

R E S O L U T I O N

WHEREAS, Christ Dominion Church of God is the owner of a 1.38-acre parcel of land known as Parcel 59, located on Tax Map 36 in Grid A-2, said property being in the 14th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on February 17, 2009, Landesign, Inc. filed an application for approval of a Preliminary Plan of Subdivision (Staff Exhibit #1) for 1 outlot and 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-08063 for Christ Dominion Church, Parcel A and Outlot A 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 April 23, 2009, 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 April 23, 2009, 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 4-08063, Christ Dominion Church, including a Variation to Section 24-121(a)(3) for Parcel A and Outlot A with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision, the plan shall be revised as follows:
  - a. Remove the 20-foot dimension line at the northern part of the property.
  - b. Correct the adjoining owner's information to reflect the current ownership.
  - c. General Note 23 shall be corrected to reflect SWM Concept Plan 8008590-1998-02.
2. Development of the subject property shall be in conformance with the approved Stormwater Management Concept Plan, 8008590-1998-02, and any subsequent revision.
3. Prior to the approval of the final plat, the applicant shall submit an executed deed of conveyance

(signed by all parties) of Outlot A to the property owner of Parcel 421, and shall submit a recorded deed of the conveyance prior to the approval of a grading permit. If the applicant is unable to submit a copy of the executed deed to conveyance of Outlot A to the property owner of Parcel 421, Outlot A shall either be incorporated into Parcel A or remain and be retained by the applicant.

4. At the time of building permits, an automatic fire suppression system shall be provided in all new building's proposed in this subdivision in order to alleviate the negative impact on fire and rescue services due to the inadequate service as discussed, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.
5. The proposed development shall be limited to uses that generate no more than five AM and four PM peak-hour trips during the weekday, and no more than 74 trips during any one-hour period on a Sunday. Any development generating a traffic impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation.
6. Any development generating a traffic impact greater than that identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation.

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 southeast of the intersection of Executive Place and Greenbelt Road.
3. **Development Data Summary:** The following information relates to the subject preliminary plan application and the proposed development.

	EXISTING	APPROVED
Zone	R-R	R-R
Use(s)	Vacant	Church (6,300 sq. ft.)
Acreage	1.38	1.38
Outlots	0	1 (.0058 acres)
Parcels	1	1 (1.3742 acres)
Public Safety Mitigation Fee		No

4. **Environmental**—This property is not subject to the provisions of the Prince George's County Woodland Conservation and Tree Preservation Ordinance because there is less than 10,000 square feet of existing woodland on-site, and has no previous tree conservation plan (TCP) approvals.

The soils found to occur on this property, according to the *Prince George's County Soil Survey*, include Christiana silt loam and the Sunnyside series. There are potential soil limitations that affect the construction phase of this development process, including high water tables, impeded drainage, slow permeability, and stability. There are no limitations that would affect the site design or layout and there are no severe slopes found to occur on this property. During the review of building permits, the Department of Environmental Resources (DER) may require a soil study addressing the soil limitations.

A review of the available information indicates that no streams, wetlands, or 100-year floodplain are found to occur on this site. 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. The site has frontage along Greenbelt Road (MD 193), a master planned arterial roadway that is regulated for noise; however, due to the proposed institutional use, noise is not an issue. The proposal is not expected to be a noise generator. This property is located in the Developing Tier as reflected in the *Prince George's County Approved 2002 General Plan*.

5. **Community Planning**—The subject property is located within the limits of the November 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)*, Lanham Severn Road community. The 2002 Approved General Plan locates this property in the Developing Tier.

The master plan (page 59) encourages that the land situated between the Eastgate Shopping Center to the east and the Forest Lake Garden Apartments to the west be developed in accordance with the Residential-Suburban (R-S) Comprehensive Design Zone. The defined area includes the subject site and approximately ten other properties totaling 55.4± acres.

The master plan encourages a variety of housing types be built within the range of 2.7 to 3.5 dwelling units per acre. The residential area would have a strong pedestrian relationship to the adjacent activity center (Eastgate Shopping Center). The master plan map includes an illustrative concept for the development in this area. Land assemblage would be necessary for a comprehensively developed area because of the numerous individually owned parcels.

Although the master plan land use recommendation for this property is to be developed in a comprehensive manner with adjoining properties, the sectional map amendment (SMA) retained the property in the R-R Zone, a rural-residential zoning designation, through the District Council approval of the Glenn Dale SMA in 1993. The proposed land use for the subject property is permitted by right in the R-R Zone per Section 27-441(b) of the Zoning Ordinance.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed parcel is exempt from the requirements of the mandatory dedication of parkland because the proposed parcel is greater than one acre in size and is a nonresidential use.
7. **Trails**—The November 1993 *Approved Master Plan and Sectional Map Amendment for Glenn Dale-Seabrook-Lanham and Vicinity (Planning Area 70)* recommends that circulation be improved with pedestrian linkages between commercial areas and surrounding residential neighborhoods (page 119). The plan also recommends that an “enhanced” pedestrian network be developed. In this area, only standard sidewalks have been developed. The plan designates Greenbelt Road (MD 193) as a master plan trail/bikeway corridor. This bikeway has been implemented by SHA as part of the Upper Marlboro to College Park bikeway with signage, paved shoulders, and pavement markings.

The area contains scattered sidewalks and few linkages between properties at this time. The proposal includes sidewalks along Greenbelt Road and a short concrete walk in front of the building. The proposed sidewalks appear to be standard sidewalks that will match recently developed sidewalks to the east of the subject site.

A standard sidewalk is recommended along the subject property’s road frontage of MD 193 to safely accommodate pedestrians to the subject site and the nearby shopping center. Additionally, a five-foot-wide pedestrian connection between the building and the sidewalks on Greenbelt Road should be constructed. This should be addressed during the detailed site plan phase.

8. **Transportation**—The purpose of the subject application is to provide for the construction of a church. The functional occupancy count for the facility is limited to the auditorium seating capacity of 200 seats.

The Commission requested recent Sunday traffic counts from the applicant. In accordance with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals,” the Planning Board reviewed the counts. The findings outlined below are based upon a detailed review of the relevant materials and analyses conducted are consistent with the procedures and methodologies outlined in the “Guidelines.”

The proposed church will have a total of 6,300 square feet of gross floor area (GFA) and a maximum seating capacity of 200 seats. The “Guidelines” provide generalized trip rates for residential uses in the R-R Zone. However, the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 7<sup>th</sup> Edition, provides specific trip rates for specific uses, such as a church and Sunday school.

The *Trip Generation Manual* lists churches as having a trip rate of 0.72 trips per 1000 square feet of gross floor area (GFA) during the AM peak hour, and 0.66 trips per 1000 square feet of GFA during the PM peak hour. Additionally, the ITE manual shows a peak-hour trip rate of 11.76 trips/1000 sq. feet of GFA on Sundays. Based on the ITE rates, the proposed church facility would

generate 5 AM and 4 PM peak-hour vehicle trips on weekdays and 74 trips during the peak hour on Sundays.

Based on a traffic projection of five and four trips during the AM and PM weekday peak hours respectively, the proposed church would have a de minimus impact on the two critical intersections on the weekdays. However, with a traffic projection of 74 trips during the Sunday peak hour, it was necessary to do an evaluation of both intersections. Using traffic data collected on Sunday March 15, 2009, at both intersections, a capacity analysis revealed the following results:

<b>Existing Traffic (Sunday)</b>	
<b>Intersection</b>	<b>Peak Hour</b>
	(LOS/CLV)
Greenbelt Road @ Forbes Boulevard	A/533
Greenbelt Road @ Mission Drive	A/689

With the inclusion of the 74 site generated trips, a second analysis was done revealing the following results:

<b>Total Traffic (Sunday)</b>	
<b>Intersection</b>	<b>Peak Hour</b>
	(LOS/CLV)
Greenbelt Road @ Forbes Boulevard	A/543
Greenbelt Road @ Mission Drive	A/699

In analyzing the traffic data, the two critical intersections will operate adequately with the inclusion of the traffic from the proposed church. The finding of adequacy is predicated on the property generating five and four trips during the AM and PM peak hours respectively, therefore, a trip cap reflecting those trip projections has been placed as a condition of approval (Condition No. 5, above). Regarding on-site circulation, there are no issues.

Based on the above analyses, adequate access roads will exist as required by Section 24-124 of the Subdivision Regulations.

9. **Schools**—The subdivision was reviewed 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 review for schools because it is a nonresidential use.
10. **Fire and Rescue**—The subdivision was reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(d) and Section 24-122.01(e)(1)(B)–(E) of the Subdivision Ordinance.
  - a. The existing engine service at Glenn Dale Fire/EMS Station, Company 18, located at 11900 Glenn Dale Road, has a service travel time of 3.9 minutes which is beyond the 3.25-minute travel time guideline.
  - b. The existing ambulance service at Glenn Dale Fire/EMS Station, Company 18, located at 11900 Glenn Dale Road, has a service travel time of 3.9 minutes which is within the 4.25-minute travel time guideline.
  - c. The existing paramedic service at Glenn Dale Fire/EMS Station, Company 18, located at 11900 Glenn Dale Road, has a service travel time of 3.9 minutes which is within the 7.25-minute travel time guideline.
  - d. The existing ladder truck service at Bowie Fire/EMS Station, Company 19, located at 13008 9<sup>th</sup> Street, has a service travel time of 5.8 minutes which is beyond the 4.25-minute travel time guideline.

In order to alleviate the negative impact on fire and rescue services noted above, 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 development is within the service area of Police District II, Bowie.

The police facilities test is performed on a countywide basis in accordance with the policies of the Planning Board. There is 267,660 square feet of space in all of the facilities used by the Prince George's County Police Department and the latest population estimate is 825,520. Using the 141 square feet per 1,000 residents, it calculates to 116,398 square feet of space for police. The current amount of space, 267,660 square feet, is above the guideline.

12. **Water and Sewer**—Section 24-122.01(b)(1) of the Subdivision Regulations states that “the location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval.”

The 2008 *Water and Sewer Plan* placed this property in water and sewer Category 3, Community System.

13. **Health Department**—The Prince George’s County Health Department has no comments to offer.
14. **Stormwater Management**—The Department of Public Works and Transportation (DPW&T) has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, 8008590-1998-02, has been approved with conditions to ensure that development of this property will not result in on-site or downstream flooding. Development must be in accordance with this approved plan.
15. **Nonresidential Uses**—The subject property is zoned R-R. Because there exist different adequate public facility tests, and there are considerations for recreational components for residential subdivisions, a new preliminary plan should be required if residential development is to be considered.
16. **Access Variation**—Section 24-121(a)(3) of the Subdivision Regulations establishes design guidelines for lots that front on arterial roadways. This section requires that lots be developed to provide direct vehicular access to either a service road or an interior driveway.

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:**

The approval of the applicant’s request does not have the effect of nullifying the intent and purpose of the Subdivision Regulations, which generally provide for the public health, safety and welfare. In fact, strict compliance with the requirements of Section 24-121(a)(3) would result in practical difficulties for the applicant because it would unnecessarily inhibit the flow of area traffic, considering the zoning requirements for, and existing development on, abutting properties, as explained elsewhere in this Paragraph No. 16. Also, the configuration of the subject property, and its proximity to a turn lane within the arterial Greenbelt Road, will promote an appropriate environment for direct access onto the arterial roadway, provided the applicant complies with the conditions of this approval and any other relevant authority.

- (1) That the granting of the variation will not be detrimental to the public safety, health or welfare, or injurious to other property.**

Greenbelt Road (MD 193) is a divided road in front of the subject site with only eastbound movement; right only, an option for traffic leaving the site. A median break is located at a point approximately 288 feet to the east of the easternmost corner of the property with the access drive from this site being located in the center of property. This offset would allow traffic ample opportunity to safely move into the turn lane at the median break to continue west bound on Greenbelt Road without conflict with existing traffic. In addition, this property has had direct access to Greenbelt Road for several decades and with the proposed improvements to the frontage of the property per the State Highway Administration (SHA), access to the site should be appropriate. Acceleration and deceleration lanes are being developed as a part of this project's improvement requirements along the frontage of Greenbelt Road.

- (2) The conditions of 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 subject site has approximately 202 feet of frontage along Greenbelt Road. The property is surrounded on all sides by existing parcels of land improved with single-family residences. A single-family residential lot abuts the entire property's western property line. The site currently has existing access onto Greenbelt Road.

At this time because of the existing improvements and the existing zoning on abutting properties, the opportunity for other access is restricted. There are no internal streets or service roads accessible in the area. Without access onto Greenbelt Road the site would not be buildable, because there are no other options for access at this time.

- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation.**

The access will be located and constructed in accordance with a required access permit issued by the State Highway Administration (SHA). SHA has jurisdiction over the existing and proposed right-of-way of Greenbelt Road (MD 193). Development will be required in accordance with that permit. There are no other applicable laws, ordinances, or regulations which govern direct access to an arterial roadway.

- (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 the strict letter of these regulations is carried out.**



Due to the site's location and the physical improvements on abutting properties no other option for access exists at this time, and thus a particular hardship to the property owner would occur if direct access to this property, from the arterial Greenbelt Road, were to be denied.

17. **Outlot A** – The applicant has proposed Outlot A (.0058 acres), which is intended to be conveyed to the owner of Parcel 421 (R-R Zone), abutting to the south. The asphalt driveway serving the single-family dwelling unit on Parcel 421 encroaches onto the subject property. The applicant, in this case, could require that the owner of Parcel 421 remove or relocate the driveway which has been constructed on Parcel A. Instead the applicant has proposed to create Outlot A, where the driveway is located, and convey that land to the owner of Parcel 421, so that the driveway does not have to be relocated. The applicant should demonstrate an executed agreement prior to final plat and should convey the property prior to grading permits. If the applicant cannot obtain an executed agreement from the owners of Parcel 421, the outlot should be incorporated back into Parcel A and retained by the applicant.

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 date of notice of 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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns and Cavitt voting in favor of the motion, and with Commissioner Parker abstaining at its regular meeting held on Thursday, April 23, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of May 2009.

Oscar S. Rodriguez  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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