

June 4, 2003

## MEMORANDUM

**TO:** Prince George's County Planning Board

**FROM:** Alan S. Hirsch, Planning Supervisor

**SUBJECT:** Cornerstone Peaceful Bible Baptist Church Reconsideration Hearing  
Preliminary Plan of Subdivision 4-94056

## OVERVIEW

Preliminary Plan of Subdivision 4-94056 was originally approved on July 14, 1994, and the resolution for that approval was adopted on August 4, 1994. That resolution contained four conditions of approval supported by 11 findings. By a letter dated January 13, 2003, the applicant (Frances S. Bowie) requested a reconsideration of Condition 4, pertaining to emergency access to the subject property. On February 13, 2003, the Planning Board approved the reconsideration request.

Condition 4 states in total:

4. Any use other than a single-family detached dwelling shall:
  - a. Prohibit access to Wimpole Place.
  - b. Require two access points (the second access point may be designed to be limited to emergency vehicles).

At the time of the hearing for the reconsideration request, concerns were raised by a number of citizens from the existing neighborhood to the south. The primary concern was the use of Wimpole Place as the location of the secondary access point (the existing primary access for the church is located along US 301). The Planning Board agreed with staff, that the intent of Condition 4, as established in 1994, was to require an additional access point on US 301 and not for that access point to be from Wimpole Place. To reinforce this point, the Planning Board's action to reconsider the subject plan was specific only to Condition 4b.

Additional discussion at the reconsideration request hearing focused on the ability to obtain an additional access permit, albeit for emergency use only, from the State Highway Administration (SHA). M-NCPPC staff acknowledged at the hearing that if SHA would not approve a second access point, it would be necessary to have the condition amended to remove the requirement. It was further acknowledged by staff that the original request for a second access point was based on a judgment that it was appropriate, rather than a requirement mandated by law.

The SHA, in a letter dated April 30, 2003 to the applicant's attorney, stated in summation that they "...do not recommend permitting an emergency entrance to the Church property crossing State right-of-way." Based on no additional access being granted by the State, it is appropriate to eliminate

Condition 4b. Additionally, Finding 11e should be revised to be consistent with the action to no longer require an second access point.

#### RECOMMENDATION

APPROVAL, subject to all of the original conditions and findings, with the exception of the previously discussed change to Finding 11e and following change to Condition 4:

4. Any use other than a single-family detached dwelling shall[:]
  - [a.] [P]prohibit access to Wimpole Place.
  - [b. Require two access points (the second access point may be designed to be limited to emergency vehicles).]