

R E S O L U T I O N

WHEREAS, Outreach Christian Center is the owner of a 12.45-acre parcel of land known as Parcel 78, Tax Map 166, Grid D-4, said property being in the 9th Election District of Prince George's County, Maryland, and being zoned R-80; and

WHEREAS, on May 20, 2004, Keith E. Butler filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for 1 outparcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04096 for Outreach Christian Center 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 July 22, 2004, 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 July 22, 2004, 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/48/95-01), and further APPROVED Preliminary Plan of Subdivision 4-04096, Outreach Christian Center for Parcel A with the following conditions:

1. 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/48/95-01), 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.”
2. Development shall be in accordance with the approved Stormwater Management Concept Plan for this proposal (CSD #21874-2003-00), or any approved revision thereto.
3. The proposed activity center shall not operate between the hours of 6:30 a.m.–9:00 a.m. and 4:00 p.m.–6:30 p.m., Mondays through Fridays.
4. 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.

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

| | EXISTING | PROPOSED |
|-------------------------|------------------|--------------------------------------|
| Zone | R-80 | R-80 |
| Uses | Church, Day Care | Church, Day Care, Activity Center |
| Acreage | 12.45 | 12.45 |
| Lots | 0 | 0 |
| Parcels | 1 | 1 |
| Building Square Footage | 35,331 | 10,800 (new) 46,131 (total) |

3. **Environmental**—A review of the information available indicates that there are no streams, wetlands, or floodplain on the subject property. The site eventually drains into Piscataway Creek in the Potomac River watershed. According to the *Prince George's County Soil Survey*, the soils are in the Beltsville, Bibb, Mattawan and Sassafras series. 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 nearby sources of traffic-generated noise. The proposal is not expected to be a noise generator. No historic or scenic roads are affected by this proposal. The site is in the Developing Tier according to the approved General Plan.

Woodland Conservation

This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland.

A Letter of Exemption, E-66-01, was previously issued because the proposed development impacted only 936 square feet of the existing woodland and there was no previously approved Tree Conservation Plan; however, the Woodland Conservation Ordinance requires the approval of a Type I Tree Conservation Plan with preliminary plans.

A Type I Tree Conservation Plan, TCPI/48/95-01, has been reviewed. The plan proposes clearing 0.02 acres of the existing 6.11 acres of woodland. The woodland conservation requirement has

been correctly calculated as 1.23 acres. The plan proposes retaining 1.23 acres of woodland on-site to meet the requirement, and the preservation on-site of an additional 4.86 acres that is not part of any requirement.

Water and Sewer Categories

The property is in water category W-3 and sewer category S-3 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003. The property will be served by public systems.

4. **Community Planning**—The property is in Planning Area 81A/Clinton. The 2002 General Plan places the property in the Developing Tier. 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. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The 1993 Subregion V master plan recommends suburban-residential land use at up to 3.5 dwelling units per acre. Churches, schools and day care centers are considered integral elements of residential communities. The expansion of an existing church/school/day care facility for an activity center conforms to master plan concepts for land use in this living area.
5. **Parks and Recreation**—The site is exempt from mandatory dedication because it consists of a nonresidential development.
6. **Trails**—There are no master plan trails issues identified in the 1993 Subregion V master plan. The majority of the south side of Clinton Manor Drive has a standard sidewalk. The applicant's plan shows a continuation of the sidewalk along the site's entire frontage.
7. **Transportation**—The *Guidelines for the Analysis of the Traffic Impact of Development Proposals* do not provide trip generation rates for an activity center. The Institute of Transportation Engineer (ITE) *Trip Generation Manual* (7th edition) however, lists trip rates for stand-alone recreational community centers (495) as 1.62 trips per 1,000 square feet of gross floor area (GFA) during the AM peak hour, 1.64 trips/1000 GFA during the PM peak hour, and 1.48 trips/1000 GFA during the peak hour on a Sunday. Based on ITE's rates, had this application had the functionality of a stand-alone recreational center, it would generate 17 AM and 18 PM peak-hour trips Monday through Friday. During the peak hour on a Sunday, the site would generate approximately 16 trips. Information provided by the applicant (DSP-95031/05) however, has indicated that the proposed facility will not function as a stand-alone community center. The proposed uses will be in conjunction with existing church activities. Specifically, the operating hours for the proposed facility will be as follows:

| | |
|-----------|----------------------|
| Sunday | 11:00 a.m.–1:00 p.m. |
| Monday | 7:30 p.m.–8:30 p.m. |
| Wednesday | 7:30 p.m.–8:30 p.m. |
| Friday | 8:00 p.m.–10:00 p.m. |

Saturday 11:00 a.m.–1:00 p.m.

On the basis of the proposed schedule, staff concludes that the traffic generated from the proposed development would have a *de minimus* impact on the nearby transportation network during the normal weekday peak periods. Pursuant to provisions in the guidelines, the Planning Board may find that traffic impact of small developments is *de minimus*. A *de minimus* development is defined as one that generates five trips or fewer in any peak period.

The subject property is located within the Developing Tier as defined in the 2002 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.

Regarding on-site circulation of traffic, staff has no issues.

Based on the fact that the subject application is considered to be *de minimus*, adequate transportation facilities will 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 hours to off-peak times.

The proposed activity center should not operate between the hours of 6:30 a.m.–9:00 a.m. and 4:00 p.m.–6:30 p.m., Mondays through Fridays.

8. **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. The proposed subdivision is exempt from the adequacy test for schools because it is a nonresidential use.
9. **Fire and Rescue**—The Historic Preservation and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities.

The existing fire engine service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 1.28 minutes, which is within the 3.25-minute travel time

guideline.

The existing ambulance service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 1.28 minutes, which is within the 4.25-minute travel time guideline.

The existing paramedic service at Clinton Fire Station, Company 25, located at 9025 Woodyard Road, has a service travel time of 1.28 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Marlboro Fire Station, Company 45, located at 7710 Croom Road, has a service travel time of 15.16 minutes, which is beyond the 4.25-minute travel time guideline.

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 above findings are in conformance with the standards and guidelines contained in the *Approved Public Safety Master Plan (1990)* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

10. **Police Facilities**—The proposed development is within the service area for Police District V-Clinton. 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 January 2, 2004, the county had 823 sworn staff and a total of 101,303 square feet of station space. Based on available space, there is capacity for an additional 57 sworn personnel. Therefore, in accordance with Section 24-122.01(c) of the Subdivision Regulations, existing county police facilities will be adequate to serve the proposed development.
11. **Health Department**—The Health Department reviewed the application and had the following comments:
 - “1. Approximately six tires were found in the south corner of the property. The tires must be hauled away by a licensed scrap tire hauler to a licensed scrap tire disposal/recycling facility, and a receipt for tire disposal must be submitted to this office prior to preliminary plan approval.
 - “2. A significant amount of domestic trash and other debris was found scattered over the east and south wooded portions of the property, and should be removed and properly stored or discarded.
 - “3. The three existing sheds depicted on the plans were not found on the site. Please remove

them from the plans.”

Comment: The applicant has supplied an invoice indicating that the tires and debris were removed from the site by a licensed hauler on June 10, 2004. The sheds have been removed from the plan.

12. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, approved a Stormwater Management Concept Plan for this proposed development (CSD #21874-2003-00). Development must be in accordance with this approved plan or any approved revision thereto.
13. **Cemeteries**—There are no known cemeteries on the subject property.
14. **Public Utility Easement**—The preliminary plan shows a ten-foot-wide public utility easement adjacent to Clinton Manor Drive.
15. **Prior Approvals**—The original detailed site plan (DSP-95031) for the site was approved on July 13, 1995, and has been revised four times. These revisions include:

| DSP Number | Nature of Revision | Date Approved |
|--------------|---|---------------|
| DSP 95031AA | Add number of day care children and reduce seating for the church | 10/18/96 |
| DSP 95031AB | Change sanctuary seating and number of children allowed in the day care | 9/18/97 |
| DSP 95031/03 | Day care revision | 9/5/2000 |
| DSP 95031/04 | Day care revision | 10/11/2002 |

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, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 22, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 29th day of July 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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