

Case No. DSP-11024/01
Henson Valley Academy at
Clinton Baptist Church

Applicant: Henson Valley Academy

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND,
SITTING AS THE DISTRICT COUNCIL

ORDER AFFIRMING PLANNING BOARD DECISION,
WITH CONDITIONS

IT IS HEREBY ORDERED, after review of the administrative record, that the decision of the Planning Board in PGCPB No. 13-01, to approve with conditions a detailed site plan for a private school for 125 children and a day care center for 25 children within an existing 17,900-square-foot church (Clinton Baptist Church), with associated outdoor play areas, located on the north side of Woodyard Road (MD 223), approximately 485 feet east of its intersection with Mike Shapiro Drive in Planning Area 81A within Council District 9, is;

AFFIRMED, as the basis for this action, and pursuant to the provisions of Sections 27-132 and 27-290 of the Zoning Ordinance, the District Council adopts the findings and conclusions stated by the Planning Board in its Resolution in accordance with PGCPB No. 13-01, as its findings and conclusions, with the following additions and modifications:

Upon review of the record, the District Council finds, pursuant to authority set forth in Sections 27-268, 27-281, and 27-290 of the Zoning Ordinance, in order to protect the public safety, health and welfare of the general public, further modification of the enrollment conditions for the proposed use on the site is warranted given that enrollment projections for the proposed school is not expected to exceed seventy-five (75) students within the next two (2) years. The District Council further finds that, given its finding that the proposed use on the site generally comports with the prescriptions of Section 27-443 of the Zoning Ordinance for a maximum of

125 students, in the event that enrollment for the proposed school use on the site exceeds seventy-five (75) students, there is sufficient basis available at law to authorize the Planning Director to approve a limited minor amendment to DSP-11024/01 to increase the maximum enrollment up to 125 students in accordance with Section 27-289 of the Ordinance. Any proposed increase to the maximum student complement beyond seventy-five (75) students must also include a proposal for enlargement of the required play area commensurate with the proposed enrollment increase in order to ensure compliance with the required play area prescriptions of Section 27-443.

Affirmance of the Planning Board's decision, in view of the above additional findings, is subject to the following conditions:

1. Prior to certificate approval, the detailed site plan (DSP) shall be revised as follows:
 - a. The detailed site plan shall be revised to reflect a private school enrollment of 75 children and a minimum 7,500-square-foot outdoor playground area for the private school.
 - b. Provide a striped crossing in front of the loading-space entrance to provide a more clearly delineated pedestrian route from the private school and day care entrance to the play area.
 - c. Delineate the distance from the private school playground to the nearest dwelling on an adjoining lot.
 - d. Delineate the location of the existing trees along the western property line on the landscape plan.
 - e. Indicate the location of a Type "B" bufferyard along the western property line from the rear of Lot 32 to the rear of Lot 36.
 - f. Remove the site plan note that indicates the specific time of the use of the outdoor play area.

- g. Provide the plant materials shown on the previously approved permit plans, except as modified on the subject DSP.
 - h. Add the date the building was constructed to the general notes.
 - i. Provide the number of parking spaces that correctly reflects any proposed elimination of spaces.
 - j. Provide wheel stops for parking spaces adjacent to the play area.
 - k. Add a site plan note indicating that a resilient flooring in accordance with the standards of the American Society for Testing and Materials (ASTM) shall be used in the outdoor play area where any play equipment will be installed.
 - l. Submit an inventory of existing plant materials and provide a plan for the replacement of required plant materials missing along Woodyard Road and within the parking lot.
2. A revision to the subject detailed site plan may be approved by the Planning Director to (a) increase the enrollment of the private school to a maximum of 125 students, and (b) enlarge the outdoor playground area to provide the minimum square footage required whenever the student enrollment exceeds 75 children.

Ordered this 10th day of June, 2013, by the following vote:

In Favor: Council Members Davis, Franklin, Harrison, Lehman, Olson, Patterson, Toles
and Turner.

Opposed:

Abstained:

Absent: Council Member Campos.

Vote: 8-0

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON
REGIONAL DISTRICT IN PRINCE GEORGE'S
COUNTY, MARYLAND

By: _____
Andrea C. Harrison, Chair

ATTEST:

Redis C. Floyd
Clerk of the Council