefore, no further dedication along MD 197 is required by this plan. Also, the site will continue to utilize existing driveways and access roadways, and this is acceptable.

The applicant has proposed 20,600 square feet of church facilities that are intended to house a 185-student day care facility along with a relocated existing nursery for 30 children. The day care use would generate a total of 150 AM and 159 PM peak hour trips. Because this trip impact is the basis of the adequacy finding for this applicant, additional development within the subdivision should be limited to permitted uses which would generate no more than the number of peak-hour trips which are stated above.

Based on these findings, 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 with a condition limiting development to that which will generate no more vehicle trips than those proposed.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the

subdivision plans for adequacy of public 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). 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 fire and rescue facilities.
  - a. The existing fire engine service at Laurel Fire Station, Company 10, located at 7411 Cherry Lane, has a service travel time of 3.65 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 2.13 minutes, which is within the 4.25-minute travel time guideline.
  - c. The existing paramedic service at Laurel Rescue Squad, Company 49, has a service travel time of 2.13 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 8.52 minutes, which is beyond the 4.25-minute travel time guideline.

These 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*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system should 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 VI-Beltsville. In accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed Our Savior Lutheran 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 June 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 reviewed the application and had no comments.
13. **Stormwater Management**—A stormwater management pond exists on site. A Stormwater Management Concept Plan has not yet been approved. To ensure that development of this site does not result in on-site or downstream flooding, a Stormwater Management Concept Plan must



be approved prior to signature approval of the preliminary plan. Development must be in accordance with this approved plan, or any revisions thereto.

14. **Cemeteries**<sup>3/4</sup> According to the Historic Preservation Section, there are no known cemeteries on or adjacent to the property. A note to that effect is included on the preliminary plan.
15. **Public Utility Easement**—The applicant's preliminary plan includes a note referencing the required 10-foot-wide public utility easement. This easement will be included on the final plat.

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Lowe, 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 9th day of October 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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