

R E S O L U T I O N

WHEREAS, Trinity Community Church Bowie is the owner of a 7.67-acre parcel of land known as Parcels 23 and 122, being located on Tax Map 46 and Grid E-4, said property being in the 7th Election District of Prince George's County, Maryland, and being zoned R-R; and

WHEREAS, on March 8, 2004, Doug Hodges c/o Landesign filed an application for approval of a Preliminary Subdivision Plan (Staff Exhibit #1) for one lot; and

WHEREAS, the application for approval of the aforesaid Preliminary Subdivision Plan, also known as Preliminary Plan 4-40437 for Trinity Community Church of Bowie 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/19/04), and further APPROVED Preliminary Plan of Subdivision 4-04037, for Lot 1 with the following conditions:

1. Prior to signature approval of the Preliminary Plan:
  - a. The forest stand delineation map shall be revised as follows:
    - (1) Provide a soils table and include each soil's K-factor.
    - (2) Label the areas of severe slopes in the legend to show the percent of grade (25 percent or greater) associated with these.
    - (3) After these revisions have been made, have the qualified professional who prepared the plans update the revision box and sign and date the plan.
  - b. The TCPI shall be revised as follows:
    - (1) Identify the limits of disturbance in the northern portion of the site along the north edges of the two proposed stormwater management ponds.

- (2) Show on the plan how this specimen tree #1 will be protected, (especially its root zone) before afforestation takes place in close proximity to it.
  - (3) In the legend, relabel the severe slopes as having grades of “25 percent or greater.”
  - (4) After these revisions have been made, have the qualified professional who prepared the plans update the revision box and sign and date the plan.
2. On the Type II Tree Conservation Plan, all afforestation areas shall be physically defined with a two-rail split fence. A separate symbol shall be provided in the legend for the fence.
3. Development of this subdivision shall be in conformance with an approved Type I Tree Conservation Plan (TCPI/19/04). 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/19/04), 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.”
4. A Type II Tree Conservation Plan shall be approved in conjunction with the detailed site plan.
5. At the time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain all of the Patuxent River primary management area, except for areas of approved impacts, and shall be reviewed by the Environmental Planning Section prior to final plat approval. The following note shall be placed on the plat:

“Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is permitted.”
6. Prior to the issuance of any permits that impact wetlands, wetland buffers, streams or Waters of the U.S., copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans shall be submitted to the M-NCPPC Planning Department.
7. The applicant, his heirs, successors and/or assignees shall construct a wide asphalt shoulder (seven to ten feet) along the subject property’s frontage to safely accommodate neighborhood pedestrian and bicycle traffic, to be constructed under a permit from DPW&T, per the concurrence of DPW&T.

8. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall provide a financial contribution of \$420.00 to the Department of Public Works and Transportation for the placement of two bikeway signs along Old Stage Road. A note shall be placed on the final plat for payment to be received prior to the issuance of the first building permit.
9. Prior to the issuance of building permits, the applicant, his heirs, successors and/or assignees shall pay a fee of \$404.00 to Prince George's County, which shall serve as a fair share contribution toward the construction of the proposed Bowie fire station and acquisition of an ambulance.
10. Prior to signature approval of the preliminary plan, the applicant shall determine the extent of the land that should be the subject of a Phase I archeological investigation with the concurrence of the Development Review Division (DRD). The applicant shall complete and submit a Phase I investigation (including research into the property history and archeological literature) for those lands determined to be subject. Prior to approval of detailed site plan, the applicant shall submit Phase II and Phase III investigations as determined by DRD staff as needed. The plan shall provide for the avoidance and preservation of the resources in place or shall provide for mitigating the adverse effect upon these resources. All investigations must be conducted by a qualified archeologist and must follow *The Standards and Guidelines for Archeological Investigations in Maryland* (Schaffer and Cole: 1994) and must be presented in a report following the same guidelines.
11. Total development within the subject property shall be limited to 17,200 square feet of church facilities with a 333-seat sanctuary, or equivalent development that generates no more than 10 AM, 11 PM, and 215 Sunday peak-hour vehicle trips. Any development that generates more trips than identified herein shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
12. A limited detailed site plan for building setbacks, parking lot layout and design, landscaping, lighting, and building architecture shall be submitted, reviewed and approved prior to the issuance of permits for the property. The site plan shall also consider the following:
  - a. The site shall be cleared in such a manner as to provide an opportunity for any wildlife that may exist on the property to exit the property to existing wooded and undeveloped areas in the vicinity of the subject site.
  - b. Fencing, similar to silt fencing, shall be installed across the entire frontage of the subject property to prohibit wildlife from crossing the road.

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 on the south side of Old Stage Road between the two intersections with Pleasant View Drive adjacent to the City of Bowie.
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-R	R-R
Use	Vacant	Church
Acreage	7.67	7.67
Lots	0	1
Parcels	2	0
Dwelling Units	0	0

4. **Environmental**—The property is zoned R-R and contains 7.67 acres. Based on air photos from 2000, the site is mostly wooded; there are areas of 100-year floodplain, a stream, nontidal wetlands, steep and severe slopes, and five soil types. According to information from the Prince George’s County Soil Survey, five soil types occur on this site and these include: Collington fine sandy loam (CmE2), Monmouth fine sandy loam (MyB2), Mixed alluvial land (Mw), and Westphalia fine sandy loam (WaD3 and WaB2). The CmE2 soils have development limitations including 15 to 40 percent slopes and moderate erodibility (K-factor). The Westphalia and Monmouth soils have erodibility K-factors of 0.43. Based on available information, Marlboro clays are not found at this site. Information from the Maryland Department of Natural Resources (MDNR) Wildlife and Heritage Program publication entitled “Ecologically Significant Areas in Anne Arundel and Prince George’s Counties,” December 1997, indicates that there are no rare, threatened, or endangered species in vicinity of the property. The site has an unnamed tributary across it that drains into the Collington Branch watershed of the Patuxent River basin. There are no significant noise generators or scenic or historic roads in vicinity of the site. The property is in the Bowie and Vicinity Planning Area and the Developing Tier of the 2002 adopted General Plan.

**Woodland Conservation**

A revised simplified forest stand delineation (FSD) has been submitted and reviewed. In order to meet the requirements of the Prince George’s County Woodland Conservation and Tree Preservation Technical Manual, two features to be shown on the FSD map need to be added. These include a soils table with each soil’s K-factor and the legend showing steep slopes. After these revisions have been made, the qualified professional who prepared the plans needs to update the revision box and sign and date the plan.

The site is subject to the provisions of the Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of woodlands on site. A revised Type I Tree Conservation Plan (TCPI/19/04) has been submitted and reviewed.

The TCPI shows the site contains 7.67 gross acres, of which 0.60 acre is in the floodplain. The net tract area is 7.07 acres. The woodland conservation threshold (WCT) is 20 percent, or 1.4 acres. The existing woodland on the site totals 5.52 acres. The TCPI shows the amount of woodland cleared to be 4.02 acres outside the floodplain and 0.09 acre inside the floodplain. Woodland conservation provided on the TCPI totals 2.51 acres and is provided in the form of 0.86 acre of on-site preservation and 1.65 acres of on-site afforestation. Additional woodland retained at the site, but not part of any requirement, totals 0.64 acre.

Four minor revisions are necessary to the TCPI in order to meet the requirements of the Woodland Conservation Ordinance. Not all areas of the proposed limits of disturbance are identifiable on the plan, especially in the northern portion of the site in relation to the north edges of the two proposed stormwater management ponds. The plan should be revised so the limits of disturbance are identifiable in this area. One of four specimen trees found on the property is located in an area proposed for afforestation (specimen tree #1, a 27-inch gum). The plan should show how this specimen tree will be protected, (especially the root zone) before afforestation takes place in close proximity to it. The legend should be revised to label the severe slopes as having grades of "25 percent or greater." The proposed afforestation areas should include a two-rail split fence to physically delineate the extent of the boundaries of these areas on site. The split rail fence will be required to be shown on the TCPII. After these revisions have been made, the qualified professional who prepared the plans needs to update the revision box and sign and date the plan.

### **Patuxent River Primary Management Area**

A portion of the site is within the Patuxent River Primary Management Area (PMA). Section 24-130(b)(5) of the Subdivision Regulations requires that the PMA be preserved in a natural state to the "fullest extent possible." The PMA on the subject property includes the stream, the wetlands and their associated buffers, and the 100-year floodplain. Both the TCPI and the preliminary plan have been revised to show the features that make up the PMA (with the exception of some severe slopes).

The revised TCPI shows four proposed impacts to the PMA, and these have been discussed in detail in a required letter of justification dated April 6, 2004. The letter of justification describes the proposed impacts to the PMA as follows:

- a. Area of 100-year floodplain impacted by the installation of an entrance driveway.  
Total impacted area: 4,090 square feet
- b. Area of nontidal wetlands impacted by the installation of an entrance driveway.  
Total impact area: 3,500 square feet
- c. Area of 50-foot stream buffer impacted by two proposed water quality ponds.  
Total impact area: 7,495 square feet

- For the pond on the east side of the driveway entrance: 3,525 square feet
  - For the pond on the west side of the driveway entrance: 3,970 square feet
- d. Total area of severe slopes: 5,997 square feet
- East side of the driveway entrance: 813 square feet
  - West side of the driveway entrance: 5,184 square feet

The Environmental Planning Section supports the proposed impacts for the driveway entrance. The design has minimized the impacts, and access to the site would be denied if the impacts were not approved (items A and B above). The stormwater management facility is proposed as a wet facility that will become a wetland over time. This is considered an enhancement to the existing wetland features and as such is an appropriate impact. At the time of final plat, a conservation easement should be described by bearings and distances.

A wetland evaluation report has been submitted and reviewed. The wetlands at the site are connected to the stream and 100-year floodplain (and part of the PMA) in the northern portion of the site along Old Stage Road. Permits will be required by regulating authorities, prior to the issuance of grading permits.

### **Floodplain**

A copy of an approved floodplain delineation has been submitted and reviewed. The Department of Environmental Resources approved the delineation on November 6, 1989. No further information relating to the floodplain delineation is necessary.

### **Water and Sewer Categories**

The water and sewer categories are W-4 and S-4 according to water and sewer maps obtained from the Department of Environmental Resources dated June 2003. The property will be served by public systems.

5. **Community Planning**—The property is in Planning Area 71A/Community VI. It is located in the Developing Tier as defined by the 2002 General Plan. 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 *Bowie-Collington-Mitchellville & Vicinity Master Plan* (1991) recommends residential land use at the Low-Suburban density range of 1.6 to 2.6 dwelling units per acre. The *Bowie-*

*Collington-Mitchellville & Vicinity Sectional Map Amendment* (1991) retained the R-R Zone. Because churches are permitted in the R-R Zone, the proposed subdivision conforms to the recommendations of the *Approved Master Plan and Adopted Sectional Map Amendment (SMA) for Bowie–Collington–Mitchellville and Vicinity, Planning Areas 71A, 71B, 74A and 74B* (1991) for low-suburban land use.

6. **Parks and Recreation**—In accordance with Section 24-134(a) of the Subdivision Regulations, the preliminary plan is exempt from the requirements of mandatory park dedication because a nonresidential use is proposed.
7. **Trails**—There are no master plan trails issues identified in the adopted and approved Bowie-Collington-Mitchellville and Vicinity master plan. However, a standard sidewalk is recommended along the subject site’s frontage of Old Stage Road, per the concurrence of DPW&T. This is consistent with frontage improvements along other sections of this road.
8. **Transportation**—Due to the size of the subdivision, staff has not required that a traffic study be done. The staff did request Sunday traffic counts, and the requested counts, dated May 2004, were provided by the applicant. Therefore, 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 in the developing 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) D, with signalized intersections operating at a critical lane volume (CLV) of 1,450 or better is required in the developing tier.

**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 intersection of Old Stage Road and Church Road is determined to be the critical intersection for the subject property. This intersection is the nearest major intersection to the site, is unsignalized, and would serve virtually all of the site-generated traffic. Some trips will come

from adjacent subdivisions. The applicant provided traffic counts dated May 2004. These counts indicate that the critical intersection operates with a maximum delay during the Sunday peak hour of 9.9 seconds.

There are no funded capital projects at this intersection in either the county Capital Improvement Program or the state Consolidated Transportation Program that would affect the critical intersection. The applicant's analysis included two nearby sites that would affect the intersection. With background growth added, the critical intersection would operate with a maximum delay during the Sunday peak hour of 17.2 seconds.

With the development of 17,200 square feet of church facilities, the site would generate 10 AM (6 in and 4 out), 11 PM (6 in and 5 out), and 215 Sunday (112 in and 103 out) peak-hour vehicle trips. The site was analyzed with the following trip distribution: 40 percent—westbound/southbound along Church Road and 60 percent—northbound along Church Road. Given this trip generation and distribution, staff has analyzed the impact of the proposal. With the site added, the critical intersection would operate with a maximum delay of 19.3 seconds during the Sunday peak hour.

It should be noted that weekday traffic counts were not requested. Weekday traffic counts were done in 2002 in support of Preliminary Plan 4-03010 for Collington. It was determined at that time that the Church Road/Old Stage Road intersection operated with maximum vehicle delays as follows: AM peak hour—21.5 seconds; PM peak hour—17.4 seconds. With the recently approved preliminary plan for Fairwood (Preliminary Plan 4-03128) plus the site added, the Church Road/Old Stage Road would operate with maximum vehicle delays as follows: AM peak hour—44.3 seconds; PM peak hour—31.6 seconds. Therefore, the critical intersection operates acceptably under existing, background, and total traffic. This finding is made for weekday and Sunday conditions.

The site is not within or adjacent to any master plan transportation facilities.

As the adequacy finding is based upon a level of development that has been specified by the applicant, the subdivision should be capped accordingly on the corresponding trip impact. It should be noted that minimal weekday usage of the facilities has been included in the analysis. Use of the proposed facilities for the operation of day care or private school services must require a new subdivision with a new analysis of the traffic impacts.

### **Transportation Issues Conclusion**

Based on the preceding findings, the Transportation Planning Section concludes that 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 development on the site to that proposed.

9. **Schools**—The Historic Preservation and Public Facilities Planning Section has reviewed the

proposed preliminary 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 has reviewed the subdivision plans for adequacy of public fire and rescue facilities.
- a. The existing fire engine service at Bowie Fire Station, Company 39, located at 15454 Annapolis Road, has a service travel time of 5.69 minutes, which is beyond the 3.25-minute travel time guideline.
  - b. The existing ambulance service at Bowie Fire Station, Company 39, has a service travel time of 5.69 minutes, which is beyond the 4.25-minute travel time guideline.
  - c. The existing paramedic service at Glenn Dale Fire Station, Company 18, located at 11900 Glenn Dale Boulevard, has a service travel time of 7.99 minutes, which is beyond the 7.25-minute travel time guideline. The nearest fire station, Bowie Company 39, is 5.69 minutes from the development. This facility would be within the recommended travel time for paramedic service if that service were provided at that facility.
  - d. The existing ladder truck service at Glenn Dale Fire Station, Company 18, has a service travel time of 7.99 minutes, which is beyond the 4.25-minute travel time guideline.

These 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*. To alleviate the negative impact on fire and rescue services due to the inadequate service discussed, an automatic fire suppression system should be provided in the proposed church, unless the Prince George's County Fire/EMS Department determines that an alternative method of fire suppression is appropriate.

The proposed church is beyond the recommended response times from existing facilities that provide ambulance service. This finding is based on using the existing road system and existing stations. The staff also found that the planned Bowie New Town Fire Station, which is shown in the Capital Improvement Program item as #CIP#LK510650, will be the first due station that will provide ambulance service to this development. To mitigate the ambulance response time deficiencies, the staff recommends that the applicant participate in providing a fair share contribution toward the construction of the Bowie New Town Fire Station.

The fee amount is based upon the total cost of the facility (\$2,600,000) plus ambulance (\$131,000), divided by the total amount of residential and employment population within the service area in 2006. The service areas include those areas that will be served by the planned facility. The applicant testified at the hearing that there would be a maximum of four employees on site.

- Cost = \$2,600,000 + \$131,000 (ambulance) = \$2,731,000
- 2006 Service Area Population/Employees = 26,998
- $2,731,000/26,998 = \$101.00$  per resident/employee
- 4 employees x \$101.00 = \$404.00

11. **Police Facilities**—The proposed development is within the service area for Police District II-Bowie. 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 the capacity for an additional 57 sworn personnel. This police facility will adequately serve the population generated by the proposed church.
12. **Health Department**—The Health Department reviewed the application and offered no comment.
13. **Stormwater Management**—The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is required. A Stormwater Management Concept Plan, # 35682-2003-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. The approval is valid through November 6, 2006. Development must be in accordance with this approved plan, or any revisions thereto.

Two on-site stormwater management ponds are shown on both sides of the proposed entrance driveway off of Old Stage Road. The Environmental Planning Section should review the stormwater management plans for potential conflicts with the TCPI and woodland conservation requirements.

14. **Cemeteries and Possible Artifacts of Historical Significance**—There are no known cemeteries on or adjoining the subject property. However, the applicant should be aware that if burials are found during any phase of the development process, development activity must cease in accordance with state law.

This land is close to and may be part of the antebellum landholdings of the Mitchell family; it is also an area settled just after the Civil War by African-American families newly freed from nearby plantations. Because of this, documentary and archeological investigation should be required to determine whether there exists physical evidence of slave dwellings or burials or other significant archeological resources.

15. **Public Utility Easement**—The preliminary plan includes the required ten-foot-wide public utility easement parallel and contiguous to all public rights-of-way. The easement will be shown on the final plat.

16. **City of Bowie**—The City of Bowie City Council recommends approval of this application with the following conditions:
- (1) The use of the site shall be limited to that of a 17,200-square-foot, 333-seat church sanctuary, and 200-seat classroom space. Weekday childcare, a private school, or any other use that would generate weekday peak-hour traffic shall be prohibited without the submission of another traffic impact analysis of the uses proposed.
  - (2) A limited detailed site plan for building setbacks, parking lot layout and design, landscaping, lighting, and building architecture shall be submitted, reviewed and approved prior to the issuance of a building permit for the property.
  - (3) Standard “share the road” signage shall be installed along the entire frontage of the subject property, or, in the alternative, a financial contribution shall be provided to the Prince George’s County Department of Public Works and Transportation for the placement of two “share the road” signs along Old Stage Road. A note shall be placed on the final plat for payment to be received prior to the issuance of a building permit for the project, or in the alternative, the signs shall be installed prior to the issuance of a building permit for the project.
  - (4) Efforts shall be made to protect and retain the 27-inch gum tree in the afforestation area in the eastern portion of the property during site grading and construction and to incorporate it in this afforestation area.
  - (5) Native evergreen trees shall be planted in the afforestation area along the eastern property line of the site.
  - (6) The stormwater management facilities shall be completely enclosed by a three-rail, split-rail fence, at least four feet in height, with a background of black mesh fencing.
  - (7) The site shall be cleared in such a manner as to provide an opportunity for any wildlife that may exist on the property to exit the property to existing wooded and undeveloped areas in the vicinity of the subject site.
  - (8) Fencing, similar to silt fencing, shall be installed across the entire frontage of the subject property to prohibit wildlife from crossing the road.

Because of the close proximity of existing residential development, staff concurs that a limited detailed site plan is appropriate for the proposed development and that some of the conditions recommended by the City of Bowie should be considered at the time of that review.

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 9th day of September 2004.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator