

R E S O L U T I O N

WHEREAS, Heritage Christian Academy at Mt. Calvary Baptist is the owner of a 10.97-acre parcel of land known as Parcel A, said property being in the 20th Election District of Prince George's County, Maryland, and being zoned One-Family Detached Residential (R-55); and

WHEREAS, on December 8, 2016, Heritage Christian Academy at Mt. Calvary Baptist filed an application for approval of a Preliminary Plan of Subdivision for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-14019 for Heritage Christian Academy at Mount Calvary Baptist 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 May 4, 2017, for its review and action in accordance with the Land Use Article of the 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 May 4, 2017, 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 Type 1 Tree Conservation Plan (TCP1-029-97-01), and APPROVED a Variance from Section 25-122(b)(1)(G), and further APPROVED Preliminary Plan of Subdivision 4-14019 for one parcel with the following conditions:

1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised to remove the proposed play area from the PPS and only show it on the Type 1 tree conservation plan.
2. At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public rights-of-way.
3. Total development within the subject property shall be limited to uses which generate no more than a net 83 AM peak-hour trips, and 35 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.

4. A substantial revision to the mix of uses on the subject property that affects Subtitle 24 adequacy findings, as set forth in a resolution of approval and on the approved plan, shall require the approval of a new preliminary plan of subdivision prior to the approval of any building permits.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised as follows:
  - a. Revise the TCP1 to a scale that is readable and includes the required scale bar. All existing and proposed features shall be clearly shown on the plan.
  - b. Revise the plan and legend to show the same symbol for all specimen trees and their critical root zones.
  - c. Revise the legend to show the symbol for the tree line.
  - d. Revise the TCP approval block TCP2 number to "TCP2-029-97."
  - e. Show and label Specimen Trees 2 and 3 with critical root zone on the plan view.
  - f. Add a note stating, "Per the approved TCP2-124-97, the 0.30-acre off-site requirement has been met on TCP2-021-94."
  - g. Revise General Note 6 to provide the correct gross floor area of the existing structures.
  - h. Provide the signature of the person who prepared the plan.
6. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-029-97-01). The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-0029-97-01), or as modified by the Type 2 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 and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."
7. Prior to signature approval of the Type 2 tree conservation plan (TCP2) for this site, the liber and folio of the recorded woodland and wildlife habitat conservation easement shall be added to the standard TCP2 notes on the plan, as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber \_\_\_\_\_ Folio \_\_\_\_\_. Revisions to this TCP2 may require a revision to the recorded easement.”

8. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan shall be revised to show a limit of disturbance and proposed grading that preserves Specimen Trees 2 (ST-2) and 3 (ST-3).
9. Prior to signature approval of the preliminary plan of subdivision (PPS), the PPS and Type 1 tree conservation plan shall be revised to show the unmitigated 65 dBA Ldn noise contour from the Environmental Planning Section’s noise model.
10. At the time of final plat, the following note shall be placed on the plat: “Access is denied along the frontage of the Capital Beltway I-95/495.”
11. Development of the site shall be in conformance with the Stormwater Management Concept Plan 16226-2013-01 and any subsequent revisions.

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 with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George’s County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Background**—The subject property is located on Tax Map 52, Grid C-1 and is known as Parcel A. The property is located in the R-55 (One-Family Detached Residential) Zone and has a gross tract area of 10.97 acres. Two existing vehicular-access driveways are provided from Whitfield Chapel Road (C-329), which abut the site along the eastern property line and is recommended to be upgraded to a four-lane collector roadway within its existing 80-foot-wide right-of-way.

The property was originally the subject of Preliminary Plan of Subdivision (PPS) 4-97037, which was approved by the Planning Board on July 3, 1997 (PGCPB Resolution No. 97-168). A final plat of subdivision was recorded for the property on March 19, 1998 in plat book VJ 183-6. Condition 7 of PGCPB Resolution No. 97-168, states the following:

7. **Total development of this 11-acre site shall be limited to a 42,300-square-foot church and its related facilities, or other development which shall generate no more than 31 AM and 30 PM peak hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.**

The property obtained PPS approval subject to a finding of adequate transportation facilities made in 1997 for PPS 4-97037. Although no increase in gross floor area (GFA) is proposed with the current PPS application, the applicant is proposing to add a private school with up to 100 students. The GFA of the church and its related facilities are located within the existing 49,912-square-foot church. With the addition of the private school use, a new determination of the adequacy of transportation facilities is required, resulting in the need for the current PPS application.

A play area is also proposed within the existing parking compound. The approval of a detailed site plan (DSP) is required for all private schools in accordance with Section 27-443(a)(2)(A) of the Zoning Ordinance. Detailed Site Plan DSP-12020 has been submitted by the applicant for the private school use.

3. **Setting**—The property is located at 5120 Whitfield Chapel Road in Lanham. To the east of the subject site is the public right-of-way of Whitfield Chapel Road, a collector roadway within an 80 foot-wide right-of-way, and beyond are detached single-family dwellings in the R-55 (One-Family-Detached Residential) Zone; to the west is the public right-of-way of the Capital Beltway (I-95/495), a designated freeway; to the south are detached single-family dwellings in the R-55 (One-Family-Detached Residential) Zone; and to the north is a parcel owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC) in the R-O-S (Reserved Open Space) Zone.

#### FINDINGS AND REASONS FOR STAFF RECOMMENDATION

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

|                  | <b>EXISTING</b> | <b>APPROVED</b>                         |
|------------------|-----------------|-----------------------------------------|
| Zone             | R-55            | R-55                                    |
| Use(s)           | Church          | Church/Private School<br>w/100 students |
| Acreage          | 10.97           | 10.97                                   |
| Gross Floor Area | 49,912 sq. ft.  | 49,912 sq. ft.                          |
| Parcels          | 1               | 1                                       |
| Outlots          | 0               | 0                                       |
| Variance         | No              | Yes (25-122(b)(1)(G)                    |
| Variation        | No              | No                                      |

Pursuant to Section 24-113 of the Subdivision Regulations, this case was heard before the Subdivision and Development Review Committee (SDRC) on December 30, 2016.

5. **Environmental**—The following are applications and associated plans for the subject site:

| Development Review Case # | Associated Tree Conservation Plan # | Authority                    | Status   | Action Date | Resolution Number |
|---------------------------|-------------------------------------|------------------------------|----------|-------------|-------------------|
| 4-97037                   | TCP1-029-97                         | Planning Board               | Approved | 7/3/1997    | PGCPB No. 97-168  |
| N/A                       | TCP2-124-97                         | Environmental Planning Staff | Approved | 12/11/1997  | N/A               |
| DSP-12020                 | N/A                                 | Planning Director            | Dormant  | 7/13/2016   | N/A               |
| DPLS-409                  | N/A                                 | Planning Director            | Dormant  | 7/13/2016   | N/A               |
| NRI-081-13                | N/A                                 | Environmental Planning Staff | Approved | 5/14/2013   | N/A               |
| 4-14019                   | TCP1-029-97-01                      | Planning Board               | Pending  | Pending     | Pending           |

**Proposed Activity**

The PPS proposes to add a private school with 100 students and a play area.

**Grandfathering**

The project is subject to the current regulations of Subtitles 24, 25 and 27 that came into effect on September 1, 2010 and February 1, 2012 because the application is for a new PPS.

**Site Description**

The subject 10.97-acre Heritage Christian Academy site is located on Whitfield Chapel Road, just north of Jenna Court. A review of the available information indicates that there are no regulated environmental features located within subject project area. The predominant soils found to occur according to the USDA NRCS Web Soil Survey are four types: Christiana-Downer complex, Christiana-Downer-Urban land complex, Russett-Christiana complex and Russett-Christiana-Urban land complex. According to available information, Marlboro clay does not occur on or in the vicinity of this site, but Christiana soils are present. Further soil investigations could be required by the Prince George's County Department of Permitting, Inspection and Enforcement (DPPE). According to the Sensitive Species Project Review Area (SSPRA) map received from the Maryland Department of Natural Resources, Natural Heritage Program, there are no rare, threatened, or endangered species found to occur on or near this property. The on-site stormwater drains to towards the central located, existing, on-site stormwater management pond and to the southwest corner of the site. The western property line is the I-95/495 right-of-way and the stormwater drainage goes into the adjacent roadside drainage swale. The on-site drainage flows into Beaverdam Creek and then drains to the Anacostia River, which is part of the Anacostia River watershed, and then to the Potomac River. The site has frontage on Whitfield Chapel Road, which is identified as a Collector roadway, which is not identified as a traffic noise generator. The rear of the site is adjacent to I-95/495, which is identified as a freeway and regulated for noise with residential and outdoor activity areas. No designated scenic or historic roadways are adjacent to the project site. No Forest Interior Dwelling Species (FIDS) or FIDS buffer are mapped on-site. The site is located within the Environmental Strategy Area 2 (formerly the Developing Tier) of the Regulated Environmental Protection Areas Map as designated by *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035). According to the 2005 *Approved Countywide Green Infrastructure Plan*, the site does not contain any network areas.

**Conformance with the 2010 Approved Water Resources Functional Master Plan**

The 2010 Approved Water Resources Functional Master Plan contains policies and strategies related to the sustainability, protection and preservation of drinking water, stormwater, and wastewater systems within the county, on a countywide level. These policies are not intended to be implemented on individual properties or projects and instead will be reviewed periodically on a countywide level. As such, each property reviewed and found to be consistent with the various countywide and area master plans, county ordinances for stormwater management, floodplain and woodland conservation, and programs implemented by DPIE, the Prince George's County Department of Health, the Prince George's County Department of the Environment, the Prince George's Soil Conservation District, M-NCPPC, and the Washington Suburban and Sanitary Commission are also deemed to be consistent with this master plan.

**Master Plan Conformance**

The subject property is located within the 2010 *Approved Glenn-Dale-Seabrook-Lanham and Vicinity Master Plan*, which contains environmental policies that should be addressed during the review of developments within the plan area. The applicable language of the Master Plan is shown in **bold type** and comments are provided in regular type.

**Goal 1: Restore and enhance water quality in areas that have been degraded.**

**Policy 1: Decrease the amount of pollutants from both storm and non-storm events entering sector plan areas wetlands and waterways.**

**Policy 2: Preserve, enhance, or restore the vegetated buffers around wetlands and waterways.**

No impacts are proposed at this time.

**Goal 2: Prevent flooding associated with new and redevelopment.**

**Policy 1: Ensure stream corridors are clear of debris, both manmade and natural, in known flooding areas.**

**Policy 2: Ensure that the quantity of stormwater discharged from site post-development does not exceed predevelopment conditions.**

No impacts are proposed at this time.

**Goal 3: Preserve, enhance and restore the existing tree canopy within the sector plan area.**

**Policy 1: Focus tree and forest preservation and restoration efforts in appropriate areas.**

**Policy 2: Encourage the application of urban forestry principles to landscaping and reforestation efforts, while increasing opportunities for incorporating tree planting into the existing landscape.**

**Policy 3: Ensure that no net loss of forest cover occurs within the boundaries of the sector plan areas.**

No impacts are proposed at this time.

**Goal 4: Utilize innovative stormwater management best practices to mitigate the negative impacts of stormwater runoff.**

**Policy 1: Require stormwater to be treated non-structurally to the maximum extent practicable.**

An approved Stormwater Management Concept Plan (16226-2013-01) and letter were submitted with the subject application. DPIE has reviewed the concept, the proposed parking lot removal, and playground replacement and has determined that there are no stormwater management structures required as part of the proposed development.

**Goal 5: Address issues of energy conservation, light pollution, air pollution, and noise impacts within the sector plan.**

**Policy 1: Increase opportunities for utilizing green building opportunities in the sector plan area.**

**Policy 2: Reduce light pollution and intrusion into residential communities and environmentally sensitive areas.**

**Policy 3: Reduce air pollution to support community health and wellness and champion non-motorized transportation alternatives.**

No impacts are proposed at this time.

**Policy 4: Reduce adverse noise impacts to meet State of Maryland noise standards.**

See the Environmental Review – Noise section below.

**Conformance with the 2005 Approved Countywide Green Infrastructure Plan**

The 2005 *Approved Countywide Green Infrastructure Plan* indicates that none of the property is within or near the designated network.

### **Natural Resources Inventory Plan / Existing Features**

An approved Natural Resources Inventory Equivalence Letter (NRI-081-13) was submitted with the application. The site is developed with an existing church and parking with woodlands located along the rear of the site. There are two specimen trees on the site per the previously approved TCP2.

No additional information required with regard to the NRI.

### **Prince George's Woodland and Wildlife Habitat Conservation Ordinance**

This property is subject to the provisions of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the site has previously approved tree conservation plans. A revised Type 1 Tree Conservation Plan (TCP1-029-97-01) was submitted with the PPS on April 3, 2017.

The plan proposes no woodland clearing activities; however, it does propose to remove two specimen trees in excellent condition. The plan, as prepared, is unreadable. The worksheet in particular is not readable and there are areas on the plan that appear faded. There is also no measurable scale on the plan.

The site previously contained four specimen trees in the previous approvals; however, two of these trees (ST-1 and ST-4) have been removed due to storm damage. The two remaining specimen trees (ST-2 and ST-3) have an excellent rating of 97 and 94.

### **Variance—Specimen Trees**

Section 25-122(b)(1)(G) of the County Code requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual."

Effective October 1, 2009, the State Forest Conservation Act was amended to include a requirement for a variance if a specimen, champion, or historic tree is proposed to be removed. This state requirement was incorporated in the adopted County Code effective on September 1, 2010.

A Subtitle 25 Variance Application, a statement of justification in support of a variance, and a tree removal plan were stamped as received by the Environmental Planning Section on April 03, 2017.

A variance request was submitted for the removal of two specimen trees that were previously removed. These trees are identified as Trees 1 and 4.

It should be noted that there are two remaining specimen trees on the property. From the TCP2, these trees are identified as Trees 2 and 3. The TCP1 identifies these as a 35-inch white oak with a 97 percent condition rating (excellent) and a 30-inch red oak with a 94 percent condition rating.



The trees are located within the proposed limits of disturbance (LOD); however, the specimen tree table indicates that these trees will be retained. It is unclear how these trees will be retained when they are shown to be within the LOD, which indicates the area of land to be disturbed. If these trees are to be retained, LOD must be revised to preserve Trees 2 and 3 and their critical root zones in its current condition. Any future requests for removal may be evaluated with a revised TCP2.

With regard to the trees previously shown as preserved on the TCP2, but subsequently removed (Trees 1 and 4), Section 25-119(d) of the WCO contains six required findings [**text in bold**] to be made before a variance can be granted. The letter of justification submitted seeks to address the required findings for the two specimen trees as a group; however, details specific to individual trees has also been provided.

**(A) Special conditions peculiar to the property have caused the unwarranted hardship**

Specimen Trees 1 and 4 (ST-1 and ST-4) were located within an existing parking lot for the on-site church facility. According to the applicant, these two trees were damaged during a storm event and were removed for safety purposes.

**(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas**

Due to storm damage, the two trees were removed in June 2013, so there is no ability to retain the trees.

**(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants**

If other properties include trees damaged during storm events, the same considerations would be provided during the review of the required variance application.

**(D) The request is not based on conditions or circumstances which are the result of actions by the applicant**

The two trees were removed due to natural causes. The applicant has taken no action to date on the subject property.

**(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property**

There are no existing conditions on the neighboring properties that have any impact on the condition, location or size of the trees.

**(F) Granting of the variance will not adversely affect water quality**

The trees have already been removed and there are no known records of the removal affecting water quality.

The required findings of Section 25-119(d) have been adequately addressed by the applicant for the removal of Specimen Trees 1 and 4 (ST-1 and ST-4). Prior to signature approval of the PPS, the TCP1 shall be revised to show a limit of disturbance and proposed grading that preserves Specimen Trees 2 (ST-2) and 3 (ST-3).

**Regulated Environmental Features/Primary Management Area**

No regulated environmental features or primary management areas (PMA) will be impacted as part of this PPS. No further information is required for regulated environmental features or PMAs.

**Noise**

The site has frontage on Whitfield Chapel Road, which is identified as a Major Collector roadway, and backs up to Capital Beltway I-95/495, which is identified as a 'Freeway.' Only Capital Beltway (I-95/495) is identified as a traffic noise generator, which has enough traffic to produce noise levels above 65 dBA Ldn, which is the State of Maryland Noise Standard. The applicant is proposing to add an on-site playground for the proposed private school. The submitted plans do not show the locations of the unmitigated 65 dBA Ldn ground level noise contour. A noise study to show the limits of the 65 dBA Ldn noise contour has not been submitted at this time and is not required.

Using the Environmental Planning Section's noise model and applying an average daily traffic (ADT) count at build-out as indicated on the Maryland State Highway traffic volume map, and a posted traffic speed of 55 mph, the unmitigated 65 dBA Ldn noise contour is located approximately 1,092 feet from the center line of Capital Beltway I-95/495. Currently, the PPS and TCP1 do not show the location of the unmitigated 65 dBA Ldn noise contour. PGAtlas.com demonstrates that the proposed outdoor playground area is beyond the approximate unmitigated 65 dBA Ldn noise contour. Prior to signature approval, the PPS and TCP1 shall be revised to show the unmitigated 65 dBA Ldn noise contour from the Environmental Planning Section's noise model.

**Soils**

The predominant soils found to occur according to the USDA NRCS Web Soil Survey are Christiana-Downer Urban land complex, Christiana-Downer complex, Russett-Christiana-Urban land complex, and Russett-Christiana complex. According to available information, Marlboro clay does not occur on or within the vicinity of this site, but Christiana soils are identified.

**Stormwater Management**

An approved Stormwater Management Concept plan and approval letter (16226-2013-01) was submitted with the subject application. DPIE has reviewed the concept, the proposed parking lot removal, and playground replacement and has determined that there are no stormwater

management structures required as part of the proposed development. No further information pertaining to stormwater management is required.

6. **Community Planning**—The subject application is located in Planning Area 70 within Council District 5 of the Lanham Community, and within the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment*. The 2010 *Approved Glenn Dale-Seabrook-Lanham & Vicinity Sector Plan and Sectional Map Amendment* (Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA) retained the subject property within the R-55 Zone and recommended an institutional land-use for the property. This application proposes the addition of a private school within the existing church facility, which conforms to the institutional land-use recommendation within the 2010 Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA.

The site is located within a designated Established Community growth policy area. *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035), describes Established Communities as areas appropriate for context-sensitive infill and low-to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of existing residents are met.

7. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the PPS application is exempt from mandatory dedication of parkland requirements because it consists of nonresidential development.
8. **Trails**—The PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment* in order to implement planned trails, bikeways, and pedestrian improvements.

The subject application is located on the west side of Whitfield Chapel Road just north of US 50. The 2010 Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA recommends Whitfield Chapel Road be upgraded to a four-lane collector (C-329), within an 80-foot right-of-way. The existing right-of-way is approximately 80 feet, and consequently, no additional right-of-way is being sought from the applicant.

#### **Review Comments (Master Plan Compliance and Prior Approvals)**

The application proposes a private school with an enrollment of 100 students. The site is located in an existing church with no new buildings or additions for the expansion. The site is covered by the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and Sectional Map Amendment* (area master plan). Because the subject application is not located within either a designated Center or Corridor, it is not subject to Section 24-124.01 or the "Transportation Review Guidelines, Part 2."

Whitfield Chapel Road is designated in the MPOT and area master plan as a master plan bike lane/sidewalk corridor (see MPOT map). Whitfield Chapel Road serves as a north/south route through the planning area that connects established residential communities with churches, parks, and local businesses. An existing developed M-NCPPC park is adjacent to the subject site. An existing Washington Metropolitan Area Transit Authority (WMATA) bus stop is along the frontage of the site. No shelter currently exists at this stop.

The Complete Streets element of the MPOT reinforces the need for sidewalk construction as frontage improvements are made by including the following policies:

**POLICY 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.**

**POLICY 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.**

Sidewalks currently exist along both sides of Whitfield Chapel Road within the vicinity of the subject site, including the frontage of the subject property. Striping for designated bike lanes along Whitfield Chapel can be considered by the Department of Public Works and Transportation (DPW&T) comprehensively for Whitfield Chapel Road at the time of road resurfacing or maintenance. As the subject application proposes no new building construction or additions, no frontage improvements are warranted or necessary at this time. The existing sidewalk along Whitfield Chapel Road will accommodate pedestrians across the frontage of the site and sidewalk access exists from the public right-of-way to the building entrance. There are no master plan trail or bikeway recommendations for the subject application.

9. **Transportation**—The property is improved with an existing 49,912-square-foot church. A portion of the church basement is proposed to be used as a K–12 private school with an enrollment of 100 students. Information provided by the applicant has indicated that no additional increase of the church’s GFA is being sought.

#### **Background**

The property is the subject of PPS-4-97037 approved by the Planning Board on June 12, 1997 (PGCPB Resolution No. 97-168). The property was approved with multiple conditions, including the following that pertain to transportation:

7. **Total development of this 11-acre site shall be limited to a 42,300-square-foot church and its related facilities, or other development which shall generate no more than 31 AM and 30 PM peak hour vehicle trips. Any development other than that identified herein above shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.**

### Traffic Impact

The site was originally approved with a trip cap of 31 AM and 30 PM peak-hour trips. Subsequent to the approval of PPS 4-97037, the site has been improved with a 49,912-square-foot church. The subject application proposes a school for 100 students. Based on the proposed expansion, the projected trip generation is shown in Table 1 below:

| <b>Table 1</b>                                |                   |                    |
|-----------------------------------------------|-------------------|--------------------|
| Land use                                      | AM                | PM                 |
| Church (49,912 square feet)                   | 22 (14 in, 8 out) | 22 (11 in, 11 out) |
| Private School (K-12), ITE-536 (100 students) | 81(49 in, 32 out) | 17 (7 in, 10 out)  |
| <i>Less 25% by-pass</i>                       | -20               | -4                 |
| <b>TOTAL TRIP GENERATION</b>                  | <b>83</b>         | <b>35</b>          |
| Trip Cap                                      | 31                | 30                 |
| Increase above trip cap                       | +52               | +5                 |

The combined uses of the church and the school will exceed the trip cap by 52 AM and 5 PM peak-hour trips. Therefore, a new finding of transportation adequacy must be made, pursuant to Condition 7 of PGCPB Resolution No. 97-168.

To that end, the applicant has provided a traffic impact study (TIS) dated April 2015. Typically, traffic studies containing data that are older than 12 months are not acceptable for transportation adequacy evaluation. However, the applicant did provide turning movement counts that were collected in September 2016. Those counts were compared with the counts of the previous year (2015) and were found to be higher by an average of two percent during the AM peak hour, and three percent during the evening peak hour. In light of the fact that these increases fall within the normal daily fluctuation of traffic volumes, it is appropriate to use some of the pertinent findings from the 2015 TIS.

Using data from the TIS, the following results were determined:

| <b>EXISTING CONDITIONS</b>                                                                                                                                                                                  |              |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------|
| Intersection                                                                                                                                                                                                | AM           | PM           |
|                                                                                                                                                                                                             | (LOS/CLV)    | (LOS/CLV)    |
| Whitfield Chapel Road and Crelin Place (Site Driveway).*                                                                                                                                                    | 14.8 seconds | 15.9 Seconds |
| Whitfield Chapel Road and MD 450                                                                                                                                                                            | A/884        | D/1366       |
| Whitfield Chapel Road and MD 704                                                                                                                                                                            | A/991        | A/750        |
| * Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. |              |              |

In evaluating the effect of background traffic, three developments were identified that could impact some or all of the critical intersections. Additionally, an average growth of four percent was applied to the through traffic volumes along MD 704 and MD 450. Combining the effect of background developments plus regional growth, a second analysis was done. The table below shows the results:

| <b>BACKGROUND CONDITIONS</b>                                                                                                                                                                                |                 |                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|-----------------|
| Intersection                                                                                                                                                                                                | AM              | PM              |
|                                                                                                                                                                                                             | (LOS/CLV)/delay | (LOS/CLV)/delay |
| Whitfield Chapel Road and Crelin Place (Site Driveway).*                                                                                                                                                    | 15.0 seconds    | 16.1 Seconds    |
| Whitfield Chapel Road and MD 450                                                                                                                                                                            | A/896           | D/1391          |
| Whitfield Chapel Road and MD 704                                                                                                                                                                            | B/1017          | A/764           |
| * Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable. |                 |                 |

Regarding the total traffic scenario, Table 1 shows that the 49,912-square-foot church, and a school for 100 students will generate a total of 83 AM and 35 PM trips. A third analysis (total traffic) revealed the following results:

| <b>TOTAL CONDITIONS</b>                                                                                                                                                                                    |              |              |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|--------------|
| Intersection                                                                                                                                                                                               | AM           | PM           |
|                                                                                                                                                                                                            | (LOS/CLV)    | (LOS/CLV)    |
| Whitfield Chapel Road and Crelin Place (Site Driveway).*                                                                                                                                                   | 16.7 seconds | 16.2 Seconds |
| Whitfield Chapel Road and MD 450                                                                                                                                                                           | A/913        | D/1404       |
| Whitfield Chapel Road and MD 704                                                                                                                                                                           | B/1030       | A/770        |
| * Unsignalized intersections are analyzed using the Highway Capacity Software. The results show the intersection delay measured in seconds/vehicle. A maximum delay of 50 seconds/car is deemed acceptable |              |              |

The results of the traffic analyses show that under total traffic, all of the critical intersections were found to be operating adequately.

#### **Master Plan, Right-of-Way Dedication**

The property is located in an area where the development policies are governed by the 2010 Glenn Dale-Seabrook-Lanham and Vicinity Sector Plan and SMA. The plan recommends Whitfield Chapel Road be upgraded to a 4-lane collector (C-329), within an 80-foot right-of-way. The existing right-of-way is approximately 80 feet, and consequently, no additional right-of-way is being sought from the applicant.

### **Transportation Findings**

The application analyzed is a PPS for a development consisting of a 49,912-square-foot church and a 100-student (K-12) private school. The development will be adding a net total of 83 AM and 35 PM peak trips. These rates were determined using the 2012 “Transportation Review Guidelines.”

The traffic generated by the proposed PPS will impact the following (critical) intersections:

- Whitfield Chapel Road and Crelin Place (Site Driveway)
- Whitfield Chapel Road and MD 450
- Whitfield Chapel Road and MD 704

All of the intersections deemed critical are projected to operate within the transportation adequacy thresholds.

The subject property is located within the Transportation Service Area (TSA) 2, as defined in the *Plan Prince George's 2035 Approved General Plan*. 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 procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted. A three-part process is employed for two-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed. A two-part process is employed for all-way stop-controlled intersections: (a) vehicle delay is computed in all movements using *The Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed. Once the CLV exceeds 1,150 for either type of intersection, this 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.

### **Transportation Conclusions**

Based on the preceding findings, and pursuant to Section 24-124(a) of the Subdivision Regulations, with conditions, the plan conforms to the required findings for approval of the PPS from the standpoint of transportation.

10. **Schools**—The PPS has been reviewed for impact on 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 a review for schools because it is a nonresidential use.
11. **Fire and Rescue**—The PPS has been reviewed for adequacy of fire and rescue services in accordance with Section 24-122.01(e)(1)(E) of the Subdivision Regulations. Section 24-122.01(e)(1)(E) states that “A statement by the Fire Chief that the response time for the first due station near the property proposed for subdivision is a maximum of seven (7) minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for call for service during the preceding month.”

The proposed project is served by St. Josephs Fire/EMS Co. 806, a first due response station (a maximum of seven minutes travel time), is located at 2901 St. Joseph’s Drive.

“In the Fire/EMS Department’s Statement of Adequate Apparatus, as of July 15, 2016, the Department states they have developed an apparatus replacement program to meet all the service delivery needs of the County.”

#### **Capital Improvement Program (CIP)**

There are no CIP projects for public safety facilities proposed near the subject site.

The above findings are in conformance with the 2008 *Approved Public Safety Facilities Master Plan* and the “Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities.”

12. **Police Facilities**—The proposed development is within the service area of Police District II, Bowie. There is 267,660 square feet of space in all the facilities used by the Prince George’s County Police Department and the July 1, 2015 (U.S. Census Bureau) county population estimate is 909,535. Using the 141 square feet per 1,000 residents, it calculates to 128,244 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.
13. **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 part of this property in water and sewer Category 3, Community System. The property is within Tier 1 under the Sustainable Growth Act and will therefore be served by public systems.
14. **Urban Design**—The application is subject to the requirements of Section 27-441, Uses Permitted, of the Zoning Ordinance. A private school use is permitted in the R-55 Zone pursuant to Section 27-443. This section requires multiple specific design requirements, as well as the



requirement for a DSP. Therefore, conformance with this section will need to be demonstrated with the required DSP.

Conformance with the Zoning Ordinance regulations is required for the proposed private school at time of DSP review, including but not limited to the following:

- 27-430, R-55 Zone (One-Family Detached Residential)
- 27-441, Uses permitted (Residential Zones)
- 27-442, Regulations (Residential Zones)
- 27-443, Private Schools
- Part 11 Parking and Loading
- Part 12 Signs

**Conformance with the 2010 Prince George's County Landscape Manual**

Adding the use of a private school to an existing church with no increase in GFA would generally be exempt from most requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual). The site was subject to the Landscape Manual previously and has a previous Alternative Compliance approval, AC-98060. Therefore, at the time of DSP, conformance with Section 1.7, Certification of Landscape Maintenance, will need to be demonstrated. If other physical improvements are proposed at that time, the site may be subject to more sections of the Landscape Manual. Conformance to the applicable requirements will be evaluated at the time of DSP review.

**Tree Canopy Coverage Ordinance**

The proposed development will not be subject to the Tree Canopy Coverage Ordinance because it will not require a building and/or grading permit that proposes more than 5,000 square feet of disturbance.

15. **Use Conversion**—The subject application is proposing a private school with up to 100 students within an existing 49,912-square-foot church. If a substantial revision to the use on the subject property is proposed that affects Subtitle 24 adequacy and findings as set forth on the plan and in the resolution of approval, a new PPS shall be required prior to approval of any building permits.
16. **Public Utility Easement (PUE)**—Section 24-122 of the Subdivision Regulations requires a public utility easement (PUE) along both sides of all public rights-of-way. The property's street frontage is along Whitfield Chapel Road. The required PUE was previously recorded along the applicant's side of the public street on February 20, 1998 via record plat VJ 183-6, and will be reestablished at the time of final plat for the subject site.

In accordance with the Subdivision Regulations, when utility easements are required by a public utility company, the subdivider should include the following statement in the owner's dedication on the final plat:

“Utility easements are granted pursuant to the terms and provisions recorded among the Prince George’s County Land Records of Prince George’s County in Liber 3703 at Folio 748.”

17. **Stormwater Management**—A Stormwater Management Concept Plan, 16226-2013-01, was approved for this site on April 11, 2014. Development must be in conformance with that approved plan or subsequent revisions to ensure that on-site or downstream flooding does not occur.
18. **Historic**—The property was previously graded in the 1990s for the construction of the existing school building. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. Phase I archeological survey is not recommended on the subject property. This proposal will not impact any historic sites, historic resources or known archeological sites.

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.

\* \* \* \* \*

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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey, Doerner, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, May 4, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George’s County Planning Board this 25th day of May 2017.

Patricia Colihan Barney  
Executive Director

By Jessica Jones  
Planning Board Administrator