

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Preliminary Subdivision Plan 4-01046
A. O. Dille Farm, Parcel A

OVERVIEW

The subject property consists of approximately 2.23 acres of land in the R-R Zone. It is found on tax map 92 in Grid C-4 and is identified as part of Lot 3. Lot 3 was originally subdivided in 1923 as part of the A. O. Dille Farm Subdivision, recorded in plat book BDS 1 @ 100. A further subdivision of Lot 3 occurred, pursuant to a deed conveyance in 1996 (Liber 6499 in Folio 159), in accordance with Section 24-107(c)(2) of the Subdivision Regulations. The deed transfer of this part of Lot 3 was part of the distribution of the estate of Mary Maggie Butler.

Section 24-107(c)(7)(B) of the Subdivision Regulations allows for the deed transfer of land in the distribution of an estate so long as the lot created is used solely for a one-family detached dwelling and uses accessory thereto. The applicant proposes to construct a day care center on the property, therefore a subdivision plat is required. The deed exemption is no longer valid due to the proposed new use of the property.

The site is currently improved with a one-story, single-family structure. The applicant proposes to raze that structure and construct a 11,904-square-foot day care center. The day care use requires the approval of a special exception in the R-R Zone. Special Exception SE 4393 is currently pending before the Zoning Hearing Examiner for the day care use. The day care center is proposed to operate 24 hours a day and provide care for 200 children.

SETTING

The property is located on the west side of Brown Station Road, approximately 165 feet north of Dill Drive, south of the Kingsgrant Subdivision. The property is located north of Pennsylvania Avenue in Upper Marlboro, west across Brown Station Road from the Marlborough Country Club.

The abutting properties are in the R-R Zone. The Prince George's County jail is located west of the property and is in the R-S Zone. The adjoining properties are a number of varying uses, to include single-family, multi-family, and commercial uses.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

1. Environmental - This site is subject to the provisions of the Woodland Conservation Ordinance because it is more than 40,000 square feet in size and contains more than 10,000 square feet of woodland. Current aerial photos indicate that about one-fourth of the site is wooded. A Forest Stand Delineation and Type I Tree Conservation Plan were submitted for review. Although the plan was incorrectly labeled as a Type II TCP, the plan is being processed as a Type I TCP. The Tree Conservation Plan, TCP I/17/01, proposes to meet the

required 0.44 acres of woodland conservation by providing 0.57 acres of on-site preservation. The Environmental Planning Section is recommending approval of TCP I/17/01.

The Environmental Planning Section previously approved a Woodland Conservation Exemption for this property numbered E/51/00. That exemption letter was issued based on the proposal that the applicant would not be removing any woodland. That exemption is not valid for this application because the applicant is proposing the removal of woodland.

No historic or scenic roads are affected by this proposal. No rare/threatened/endangered species are known to occur in the project vicinity. According to Sewer Service and Water Service maps, the property is in water and sewer categories W-3 and S-3. The soils information included in the review package indicate that no problematic soils occur in the proposed development area.

Brown Station Road is identified in the Subregion VI Master Plan as a significant noise source. The vehicular noise would impact residential development within 239 feet of the centerline of Brown Station Road. However, the applicant is proposing a commercial use of the property. If residential development is proposed for this site in the future, the location of dwellings should be carefully sited as to not encroach within 239 feet of the centerline of Brown Station Road. However, if future dwellings are located within this set back, architectural certification should be provided to ensure that interior noise levels do not exceed 45 dBA (Ldn).

2. Community Planning - The subject property is located within *The 1993 Subregion VI Master Plan*, in Planning Area 79. The master plan land use recommendation for this area is for low suburban residential density. The proposed subdivision conforms with the Subregion VI Master Plan. There are no master plan issues associated with this application.
3. Parks and Recreation - In accordance with Section 24-134(a) of the Subdivision Regulations, the proposed preliminary plan is exempt from the mandatory parkland dedication because the lot proposed is greater than one acre in size.
4. Trails - There are no master plan trail issues associated with this plan.
5. Transportation - The subject property consists of approximately 2.23 acres of land in the R-R Zone. The property is located on the west side of Brown Station Road about 200 feet north of Dille Drive. The applicant proposes a single parcel for a 200-student day care center.

The applicant submitted a traffic study in support of the application dated June 2001. 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*. The study was referred to both the County Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA). DPW&T comments were received, however; no comments have been received to date from SHA.

The traffic generated by the proposed preliminary plan would impact the intersections of Brown Station Road/site entrance and Brown Station Road/Dille Drive/John Rogers

Boulevard, both of which are unsignalized. The existing conditions exist at the critical intersections:

EXISTING CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Brown Station Road/site entrance	planned			
Brown Station Road/Dille Drive/John Rogers Blvd.	27.1*	22.8*	--	--
*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 <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

Five nearby developments were included in background traffic. A 2.0 percent through-traffic growth was assumed along Brown Station Road. The following background traffic conditions were determined:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Brown Station Road/site entrance	planned			
Brown Station Road/Dille Drive/John Rogers Blvd.	36.6*	30.2*	--	--
*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 <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

The application is a preliminary plan of subdivision for a parcel which is proposed to contain a 200-student day care center. The proposed day care center would generate 154 AM (82 in, 72 out) and 153 PM (72 in, 81 out) peak hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals* and data in the Institute of Transportation Engineers' *Trip Generation Manual* (sixth edition). The applicant determined that 30 percent of site-generated traffic would likely be pass-by, but did not take that factor into account in order to be conservative. Staff disagrees with this approach and has instead utilized the factor, with 60 percent of pass-bys from northbound traffic and 40 percent of pass-bys from southbound traffic. The site was analyzed using the following trip distribution:

John Rogers Blvd. from the east: 30%
MD 725 from the east: 30%
MD 725 from the west: 15%
Brown Station Road from the north: 25%

With site traffic, the following operating conditions were determined:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Brown Station Road/site entrance	13.2*	15.8*	--	--
Brown Station Road/Dille Drive/John Rogers Blvd.	44.8*	39.3*	--	--
*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 <i>Guidelines</i> , an average delay exceeding 50.0 seconds indicates inadequate traffic operations. Delays of +999 are outside the range of the procedures, and should be interpreted as excessive.				

The Prince George's County Planning Board, in the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*, has defined vehicle delay in any movement exceeding 50.0 seconds as an unacceptable operating condition at unsignalized intersections.

At both adjacent study area intersections, the analysis indicates that traffic operations are currently acceptable and would continue to be acceptable in the future, even with the development of the subject property. However, DPW&T has indicated that acceleration and deceleration lanes at the site entrance will be required.

The transportation staff has no comments on the plan as submitted. Brown Station Road is a master plan collector facility, and the proposed dedication of 40 feet from center line along Brown Station Road is acceptable as shown. The location of the access to the site is acceptable and in accordance with Special Exception application SE-4393 for this use.

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.

6. Schools - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of public facilities in accordance with Section 24-122.02 of the Subdivision Regulations and the *Regulations to Analyze the Development Impact on Public School Facilities* (revised January 2001) (CR-4-1998) and concluded that the proposed subdivision is exempt from an APF test for schools because it is a commercial use only.
7. Fire and Rescue - The Growth Policy and Public Facilities Planning Section has reviewed the subdivision plans for adequacy of fire and rescue facilities and concluded the following:
 - a. The existing fire engine service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.85 minutes, which is within the 3.25 minutes for response time guidelines.
 - b. The existing ambulance service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.85 minutes, which is within the 4.25 minutes for response time guidelines.

- c. The existing paramedic service at Marlboro Fire Station, Company 20 located at 14815 Pratt Street has a service response time of 2.85 minutes, which is within the 7.25 minutes for response time guidelines.
- d. The existing ladder truck service at Marlboro Fire Station, Company 45 located at 7710 Croom Road has a service response time of 7.68 minutes, which is beyond the 4.25 minutes for response time guidelines.

The above findings are in conformance with the *Adopted and Approved Public Safety Master Plan 1990* and the *Guidelines for the Analysis of Development Impact on Fire and Rescue Facilities*.

In order to alleviate the negative impact on fire and rescue services due to the inadequate service discussed above, the Fire Department recommends that all commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.

- 8. Police Facilities - The proposed development is within the service area for District II-Bowie police facility. In accordance with Section 24-122.01(c) of the Subdivision Regulations the existing county's police facilities will be adequate to serve the proposed A.O. Dille Farm development. This police facility will adequately serve the population generated by the proposed subdivision.
- 9. Health Department - The Health Department has conducted a site inspection and notes that the existing shallow well on the property appears to be backfilled but not sealed. In accordance with the Code of Maryland Regulations 26.04.04, the well must be sealed and backfilled by a licensed well driller or witnessed by a representative from the Environmental Engineering Program of the Health Department. However, if the area where the well is currently located is to be covered by the proposed building or parking compound, the sealing of the well will not be necessary. The pending special exception site plan does currently propose to locate the building over the existing well site.

Prior to final plat, the preliminary plan should be revised to locate the septic system which served the existing dwelling. A licensed scavenger must scavenge and backfill the septic tank prior to approval of the final plat.

- 10. Stormwater Management - The Department of Environmental Resources (DER), Development Services Division, has determined that on-site stormwater management is not required. A Stormwater Management Concept Plan, #8329131-2000-00, has been approved with conditions to ensure that development of this site does not result in on-site or downstream flooding. Development must be in accordance with this approved plan.

RECOMMENDATION

APPROVAL, subject to the following conditions:

1. The applicant, heirs, successors and or assigns shall dedicate 40 feet from the center line of the right-of-way of Brown Station Road at the time of approval of the final plat of subdivision as shown on the submitted preliminary plan.
2. The applicant, heirs, successors and or assigns shall make improvements within the dedicated right-of-way of Brown Station Road. Those improvements shall be determined by DPW&T and will include acceleration and deceleration lanes at the site entrance.
3. Development of this subdivision shall be in accordance with the approved Stormwater Management Concept Plan #8329131-2000-00.
4. Prior to signature approval the preliminary plan shall be revised to locate the septic field which served the existing residence.
5. Prior to the approval of the final plat of subdivision, a licenced scavenger shall scavenge and backfill the septic tank on site which served the existing dwelling.
6. The existing shallow well shall be sealed in accordance with the Code of Maryland Regulations 26.04.04 by a licenced well driller or witnessed by a representative from the Environmental Engineering Program of the Health Department. If the applicant proposes construction of the building or parking over the existing well site, sealing the well will not be required.
7. All commercial structures be fully sprinklered in accordance with National Fire Protection Association Standard 13 and all applicable Prince George's County laws.
8. Prior to signature approval of the TCPI, the plan shall be labeled as a Type I.

STAFF RECOMMENDS APPROVAL OF TYPE I TREE CONSERVATION PLAN TCP I/17/01