

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 January 21, 2021, regarding Detailed Site Plan DSP-17034 for Capital Christian Fellowship Daycare, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) application is a request for the addition of a day care center, with a maximum enrollment of 50 children, to an existing church.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone	R-R	R-R
Use	Church	Church and Daycare
Gross Acreage	5.30	5.30
Parcels/Lots	1	1
Gross Floor Area (GFA) of Building	26,281 sq. ft.	26,281 sq. ft.

**PARKING DATA**

<b>Use</b>	<b>Required</b>	<b>Provided</b>
<b>Church (415 seats) @ 1 space/4 Seats</b>	<b>104</b>	
<b>Day Care (50 Children) @ 1 space/8 Children</b>	<b>7</b>	
<b>Total</b>	<b>111 Spaces</b>	<b>115 Spaces</b>
Standard parking spaces (9.5 ft. x 19 ft.)		109
Handicap-Accessible parking spaces (16 ft. x 19 ft.)		6
<b>Loading Spaces</b>	<b>1</b>	<b>1</b>

**Outdoor Play Area**

<b>Use</b>	<b>Required</b>	<b>Provided</b>
<b>Day Care (50 Children) @ 75 sq. ft./ Child</b>	<b>3,750 sq. ft.</b>	<b>4,044 sq. ft.*</b>

**Notes:** \*Section 27-445.03 of the Prince George’s County Zoning Ordinance requires that day care centers provide at least 75 square feet of play space per child, for 50 percent of the licensed capacity, or 75 square feet per child, for the total number of children to use the

play area at one time, whichever is greater. The schedule and plan propose 4,044 square feet of outdoor play area, in conformance with this requirement.

3. **Location:** The subject property is known as Parcel A located on Tax Map 36, in Grid A2 on the south side of MD 193 (Greenbelt Road), approximately 1,900 feet west of its intersection with Lanham Severn Road. Specifically, the property is located at 10411 Greenbelt Road, Lanham, Maryland, in Planning Area 70 and Council District 3.
4. **Surrounding Uses:** The subject property is in the Rural Residential (R-R) Zone and is bounded to the north by MD 193, to the west by vacant property in the R-R Zone with single-family detached homes beyond, to the east by commercial uses in the Commercial Shopping Center (C-S-C) Zone, and to the south by vacant property in the R-R Zone, owned by the Cottage City Mennonite Church.
5. **Previous Approvals:** The 2010 *Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment* retained the property in the R-R Zone. The site has a previously approved Preliminary Plan of Subdivision (PPS) 4-18023. The site also has an approved Stormwater Management (SWM) Concept Plan No. 15077-2018-01, which is valid through June 25, 2021.
6. **Design Features:** The property is a roughly rectangular shaped parcel and is currently improved with a 26,281-square-foot church and Sunday school that was built in approximately 2002. The church is located in the center of the property, with one vehicular access from MD 193, and existing parking spaces on the north, east, and south sides of the building. Approximately 3,380 square feet of gross floor area of the church will house the proposed day care center operation. The 4,044-square-foot outdoor play area is located on the southeast side of the building and is proposed to be enclosed by a 6-foot-tall vinyl fence around the perimeter. The play area will include an open play space, playground equipment, and a 12 by 12-foot umbrella structure to shade the play area. Details have been provided for the shade structure, but the Planning Board finds that individual details of the play equipment have not been submitted with this application and are conditioned to be provided herein. No other changes are proposed to the existing site improvements.

## CONFORMANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Prince George's County Zoning Ordinance in the R-R Zone and the site design guidelines:
  - a. With respect to Section 27-441(b), Table of Uses, of the Zoning Ordinance, the day care center for children that is proposed as an accessory use to the existing church is a permitted use in the R-R Zone, in accordance with Section 27-445.03 of the Zoning Ordinance, which requires a DSP and includes the following requirements:

**(1) Requirements**

**(A) An ample outdoor play or activity area shall be provided, in accordance with the following:**

- (i) All outdoor play areas shall have at least seventy-five (75) square feet of play space per child for fifty percent (50%) of the licensed capacity or seventy-five (75) square feet per child for the total number of children to use the play area at one (1) time, whichever is greater;**

The proposed enrollment of the day care is 50 children and the required play area for the licensed capacity is 3,750 square feet. The outdoor play area on the DSP measures 4,044 square feet, and meets the size required by the Zoning Ordinance.

- (ii) All outdoor play areas shall be located on the same lot as the center at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least four (4) feet in height;**

The subject outdoor play area is located on the same lot as the day care center and is proposed 140 feet from the adjoining R-R-zoned property. In addition, the play area is enclosed by a 6-foot-tall fence, in conformance with this requirement.

- (iii) A greater set back from adjacent properties or uses or a higher fence may be required by the Planning Board if it determines that it is needed to protect the health and safety of the children utilizing the play area;**

The play area is set back over 70 feet from all adjacent property lines, and a 6-foot-tall fence is proposed to enclose the play area, which will sufficiently protect the health and safety of the children utilizing the play area.

- (iv) The play area shall contain sufficient shade during the warmer months to afford protection from the sun;**

A shade structure and canopy are proposed within the outdoor playground area and will provide sufficient shade for the children playing during the warmer months of the year.

- (v) **Sufficient lighting shall be provided on the play area if it is used before or after daylight hours to ensure safe operation of the area;**

The site plan indicates that outdoor play is limited to daylight hours only.

- (vi) **Outdoor play shall be limited to the hours between 7 A.M. and 9 P.M.**

A note on the DSP indicates that the hours of operation will be limited to the hours specified by this requirement.

- b. The Planning Board finds that the DSP is in general conformance with the applicable site design guidelines, as referenced in Section 27-283 of the Zoning Ordinance and contained in Section 27-274 of the Zoning Ordinance. Many of the design guidelines do not apply to the subject DSP because the site improvements are existing. Those guidelines that do apply to the minor changes proposed with this DSP are in general conformance with the applicable guidelines. For example, the application will minimize grading to the extent practicable, disturbed areas will be restored, the materials proposed are durable, and the sidewalks along MD 193 are proposed to be improved providing pedestrian access into the site from the public right-of-way.

- 8. Preliminary Plan of Subdivision 4-18023:** PPS 4-18023 was approved by the Prince George's County Planning Board on May 23, 2019, with eight conditions. The resolution of approval (PGCPB Resolution No. 19-64) was adopted by the Planning Board on June 13, 2019. The conditions of approval, relevant to the review of this DSP are as follows:

- 4. At the time of detailed site plan, any new or replacement exterior light fixtures proposed shall be full cut off optic light fixtures to reduce light intrusion.**

The DSP does not propose any new or replacement exterior light fixtures, and therefore has been found in conformance with this condition.

- 5. Total development within the subject property shall be limited to uses, which generate no more than 33 AM peak-hour trips and 32 PM peak-hour trips on weekdays and 249 trips on Sundays. Any development generating an impact greater than that identified herein above shall require a new determination of the adequacy of transportation facilities.**

The Planning Board adopts a memorandum, dated December 21, 2020 (Hancock to Bishop), and finds that the proposed development will remain within the trip cap. The development, at full buildout of this site plan, is projected to generate 33 and 32 vehicle trips for the church and day care during the AM and PM peak hours, respectively. This trip generation is fully consistent with the trip cap approved with PPS 4-18023.

6. **Development of this site shall be in conformance with the approved Stormwater Management Concept Plan 15077-2018-00 and any subsequent revisions. The final plat shall note the stormwater management concept plan number and approval date.**

The Planning Board adopts a memorandum from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) (Giles to Bishop), dated November 23, 2020, which indicates that the proposed development is consistent with the approved SWM Concept Plan 15077-2018-1.

7. **A substantial change to the uses or site layout on the subject property that affects Subtitle 24 adequacy findings shall require approval of a new preliminary plan of subdivision, prior to approval any building permits.**

The proposed DSP is consistent with the land uses evaluated with the approved PPS.

8. **At the time of final plat, the applicant and the applicant's heirs, successors, and/or assignees shall grant a 10-foot-wide public utility easement along all public rights of-way.**

The DSP correctly identifies a 10-foot public utility easement along the frontage of MD 193, as well as adjacent to a master plan 80-foot right-of-way located along the southwestern property line.

9. **2010 Prince George's County Landscape Manual:** The application is exempt from the 2010 *Prince George's County Landscape Manual* because it meets the requirements of Sections 1.1(d), and 1.1(g)(4). The site improvements proposed by the subject application are limited to interior improvements, the application does not propose a change in use from a lower to a higher category, and the application does not increase the impervious surface or gross floor area of the building.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO):** This property is subject to the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property is greater than 40,000 square feet in size, contains more than 10,000 square feet of existing woodland, and has a previously approved Type 1 Tree Conservation Plan, TCP1-033-02-01, as well as an approved and implemented TCPII-057-02-01. A revision to this Type 2 Tree Conservation Plan, TCP2-057-02-02, was submitted with the current DSP application.

According to the TCP2 worksheet submitted, there are 4.09 acres of existing woodlands on the net tract and no 100-year floodplain located on-site. The site has a woodland conservation threshold of 1.09 acres, or 20 percent of the net tract, as tabulated. The TCP2 shows a total woodland conservation requirement of 1.77 acres. The TCP2 shows this requirement will be met by providing a combination of 0.64 acre of on-site woodland preservation and 1.13 acres of

off-site woodland conservation credits. A footnote is listed underneath the worksheet that indicates that 1.02 acres of the off-site requirement has already been met on two separate woodland conservation banks. However, the remaining 0.11 acre of off-site requirement must be met, prior to issuance of the first grading permit associated with this DSP. Technical revisions to the plan are required to be in full compliance with the requirements of the WCO and Environmental Technical Manual, which are included herein.

11. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that propose more than 5,000 square feet of disturbance or increase in gross floor area. The subject application proposes 4,230 square feet of disturbance and will not increase the gross floor area of the building. Therefore, the application is exempt from TCC requirements, and a general note has been added to the plan.
12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
  - a. **Historic Preservation**—The Planning Board adopts a memorandum dated November 9, 2020 (Stabler to Bishop), which notes that a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. The subject property does not contain, and is not adjacent to any designated Prince George's County historic sites or resources.
  - b. **Community Planning**—The Planning Board adopts a memorandum dated December 23, 2020 (Dickerson to Bishop), which offers a discussion of the DSP's conformance with *Plan Prince George's 2035 Approved General Plan*, and noted that pursuant to Part 3, Division 9, Subdivision 3, of the Zoning Ordinance, master plan conformance is not required for this application.
  - c. **Transportation**—The Planning Board adopts a memorandum dated December 21, 2020 (Hancock to Bishop), which provides a discussion of the existing site conditions and the site access and circulation. It was determined that, from the standpoint of transportation, this plan is acceptable and meets the findings required for a DSP, as described in the Zoning Ordinance.
  - d. **Subdivision**—The Planning Board adopts a memorandum dated December 15, 2020 (Gupta to Bishop), which offers an analysis of the DSP's conformance with the PPS conditions, which are incorporated into Finding 8 above, and other issues that have been addressed through revisions to the plans.
  - e. **Trails**—The Planning Board adopts a memorandum dated December 23, 2020 (Saunders Hancock to Bishop), which provides a discussion of the existing site conditions, the on-site improvements, and a review of the 2009 *Approved Countywide*

*Master Plan of Transportation (MPOT) and the 2010 Glenn Dale-Seabrook-Lanham and Vicinity Approved Sector Plan and Sectional Map Amendment.* The MPOT recommends infrastructure be installed to accommodate walking and bicycling. The subject site is along MD 193, which is recommended to include a bicycle lane; however, the recommended bicycle lane is beyond the scope of this DSP. The planned bicycle lane could be constructed as part of a future capital improvement project or roadway maintenance by the Maryland State Highway Administration. In conclusion, it was determined that the pedestrian and bicycle access and circulation for this plan is acceptable. Issues related to on-site pedestrian improvements have been addressed through revisions to the plans, or are included in this approval.

- f. **Permits**—The Planning Board adopts a memorandum dated July 28, 2020 (Shaffer to Bishop), which offers several permit related review comments, that have been addressed through revisions to the plans, or included as conditions in this approval.
- g. **Environmental Planning**—The Planning Board adopts a memorandum dated December 23, 2020 (Juba to Bishop), which provides a discussion of the DSP’s conformance with the WCO, and is included in the above findings. Additional environmental comments are as follows:

**Natural Resources Inventory/Existing Conditions Plan**

The subject application was granted a Natural Resources Inventory Equivalency Letter (NRI-054-2018) because there is a previously implemented TCP2 for the site.

**Soils**

The predominant soils found on-site according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey include: Russett-Christiana complex (2-5 percent slopes), Christiana-Downer complex (5-10 percent slopes), and Russett-Christiana-Urban land complex (0-5 percent slopes). Marlboro clay is not identified on-site; however, soils containing Christiana complexes are known to occur on and within the vicinity of this property.

**Stormwater Management**

The site has an approved SWM Concept Letter (15077-2018-00) and is consistent with the proposed DSP and revised TCP2. A fee of \$1,488.00 is required in lieu of providing additional on-site attenuation/quality control measures. An existing on-site SWM facility serves this site, and stormwater associated with the proposed site improvements will drain and be treated by this facility.

- h. **Prince George’s County Fire/EMS Department**—At the time of this writing, the Fire/EMS Department has not provided comments on the subject application.
- i. **Washington Suburban Sanitary Commission (WSSC)**—At the time of this writing, WSSC has not provided comments on the subject application.

- j. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—The Planning Board adopts a memorandum dated November 23, 2020 (Giles to Bishop), in which DPIE states that the DSP is consistent with the approved SWM concept plan, and provided numerous stormwater-related comments that will be addressed at the time of permit.
  - k. **Maryland State Highway Administration (SHA)**—The Planning Board adopts an email dated October 29, 2020 (Woodruff to Bishop), in which SHA notes that the subject application will be required to apply for a District Office Permit for reconstruction of the existing sidewalks along the property frontage on MD 193.
  - l. **Prince George’s County Police Department**—At the time of this writing, the Police Department has not provided comments on the subject application.
  - m. **Prince George’s County Health Department**—The Planning Board adopts a memorandum dated November 3, 2020 (Adepoju to Bishop), which notes that the environmental health specialist performed a desktop health impact assessment and offers multiple recommendations with respect to health-related issues on the property. These recommendations have been included as conditions in this approval, as appropriate.
12. As required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP, if revised as conditioned, represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
13. As required by Section 27-285(b)(4), for approval of a DSP, the regulated environmental features on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations, as this DSP does not propose any change to the established limits of disturbance and does not result in any impacts to regulated environmental features.

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 Type 2 Tree Conservation Plan TCP2-057-02-02, and further APPROVED Detailed Site Plan DSP-17034 for the above described land, subject to the following conditions:

- 1. Prior to certification of this detailed site plan (DSP), the applicant shall make the following revisions to the plans and submit the following documentation:
  - a. Provide one van-accessible handicap parking space dimensioned 16 by 19 feet on the site plan.

- b. Demonstrate on the site plan that the existing loading area is screened from the adjacent residential property, in conformance with Section 4.4 of the 2010 *Prince George's County Landscape Manual*.
- c. Provide details of the play equipment that are proposed in the outdoor play area, as appropriate.
- d. Provide a minimum of two inverted U-style bicycle racks, or a similar style that provides two points of contact to support and secure a parked bicycle, instead of the proposed wave-style rack.
- e. Provide the site plan notes, as follows:
  - “During the demolition and construction phases, this project will conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.”
  - “During the demolition and construction phases, this project will conform to construction activity noise control requirements as specified in the Code of Maryland Regulations (COMAR).”
- f. Revise the Type 2 tree conservation plan (TCP2) as follows:
  - (1) Revise the TCP2 worksheet, as follows:
    - (a) Indicate that the site is subject to the current Woodland and Wildlife Habitat Conservation Ordinance, not the 1991 Ordinance.
    - (b) Indicate that this is the 2nd revision to the TCP2.
  - (2) Use a unique symbol for the door entrances on the TCP2 that is not the same as the symbol used for proposed woodland preservation signs.
  - (3) Revise TCP2 General Notes to follow the standard required language format per the 2018 *Environmental Technical 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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Doerner and Hewlett voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, January 21, 2021, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 11th day of February 2021.

Elizabeth M. Hewlett  
Chairman

By   
Jessica Jones  
Planning Board Administrator

EMH:JJ:NAB:nz

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: January 25, 2021