

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 June 19, 2003, regarding Detailed Site Plan DSP-91071-01 for First Baptist Church of Highland Park, the Planning Board finds:

1. The Detailed Site Plan is proposing to add a private school for 250 students, add 17 children to an existing day care facility, and add a 1,064-square-foot credit union building as an accessory use to the church. A small, 364-square-foot addition to the church for an office and food storage unit is also included. The site consists of 17.90 acres in the R-80 and C-M Zones and is located on the southeast side of Sheriff Road, north of the intersection of Martin Luther King Highway. The portion of the property that is zoned C-M consists of an existing stormwater management pond.

2. **Site Development Data**

	EXISTING DSP-91071 R-80 & C-M	PROPOSED DSP-91071/01 R-80 & C-M
Zone(s)		
Use(s)	800-seat church & 100- student day care	800-seat church, 117- children day care, 250- student private school, credit union building.
Acreage	10.6	17.90
Lots	N/A	17, 18, 21, 22
Parcels	N/A	"C"
Square Footage/GFA	N/A	N/A
Dwelling Units:	N/A	N/A
Attached		
Detached		
Multifamily		

#### Other Development Data

Enrollment	
Private School	250 students
Day Care	117 children
Parking (required)	337 spaces
Church (800 seats @ 1 space / 4 seats)	200 spaces
Private School (250 students @ 1 space / 6 students)	42 spaces
Day Care (117 children @ 1 space / 8 children)	15 spaces
Accessory Building (1,064 SF @ 1 space / 250 SF)	5 spaces
Sunday School (300 seats @ 1 space / 4 seats)	75 spaces
Parking (provided)	340 spaces
Standard Spaces	327 spaces
Handicapped Spaces	9 spaces
Van Spaces	4 spaces
Loading space (required)	1 space
Loading space (provided)	1 space
Play area required for day care (117 children x 1/2 x 75 SF)	4,388 SF
Play area provided	4,800 SF
Play area required for private school (250 students x 100 SF)	25,000 SF
Play area provided	26,100 SF

3. The Detailed Site Plan is in conformance to the provisions of the Zoning Ordinance for a private school and day care facility in the R-80 Zone and is in general conformance to the requirements of the *Landscape Manual*. The bufferyard along Lot 16, Huntsville, should be revised to be a "B" bufferyard. Details for a proposed brick dumpster enclosure should be provided. The use of Arborvitae as a shrub is not recommended and should be changed to Glossy Abelia or other acceptable shrub.

The application also includes the addition of a 1,064-square-foot credit union building on the subject property as an accessory use to the church. The applicant's attorney, by letter dated December 6, 2002 (Bruce-Watson to Hamer), indicates that "First Baptist conducts as part of its outreach programs the Crown Ministry that is aimed at assisting its congregation in financial matters." The applicant's attorney also indicates that "the credit union building will be subordinate in nature and accessory to the overall church development, pursuant to Section 27-107.01 of the Zoning Ordinance."

4. The State Highway Administration has found the site plan for a private school and day care will not severely impact the state road network.
5. There are no master plan issues raised with this application.
6. The Permit Review Section had numerous comments, which have been addressed in the Recommendation section of this report.
7. In a memorandum dated June 9, 2003, the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the detailed site plan revision application referenced above. The subject property consists of 17.90 acres of land in the R-80 and C-M Zones. The property is on the south side of Sheriff Road to the east of its intersection with MD 704. The property has an approved site plan for the 800-seat church and a 100-student day care facility. The applicant proposes to add a 1,064-square-foot office building and a 250-student private school. Also, it appears that the day care facility would be slightly expanded to accommodate 117 students.

The underlying preliminary plan is application 4-98052. While that preliminary plan has no condition which caps development on the site, Finding 7 of the resolution approving the preliminary plan states that no new trips are proposed. Record plat 188-027 also includes a note stating that "No building permits shall be issued for this site which would increase the number of vehicular trips generated during the AM or PM peak hours." Furthermore, other materials included in the preliminary plan file indicate that there was no effort made to inform staff of any expansion of the uses so that traffic impacts could be properly assessed. A memorandum dated August 20, 1998, and included in the preliminary plan file indicated that additional development would be limited to cemetery facilities only.

In response to the above-cited concerns, the applicant has provided a traffic impact study dated March 2003. 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*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached. The purpose of the traffic study is not to make an adequacy finding associated with this detailed site plan, but to provide information and justification to clarify the adequacy finding made at preliminary plan and to remove the plat note. *This memorandum supercedes the previous Transportation Planning Section memorandum dated December 30, 2002.*

#### **Growth Policy – Service Level Standards**

The subject property is located within the Developed Tier, as defined in the Adopted 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 transportation staff is basing its findings on the traffic impacts at two off-site intersections along with the site access:

MD 704/Sheriff Road  
Sheriff Road/site entrance  
Sheriff Road/Belle Haven Drive

There are actually three site entrances. The analysis will report the results for the central entrance, which is operationally the worst of the three. Existing traffic conditions are summarized below:

<b>EXISTING TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704 and Sheriff Road	1,432	1,181	D	C
Sheriff Road and site entrance	15.3*	16.5*	--	--
Sheriff Road and Belle Haven Drive	676	902	A	A
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

In response to concerns raised by the Department of Public Works and Transportation during scoping, the traffic study reviewed safety in the area. Accident rates were computed at the

MD 704/Sheriff and Sheriff/Belle Haven intersections as well as the link of Sheriff Road adjacent to the subject property. The traffic study states that accident rates exceeding 2.0 accidents per million are excessive and warrant further study, and neither operating agency contested that assessment. Each of the three locations described above (two intersections and one link) had accident rates less than 1.0 accident per million. Therefore, the traffic study, in addition to concluding that there were no nearby capacity deficiencies, also concluded that there were no apparent safety issues.

The traffic study considered several approved developments in the general vicinity of the subject property. It applied annual growth rates of 2.0 percent per year along MD 704 and 1.0 percent per year along Sheriff Road to represent the impacts of through traffic. The study also assumes a minor widening at the MD 704/Sheriff Road intersection, which is included in the state Consolidated Transportation Program, which is fully funded for construction within the next five years. Background conditions are summarized below:

<b>BACKGROUND TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704 and Sheriff Road	1,330	1,233	D	C
Sheriff Road and site entrance	15.9*	17.5*	--	--
Sheriff Road and Belle Haven Drive	701	952	A	A
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

The site is proposed for development with a 250-student private school and an expansion of the day care facility by 17 students. Using trip generation rates in the Institute of Transportation Engineers' *Trip Generation Manual*, the proposed uses would generate 244 AM and 65 PM peak hour vehicle trips. The traffic study assumes a pass-by rate of 65 percent for both the school and the day care uses. While the use of this rate for day care is reasonable, it does not seem reasonable that 65 percent of school trips are already on the road. Although it can be argued that potential private school students would be on the road to attend public school anyway, it is not apparent that they would be on Sheriff Road. There are two nearby public elementary schools, however, and the traffic study should have used a lower rate of pass-by traffic—perhaps 25 percent—for the private school traffic. As a result, the proposed uses would generate 177 AM (105 in and 72 out) and 54 PM (22 in and 32 out) peak hour new vehicle trips (exclusive of pass-by trips, or trips already on the road).

Given these assumptions for site trip generation, the following results under total traffic are obtained:

<b>TOTAL TRAFFIC CONDITIONS</b>				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704 and Sheriff Road	1,345	1,242	D	C
Sheriff Road and site entrance	24.9*	18.8*	--	--
Sheriff Road and Belle Haven Drive	743	974	A	A
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as “+999” suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.				

Based on the staff’s review of transportation adequacy issues in the area, the intersections would operate acceptably in both peak hours with the development proposed under the pending detailed site plan.

SHA and DPW&T both reviewed the traffic study, and SHA did not identify any outstanding issues with the analyses or the findings. DPW&T raised issues regarding pedestrian concerns and access concerns; however, as these issues are specific to the frontage of the site, they can be discussed and resolved with DPW&T at the time of permit and do not affect questions of off-site transportation adequacy.

As indicated in the previous memorandum on this plan, no issues regarding access or on-site circulation were identified.

Resolution PGCPB No. 98-310 approving the underlying preliminary plan 4-98052 includes Finding 7, which reads in part:

“The development generates 20 AM and 43 PM peak hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*. No new trips are proposed...”

This finding is ambiguous, as it suggests that the preliminary plan was proposing new development that would have a trip generation associated with it, and also states that no new trips were being proposed under the subdivision. The purpose of the traffic study review with the current plan has

been to clear that ambiguity. Also, the underlying record plat includes a note (Note 3) that prohibits the property from adding trip generating uses, and the traffic analysis justifies clearing Note 3 on the record plat. Given the findings provided in this memorandum, either a plat of correction to remove Note 3 shall be approved, or a new preliminary plan of subdivision shall be approved prior to the issuance of any building permits.

### **Transportation Staff Conclusions**

Based on the preceding findings, the Transportation Planning Section concludes that the submitted detailed site plan is acceptable, provided that either the record plat is corrected or a revised preliminary plan is approved prior to building permit.

8. The subject application has an approved Stormwater Management Concept approval (No. 42858-2002-00).
9. The Environmental Planning Section, in a memorandum dated May 23, 2003 (Metzger to Wagner), offered the following comments:

### **Background**

The Environmental Planning Section previously reviewed the referenced submittal in conjunction with grading and building permits in 1991/92 respectively and their associated DSP-91071 and TCPH/129/91. Preliminary Plan 4-98052 and TCPI/7/92 were subsequently approved in 1999. The subject property is currently developed with existing church-related buildings and is located within the R-80 Zone. The total area of the proposal is 17.90 acres.

### **Site Description**

The subject property is located on the south side of Sheriff Road, approximately 600 feet east of its intersection with Martin Luther King, Jr. Highway. This site is located in the Lower Beaverdam Creek of the Anacostia River Basin. The site is relatively flat, characterized with terrain sloping toward the southwest of the site, and drains into unnamed tributaries of the Beaverdam Creek. The predominant soil type on the site is Sandy & Clayey, which generally exhibits moderate limitations to development due to high shrink swell potential. The hydrologic soil group is B, which has a moderate rate of water transmission (0-15.30 in/hr). Based on 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 site. There are no floodplains, streams, Waters of the U.S., or wetlands associated with the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. Noise impacts are not a concern at this time due to the proposed use. The site is in the Developed Tier as delineated on the adopted *General Plan*.

### **Environmental Review**

Notes: as revisions are made to the submitted plans, the revision box on each sheet shall be used to describe in detail the revisions made, when and by whom. In the case of Forest Stand

Delineations and Tree Conservation Plans, the sheets shall also be signed and dated by the qualified professional preparing the plans.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A portion of this site is subject to a previously approved Type II Tree Conservation Plan (TCPII/129/91), which was last revised on February 2, 1993.

Lots 17 and 18 received a Standard Letter of Exemption dated September 12, 2002, from the Environmental Planning Section, Countywide Planning Division. These lots are exempt from the requirements of the Woodland Conservation Ordinance because they contain less than 10,000 square feet of woodlands and do not have a previously approved Tree Conservation Plan.

A revised TCPII was submitted which was found to require revisions and additional information prior to approval. The plan needs to reflect the correct acreage of each zone to determine the woodland conservation requirements.

10. The Subdivision Section by email (DelBalzo to Wagner), offered the following comments:

“Plat Note 3, found on Plat VJ 188 @ 27, recorded in 1999, reads:

“‘No building permits shall be issued for this site which would increase the number of vehicular trips generated during the AM or PM hours.’

“We have searched our files and are not able to find a finding or condition that generated that note. Therefore, the Subdivision Section would recommend that, if approved, the DSP would carry the following condition:

“‘Prior to the issuance of any building permits, either a plat of correction to remove Note 3 shall be approved, or a new preliminary plan of subdivision shall be approved, as determined by the Planning Board.’”

11. The plan will, if revised in accordance with the conditions of approval, represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development from 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 the Type II Tree Conservation Plan (TCPII/129/91-01) and further APPROVED Detailed Site Plan DSP-91071/01 for the above-described land, subject to the following conditions:

1. Prior to certificate approval of the Detailed Site Plan, TCPII/129/91-01 shall be revised to show the following:
  - a. Clearly delineate the boundaries of the application as one lot with a total area of 17.33 acres, in conformance with the application form.
  - b. Revise the “Gross Tract” to reflect consistency with the application form, site plan and tree conservation plan.
  - c. Show all existing tree lines correctly and adjust the worksheet accordingly.
  - d. Revise the “match line” portions of the plan to be at the same scale as the plan on sheet T-2.
  - e. Revise the worksheet to reflect the correct acreage of woodland cleared to read 3.6 acres.
  - f. Remove all inappropriately drawn or shown existing tree lines from the plan.
  - g. Add to the plan and legend symbols to clarify all areas on the plan including areas cleared, reforested, preserved and preserved but not counted.
  - h. Remove existing tree lines along the property boundaries to the west and south as shown on sheet T-1.
  - i. Show the correct existing tree line on the extreme northwest portion of the site to exclude the existing building on sheet T-1.
  - j. Correct the work sheet to reflect the floodplain area as totally wooded to read 0.3 acre.
  - k. Revise the work sheet to reflect both R-80 and C-M Zones in separate columns.
  - l. Revise the woodland conservation worksheet to reflect all changes to the plan and add it to the plan.
  - m. Revise the revision block to reflect all changes to the plan, when the revisions were made and by whom.
  - n. Add a planting schedule for each reforestation area.

- o. Provide a vicinity map on all the plans submitted.
  - p. Have the plan signed and dated by the qualified professional who prepared the plan.
- 2. Prior to the issuance of any building permits, either a plat of correction to remove Note 3 shall be approved, or a new preliminary plan of subdivision shall be approved.
- 3. Prior to certification, the following revisions shall be made:
  - a. The bufferyard along Lot 16, Huntsville shall be revised to be a "B" bufferyard.
  - b. Details for a proposed brick dumpster enclosure shall be provided.
  - c. The use of Arborvitae as a shrub shall be changed to Glossy Abelia or other acceptable shrub.

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 Lowe, with Commissioners Eley, Lowe, Vaughns, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 19, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10<sup>th</sup> day of July 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator