

R E S O L U T I O N

WHEREAS, Mitchellville Congregation of Jehovah's Witness is the owner of a 2.9-acre parcel of land known as Parcels 46 and 89, Tax Map 61, Grid E-3, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on October 13, 2003, Mitchellville Congregation Jehovah's Witness 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 4-03101 for Jehovah's Witness Mitchellville 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, 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 December 18, 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 Preliminary Plan of Subdivision 4-03101, Jehovah's Witness Mitchellville for Parcel A with the following conditions:

1. The record plat shall note that on-site group activities shall not commence before 7:00 p.m., Monday through Friday.
2. Any activities on the proposed development generating in excess of five trips during either the AM or PM peak hour, Monday through Friday, shall require a new traffic impact analysis for the site and a new preliminary plan of subdivision.
3. Development of this site shall be in conformance with approved Stormwater Management Concept Plan, # 13602-2003-00.
4. The applicant shall provide standard sidewalks along the property's entire street frontage unless modified by the State Highway Administration at the time of issuance of street construction permits.
5. The applicant, his heirs, successors and/or assignees shall pay \$1,155 prior to the issuance of the

first building permit to Prince George's County as a fair-share contribution toward the construction of the St. Joseph's Drive Station, and acquisition of an ambulance.

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 west side of Enterprise Road (MD 193), approximately 650 feet south of its intersection with Waesche 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)	Vacant	Institutional
		11,000 square feet GFA
Acreage	2.87	2.87
Parcels	2	1

4. **Environmental**—The Environmental Planning Section has reviewed the Preliminary Plan of Subdivision and finds that the environmental issues have been addressed and that the site is exempt from the requirements of the Prince George's County Woodland Conservation Ordinance. A simplified forest stand delineation (FSD) was submitted with this application. The FSD was reviewed and found to address the requirements for an FSD. A site visit was also conducted to determine the exact number and size of trees present. Based on the site visit, there are not a sufficient number of trees greater than two inches diameter per acre for any portion of this property to be classified as woodland at this time.

This property is exempt from the provisions of the Prince George's County Woodland Conservation Ordinance because the area of existing woodland is less than 10,000 square feet and there are no previously approved Tree Conservation Plans. The Environmental Planning Section issued a letter of exemption (S-052-03) on March 18, 2003.

Enterprise Road is classified as an arterial roadway and thus has been evaluated for transportation-related noise impacts. Based on the Environmental Planning Section noise model, the 65 dB Ldn noise contour is located 106 feet from the centerline of Enterprise Road. Although there is noise intrusion into this site, the proposed use as a church will not be adversely impacted.

A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly redouble soils are not found to occur on the property. The soils found to occur according to the Prince George's County Soil Survey include Killington fine sandy loams that have no significant limitations that would affect the development

of this site. According to available information, Marlboro clay is not found to occur on this property.

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 Northeast Branch watershed of the Patuxent River Basin.

5. **Community Planning**—The property is located within the limits of the Largo-Lottsford master plan (1990), Planning Area 73 in the Northhampton Community. The master plan land use recommendation is for low-suburban residential. The proposed subdivision is not inconsistent with the recommendations of the master plan and conforms to the zoning. The 2002 General Plan locates the property in the Developing Tier. The general plan also recommends maintaining a pattern of low density residential. The proposed subdivision is not inconsistent with the general plan.

The property is located in the Enterprise Road Corridor Development Review Commission area. A referral has been sent to the commission; a response has not been received.

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 site is greater than one acre and is a nonresidential use.
7. **Trails**—The Adopted and Approved Largo-Lottsford Master Plan recommends a master plan trail/bicycle facility along MD 193. Bicycle and pedestrian traffic will have to be addressed comprehensively for the entire MD 193 corridor by SHA through road improvement projects. These improvements may ultimately include a trail parallel to the road and/or in-road bicycle facilities such as designated bike lanes or wide curb lanes. However, a standard sidewalk is recommended along the subject property's frontage of MD 193 to accommodate pedestrians along the subject site until the time that more comprehensive improvements are made.
8. **Transportation**—The Largo-Lottsford Master Plan for Planning Area 73 recommends Enterprise Road (MD 193) be upgraded to four-lane divided parkway- arterial (A-27) within a 120–200 foot right-of-way. The adjacent properties to the north and south have dedicated the required amount of right-of-way, consistent with the master plan requirement. The proposed application dedication is determined by extending the right-of-way line from one adjacent property to the right-of-way line of the next adjacent property, as reflected on the preliminary plan submitted November 19, 2003.

The application is a preliminary plan of subdivision for a church consisting of 11,000 square feet of gross floor area. Typically, if trip generation rates for a proposed land use are not listed in the Planning Department's *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, then the trip rates listed in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 6th Edition, would be used. The ITE manual lists the trip rates for churches as 0.72

trip/1,000 square feet of gross floor area (GFA) during the AM peak hour. For the PM peak hour, the rate is listed as 0.66 trip/1,000 square feet of GFA. Because the ITE *manual* represents rates that are derived from a national sampling of uses, those rates may not always reflect local conditions. Further, in applying ITE rates, one must carefully scrutinize the data from which the rates were derived based on the size of the sample as well as the characteristics of the data points themselves. Another factor that could affect the final rate is the relative size of the churches being evaluated. Because the footprints of churches vary significantly, the operational characteristics could also vary, creating different trip rates for different size churches.

In the preliminary plan of subdivision for First Baptist Church of Glenarden (4-02047), based on an examination of the data points, staff applied an ITE-corrected rate of 0.25 and 0.37 trips per 1,000 square feet for the AM and PM peak hour, respectively. Those rates were found to be acceptable by the Planning Board, and staff believes they are comparable to the subject application. With the application of those rates, the proposed church would generate 3 AM and 4 PM peak-hour trips on weekdays.

The traffic generated by the proposed preliminary plan would impact the intersection of Lottsford Road and Enterprise Road (MD 193). This intersection is not programmed for improvement with 100 percent construction funding within the next six years in the current Maryland Department of Transportation Consolidated Transportation Program or the Prince George's County Capital Improvement Program:

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

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 critical intersection identified, when analyzed with existing traffic data, operates adequately during both peak hours during the weekdays as well as on Sundays. However, under background conditions, the intersection will operate inadequately during the peak hours on weekdays, while showing acceptable levels of service on Sundays.

All of the above-mentioned findings regarding trip rates are predicated on the proposed uses provided to staff by the applicant. The applicant has provided a written outline of weekly activities planned for this proposed facility. Based on the applicant's proposal, no activities are

scheduled to begin before 7:00 p.m., Monday through Friday.

Due to the limited trip generation of the site, the Prince George's County Planning Board could deem the site's impact at this location to be de minimus. Given these facts, staff would therefore recommend that the Planning Board find that 3 AM and 4 PM peak-hour trips will have a de minimus impact upon the operation at the intersection of Lottsford Road and Enterprise Road (MD 193).

The Transportation Planning Section concludes that adequate access roads will exist as required by Section 24-124 of the Prince George's County Code if the application is approved recognizing the applicant's limited hours of operation and establishing a trip cap on development.

At the Planning Board hearing citizens raised concerns regarding possible conflicts with vehicles entering and leaving the site and traffic on Enterprise Road. The applicant indicated that meetings with the State Highway Administration (SHA) had resulted in a recommendation by SHA that the site entrance be developed with a right-in and right-out entrance configuration. The Planning Board indicated their support of this configuration and the applicant also indicated their support with the understanding that improvements within the right-of-way of Enterprise Road are under the jurisdiction of SHA.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed this subdivision plan for adequacy of school facilities in accordance with Section 24-122.02 of the Subdivision Regulations and CB-30-2003 and CR-23-2003 and concluded that the subdivision is exempt from APF test for schools 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 and concluded the following:
 - a. The existing fire engine at Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 5.25 minutes, which is beyond the 3.25-minute travel time guideline.
 - b. The existing ambulance Kentland Fire Station, Company 46, located at 10400 Campus Way South, has a service travel time of 5.25 minutes, which is beyond the 4.25-minute travel time guideline.
 - c. The existing paramedic at Kentland Fire Station, Company 46, located at 10400 Campus Way South, 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 Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service travel time of 6.39 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 response times, 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.

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

The planned St. Joseph's Drive Emergency Services Facility, which is shown in the Capital Improvement Program, Item #LK510163, will be the first due station that will provide ambulance service to this development. The cost of this full-service emergency services facility is \$3,600,000.

In order to mitigate the ambulance service response time deficiencies the applicant shall participate in providing a fair-share contribution toward the construction of the St. Joseph's Drive Full-Service Emergency Services Facility. The fee amount is based on the construction cost of the facility (\$3,600,000) and the cost of an ambulance (\$130,000) divided by the total amount of residential and employment population within the entire service area in 2006 (48,676). The service area includes those areas that will be served by the planned facility. The fair-share fee is \$77 per person for this development. The total of 15 workers is based upon the rate of one employee per 750 square feet for the 11,000 square feet of structures. The Information Management Division, M-NCPPC, bases the factor of one employee per 750 square feet upon analysis of similar uses.

2006 service area population/workers
Station/Ambulance Cost 3,730,000/48,676= \$77 per person
No. of employees (15) times 77= \$1,155

11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. 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 an additional 69 sworn personnel. Therefore, in accordance with Section 24-122.01(c), the existing county police facilities will be adequate to serve the proposed Jehovah's Witness Mitchellville development.
12. **Health Department**—The Health Department has no comments.
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, #13602-2003-00, 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. **Variation 24-121^{3/4}** The property is located on the west side of Enterprise Road, a master plan arterial roadway. The Subdivision Regulations recommends that access to an arterial be via an interior street or service road. The applicant has requested a variation to this requirement. Staff is recommending approval of the variation based on the following:

Section 24-113(a) of the Subdivision Regulations sets forth the required findings for approval of variation requests. Section 24-113(a) reads:

Where the Planning Board finds that extraordinary hardship or practical difficulties may result from strict compliance with this Subtitle and/or that the purposes of this Subtitle may be served to a greater extent by an alternative proposal, it may approve variations from these Subdivision Regulations so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of this Subtitle; and further provided that the Planning Board shall not approve variations unless it shall make findings based upon evidence presented to it in each specific case that:

- (1) *The granting of the variation will not be detrimental to the public safety, health, or injurious to other property;* Enterprise Road is a state right-of-way and is under the State Highway Administration's authority. Access permits will be required by SHA prior to permitting to ensure that the site access is located to ensure the safety of the citizens using the site access and Enterprise Road.
- (2) *The Conditions on which the variation is based are unique to the property for which the variation is sought and are not applicable generally to other properties;* The property is not large enough to provide a dedicated public street and have adequate land area to develop as intended by the applicant. In addition, Enterprise Road is an arterial facility with no plans for the construction of a service road. The applicant proposes one access point for the two existing parcels. The property is unique to the surrounding properties because it is completely surrounded by park property.
- (3) *The variation does not constitute a violation of any other applicable law, ordinance, or regulation;* The applicant will be required to obtain access permits from the State Highway Administration (SHA). SHA will ensure conformance with all the applicable regulations.
- (4) *Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if strict letter of these regulations is carried out;* Because the property has only one frontage and that frontage is located on an arterial right-of-way, there is only one opportunity for access. If the variation is not approved, the property would not have vehicular access and the site could not be developed, which would result in a particular hardship to the owner.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board=s action must be filed with Circuit Court for Prince George=s County, Maryland within thirty (30) days following the adoption of this Resolution.

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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Vaughns and Eley voting in favor of the motion, and with Chairman Hewlett absent at its regular meeting held on Thursday, December 18, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of January 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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