

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on October 30, 2003 regarding Detailed Site Plan DSP-03009 for Beltway Church of Christ Daycare Center, the Planning Board finds:

1. The site is located at the intersection of Auth Road and Medford Avenue and consists of 8.9 acres in the R-R Zone. The applicant proposes to add a day care facility to an existing church.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-R	R-R
Use(s)	Church	Church, Day Care
Acreage	8.9	8.9
Lots	1	1
Parcels	N/A	N/A
Square Footage/GFA	26,750	26,750
Dwelling Units:	N/A	N/A
Attached		
Detached		
Multifamily		

Other Development Data

Parking Required:

Church:	760 seats @ 1 space/4 seats =	190 spaces
Day Care:	96 children @ 1 space/8 children =	12 spaces
Total		202 spaces

Parking Provided: 202 spaces

Play Area Required:	75 SF x 96 children x 50% =	3,600 SF
Play Area Provided:		7,200 SF

3. The detailed site plan for a day care in an existing church meets the requirements of Section 27-445.03 of the Zoning Ordinance. Ample outdoor play area has been provided and is enclosed by a four-foot-high, chain-link fence. The play area is adequately shaded by existing trees, and sufficient lighting has been provided in the event the playground is used after daylight hours. The proposed hours of operation for the day care are 6:00 a.m. to 6:30 p.m.
4. The detailed site plan is in conformance with Preliminary Plan 4-96003. However, the Subdivision Office indicates that the site plan should reflect a 22-foot-wide access easement to M-NCPPC property as shown on the final plat.
5. The detailed site plan is not in conformance to the requirements of Section 4.3 of the *Landscape Manual*. The plan should be revised to demonstrate conformance prior to certification of the detailed site plan.
6. The Environmental Planning Section, in a memorandum dated April 14, 2003 (Stasz to Wagner), offered the following comments:

Background

This site was previously reviewed by the Environmental Planning Section as applications 4-96003, TCPI/3/96 and TCPII/84/96. Preliminary Plan of Subdivision 4-96003 and Type I Tree Conservation Plan TCPI/3/96 were approved by PGCPB No. 96-185 on June 13, 1996. A Type II Tree Conservation Plan, TCPII/84/96, was approved by staff on October 21, 1996, prior to the issuance of a grading permit. The final plat, VJ 179-58, was recorded on May 5, 1997. The site has been developed with a church and parking lot in conformance with the approved Type II Tree Conservation Plan. This detailed site plan is required because of the proposed additional use of a daycare center.

Site Description

The 8.98-acre property in the R-R Zone is in the southwest quadrant of the intersection of Auth Road and Medford Avenue. There are wetlands on the subject property associated with Tinkers

Creek in the Potomac River watershed. Current air photos indicate that about one-third of the site is forested and the remainder developed with a church, parking area and stormwater management facility. The Subregion VII Master Plan does not show any significant environmental areas on the property. No designated scenic or historic roads are affected by this proposal. The Capital Beltway is an adjacent source of traffic-generated noise. The proposed use is not expected to be a noise generator. According to information obtained from the Maryland Department of Natural Resources, Natural Heritage Program, publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. The *Prince George's County Soils Survey* indicates that the principal soils on the site are in the Beltsville, Fallsington and Sassafras soils series. Marlboro Clay does not occur in this area. The site is in the Developing Tier according to the adopted General Plan.

Review of Previously Approved Conditions

The following text addresses previously approved environmental conditions related to the subject application. The text in BOLD is the actual text from the previous cases or plans.

Review of Conditions from Preliminary Plan of Subdivision 4-96003, PGCPB. No. 96-185:

1. **Development of this subdivision shall be in accordance with the approved Conceptual Stormwater Management Plan, CSD #968003970.**

Discussion: The site has been developed with storm drains and a stormwater management pond in accordance with CSD #968003970. No further action is required with regard to this detailed site plan review.

2. **Development of this subdivision shall be in compliance with the approved Type I Tree Conservation Plan (TCPI/03/96). The following note shall be placed on the Final Plat:**

"Development is subject to restrictions shown on the approved Type I Tree Conservation Plan (TCPI/03/96), 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 and Subtitle 25."

Discussion: This note is on the final plat. No further action is required with regard to this detailed site plan review.

3. **A Type II Tree Conservation Plan shall be approved for this site by the Planning Director or her designee prior to the issuance of any grading permits.**

Discussion: A Type II Tree Conservation Plan, TCPH/84/96, was approved by staff prior to the issuance of a grading permit. The site has been developed with a church and parking lot in conformance with the approved Type II Tree Conservation Plan. No further action is required with regard to this detailed site plan review.

- 4. Prior to issuance of building permits for the site, the applicant, his heirs, successors and/or assigns shall submit a soils report to the Natural Resources Division for review and approval to address potential groundwater drainage and soils stability problems on the site.**

Discussion: A soils study, as required by Condition 4 of PGCPB. No. 96-185, was reviewed and approved prior to the issuance of the grading and building permit for the church. No further action regarding soils is required with regard to this detailed site plan review.

- 5. Prior to issuance of grading permits, the applicant, his heirs, successors and/or assigns shall obtain all necessary joint Federal/State permits for this site.**

Discussion: A wetlands permit, as required by Condition 5 of PGCPB. No. 96-185, was reviewed and approved prior to the issuance of the grading and building permit for the church. No further action regarding wetlands is required with regard to this detailed site plan review.

- 6. At the time of Final Plat, the applicant, his heirs, successors and/or assigns shall describe by bearings and distances all conservation easements on the subject site. This conservation easement shall contain all 100-year floodplain and stream buffers, except for approved variation requests, and shall be reviewed by the Natural Resources Division prior to certificate approval. The following note shall be placed on the Final Plat.**

"Conservation Easements described on this plat are areas where the installation of structures and roads is prohibited without prior written consent from the Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

Discussion: Variation requests for impacts to wetlands and wetlands buffers were approved by PGCPB. No. 96-185. The bearings and distances of the conservation easement are shown on the final plat. The note is on the final plat. No further action is required with regard to this detailed site plan review.

- 8. Prior to signature approval of the Preliminary Plat, the applicant, his heirs, successors and/or assigns shall undertake the following:**

Revise TCPI (TCPI/03/96) to show areas with excess of 35 feet in width.

Discussion: The Type I Tree Conservation Plan, TCPI/03/96, was revised prior to signature approval of the Preliminary Plan of Subdivision. No further action is required with regard to this detailed site plan review.

Environmental Review

As revisions are made to the plans submitted, the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

- a. This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in size, has more than 10,000 square feet of woodland, and has a previously approved Tree Conservation Plan.

A Forest Stand Delineation was reviewed with 4-96003.

Comment: No further action on the FSD is required with regard to this detailed site plan review.

- b. A Type I Tree Conservation Plan, TCPI/3/96, was approved by PGCPB No. 96-185 on June 13, 1996. A Type II Tree Conservation Plan, TCPII/84/96, was approved by staff prior to the issuance of a grading permit. The site has been developed with a church and parking lot in conformance with the approved Type II Tree Conservation Plan. The proposed new construction for the play areas will not impact any woodland. The approved Type II Tree Conservation Plan, TCPII/84/96, remains in force and the proposal is in conformance with the Woodland Conservation Ordinance.

Comment: No further action regarding woodland conservation is required with regard to this detailed site plan review.

- c. The Capital Beltway is an adjacent source of highway-generated noise. Based upon a standard noise model the Environmental Planning Section has determined that the 65 dBA Ldn noise contour, assuming no mitigation, is approximately 855 feet from the centerline of the Capital Beltway. Essentially all of the subject property is impacted.

The site has been developed in such a way that much of the existing noise has been mitigated. A berm in the northern portion of the site between the Capital Beltway and the parking lot provides substantial buffering. Additionally, the proposed play areas are substantially protected from noise sources by the existing church building. Finally, the proposed play areas are 700 feet from the centerline of the Capital Beltway. When these factors are considered together, there should be no significant noise impact from traffic-generated noise produced on the Capital Beltway.

Comment: No further action regarding noise is required with regard to this detailed site

plan review.

- d. The *Prince George's County Soils Survey* indicates that the principal soils on the site are in the Beltsville, Fallsington and Sassafras soils series.

A soils study, as required by Condition 4 of PGCPB. No. 96-185, was reviewed and approved prior to the issuance of the grading and build permit for the church.

Comment: No further action regarding soils is required with regard to this detailed site plan review.

Summary of Recommendations

The Environmental Planning Section recommends approval without environmental conditions.

7. The Transportation Planning Section, in a memorandum dated September 2, 2003 (Masog to Wagner) offers the following comments:

The Transportation Planning Section has reviewed the detailed site plan application referenced above. The subject property consists of 8.98 acres of land in the R-R Zone. The property is on the west side of Auth Road, between Medford Avenue and the Capital Beltway. The property is developed with church facilities totaling 26,750 square feet. The applicant proposes to add a 96-student day care facility within the existing structure.

The underlying preliminary plan is application 4-96003. That preliminary plan contains a condition which caps development on the site; Condition 7 limits development to a 27,259-square-foot church and a 5,625-square-foot building expansion, or other uses generating no more than 25 AM and 24 PM peak-hour trips. Furthermore, Finding 18 of the resolution approving the preliminary plan states that the development of a day care facility and a private school would require the submittal of a new preliminary plan with a new adequacy finding.

In response to the above-cited concerns, the applicant has provided traffic counts at the site that indicate that the existing church only generates 2 AM and 2 PM peak hour trips. The transportation planning staff has done site visits on two separate weekdays, counting 3 AM and 2 PM trips on one occasion and 2 AM and 3 PM trips on the second occasion. On the basis of three separate observations, it is determined that 2 AM and 2 PM peak-hour vehicle trips is the appropriate trip generation for the existing 26,750-square-foot church.

The 96-student day care center would generate 78 AM and 82 PM peak hour vehicle trips at the driveway, using rates given in the Institute of Transportation Engineers' *Trip Generation Manual*. It is the nature of a day care facility, however, that many trips are assumed to be pass-by trips; in other words, they are already using the adjacent roadway. In fact, Auth Road provides access to the Branch Avenue Metrorail station, and it would be expected that many persons using this facility might be routinely headed to Metrorail or to employment in the immediate vicinity. Using a 75 percent pass-by rate, therefore, the site would generate 20 AM and 21 PM trips which

are new to the local road network.

Combining the existing church (2 AM and 2 PM trips) with the proposed day care facility (20 AM and 21 PM trips), it is determined that total site trip generation would be 22 AM and 23 PM peak-hour trips. Therefore, the uses on the property would be within the trip cap imposed by Condition 7 of the resolution approving preliminary plan 4-96003.

As the access and circulation to the site is not being changed significantly by this plan, there are no comments on access and circulation.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the submitted detailed site plan is acceptable. The addition of the day care facility, as proposed, is consistent with the conditions and findings of the underlying preliminary plan.

8. In a memorandum dated March 19, 2003, Andrews Air Force Base has indicated that flight patterns from the base will have no impact on the day care facility. The noise level on site is less than 65 dB and building height does not exceed the height limitations.
9. The detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED Detailed Site Plan DSP-03009 for the above-described land, subject to the following conditions:

1. Prior to certificate approval, the site plan shall be revised as follows:
 - a. The site plan shall reflect a 22-foot-wide access easement to M-NCPPC property as shown on the Final Plat.
 - b. The notes shall be revised to delete the reference to private school.
 - c. The plan shall be revised to demonstrate conformance to Section 4.3 of the *Landscape Manual*.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Eley, seconded by Commissioner Harley, with Commissioners Eley, Harley, Vaughns, Squire and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 30, 2003, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of November 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk