

R E S O L U T I O N

WHEREAS, Christ Apostolic Church is the owner of a 1.63-acre parcel of land known as Parcel 75, also being located on Tax Map 50 and Grid E-2, said property being in the 2nd Election District of Prince George's County, Maryland, and being zoned R-55; and

WHEREAS, on April 30, 2004, Christ Apostolic Church filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for one parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-04052 for Christ Apostolic Church New Fellowship 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 8, 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 8, 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 Preliminary Plan of Subdivision 4-04052, for Parcel A with the following conditions:

1. A letter of exemption from the Woodland Conservation Ordinance shall be obtained from the Environmental Planning Section prior to application for any building permit or grading permit.
2. The applicant shall provide a financial contribution of \$210 to the Department of Public Works and Transportation for the placement of one "Share the Road with a Bike" sign along Edmonston Road. A note shall be placed on the final plat requiring payment prior to building permits.
3. Prior to the issuance of building permits, the applicant shall either obtain approval of a special exception for the alteration of a nonconforming use or approval of a detailed site plan.
4. Prior to signature approval, the preliminary plan shall be revised to show:
  - a. A ten-foot-wide public utility easement along Edmonston Road; and
  - b. The location of existing water and sewer lines and connections.

5. Total development within the subject property shall be limited to an additional 5,500 square feet of fellowship hall/church-related facilities (for a total of 9,660 square feet of church facilities on the site), or equivalent additional development that generates no more than 4 AM and 4 PM peak hour vehicle trips. Any development other than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.

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 site is located on the east side of Edmonston Road, approximately 200 feet south of its intersection with Emerson Street.
3. **Development Data Summary**—The following information relates to the subject preliminary plan application and the proposed development.

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-55	R-55
Uses	Church	Church, Fellowship Hall
Acreage	1.63	1.63
Lots	0	0
Parcels	1	1

4. **Environmental**—The site is characterized by terrain sloping toward the east and draining into unnamed tributaries of the Northeast Branch watershed in the Anacostia River basin. Based on information obtained from the Maryland Department of Natural Resources, Natural Heritage Program publication entitled “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 site. There are no floodplains, streams, Waters of the US, or wetlands associated with the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. Edmonston Road is a collector roadway generally not regulated for noise. The soils found to occur on the site, according to the Prince George’s County Soil Survey, are Christiana and Sunnyside. These soils generally exhibit slight to moderate limitations to development due to high shrink/swell potential, poor stability, and steep slopes. This property is located in the Developed Tier as delineated on the adopted General Plan.

#### **Woodland Conservation**

The site is exempt from the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodlands, and there is no previously approved tree conservation plan on the subject property. The Environmental Planning Section has twice issued a standard letter of exemption from the Woodland Conservation Ordinance on June 7, 2000, and again on June 18, 2002. This letter

expired on June 18, 2004. A new letter of exemption will need to be submitted with future grading or building permits as this development progresses.

### **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. Existing water and sewer lines must be shown on the plan.

5. **Community Planning**—The property is in Planning Area 69/Neighborhood 3. The 2002 General Plan places the property in the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented medium- to high-density neighborhoods. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developing Tier. The 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg?New Carrollton and Vicinity (Planning Area 69)* recommends a public/quasi-public institutional use for this site, recognizing its longstanding use as a church. This application conforms to the master plan recommendation.
6. **Parks and Recreation**—The site is exempt from mandatory dedication because it consists of a nonresidential development.
7. **Trails**—One master plan trail impacts the subject property. The 1994 master plan for Bladensburg-New Carrollton and vicinity recommends a bikeway facility along Edmonston Road. Most of the existing road is in open section, but the subject site includes curb, gutter and existing sidewalk. Placement of bikeway signage is recommended.
8. **Transportation**—The applicant has not prepared a traffic impact study nor was one required by the transportation staff given the limited amount of development being requested. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.”

### **Growth Policy? Service Level Standards**

The subject property is located within the developed 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) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 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.

### **Staff Analysis of Traffic Impacts**

The application is a subdivision plan to allow for an expansion of an existing church by 5,500 square feet. The site contains 4,160 square feet of existing church facilities, and the 5,500-square-foot expansion would result in 9,660 square feet. Therefore, the net proposed development of 5,500 square feet would generate 4 AM and 4 PM peak-hour vehicle trips as determined using the “Guidelines for the Analysis of the Traffic Impact of Development Proposals.” The traffic generated by the proposed plan would primarily impact the intersection of MD 201 and Decatur Street, which is signalized. Staff has no recent counts at the critical intersection, nor any other information on which to base a finding. 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. Staff would, therefore, recommend that the Planning Board find that 4 AM and 4 PM peak hour trips will have a de minimus impact upon delay and traffic operations in the critical movements at the MD 201/Decatur Street intersection.

Nonetheless, this analysis is based upon the assumption provided by the applicant that the building expansion will be limited to a fellowship hall of 5,500 square feet. A larger hall, or other uses such as a day care or day school facility, would not be covered by the de minimus finding. Therefore, staff must recommend a condition that any changes must be reanalyzed.

There are no changes proposed to the existing site access and circulation. The site is not within or adjacent to any master plan transportation facilities.

### **Transportation Staff Conclusions**

Based on the preceding findings, adequate transportation facilities would 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 the development.

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

The existing fire engine service at Bladensburg Fire Station, Company 9, located at 4213 Edmonston Road has a service travel time of 0.76 minute, which is within the 3.25-minute travel time guideline.

The existing ambulance service at Bladensburg Fire Station, Company 9, located at 4213 Edmonston Road has a service travel time of 0.76 minute, which is within the 4.25-minute travel time guideline.

The existing paramedic service at Brentwood Fire Station, Company 4, located at 3712 Utah Avenue has a service travel time of 4.06 minutes, which is within the 7.25-minute travel time guideline.

The existing ladder truck service at Cottage City Fire Station, Company 2, located at 3840 Bladensburg Road has a service travel time of 2.6 minutes, which is within the 4.25-minute travel time guideline.

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.”

11. **Police Facilities**—The proposed development is within the service area for Police District I-Hyattsville. 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.
12. **Health Department**—The Health Department reviewed the application and had no comments.
13. **Stormwater Management**— The Department of Environmental Resources (DER), Development Services Division, approved a Stormwater Management Concept Plan for this proposed development on March 29, 2000 (#008000070). Development must be in accordance with this approved plan, or any approved revision thereto.
14. **Cemeteries**—There are no known cemeteries on the subject property.
15. **Public Utility Easement**—The preliminary plan must be revised to show a ten-foot-wide public utility easement adjacent to Edmonston Road.
16. **Prior Approvals**—The subject property has one pending application for alternative compliance (AC) from the Landscape Manual, AC-03039. A previous AC application, AC-01017, was approved on May 29, 2001.
17. **Church Requirements**—Council Bill CB-76-1993 requires churches located on lots between one and two acres in size to obtain detailed site plan approval. Because this church predated that requirement, it is now considered a nonconforming use. In order to pursue this development, two options are available:
  - a. Obtain certification as a legal nonconforming use and follow-up with a special exception

application for an alteration to a nonconforming use. This is a long process (often a year or more) requiring numerous public hearings leading ultimately to a final decision by the District Council; or

- b. Proceed through the detailed site plan (DSP) process. The DSP process involves a Planning Board hearing and is in most cases completed within 70 days of acceptance.

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.

\* \* \* \* \*

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 Eley, with Commissioners Harley, Eley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, July 8, 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