

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 21, 2004, regarding Detailed Site Plan DSP-02057/01 for Greater Mt. Nebo AME Church, the Planning Board finds:

1. **Request:** The subject application requests the establishment of a private school for 60 children up to and including sixth grade on the subject property and elimination of the existing day care center for 60 children.

2. **Development Data Summary**

| | EXISTING | PROPOSED |
|-----------------------------|---------------------|---------------------------|
| Zone | RA | RA |
| Use(s) | Church and Day Care | Church and Private School |
| Acreage | 80.6 | 80.6 |
| Parcels | One (A) | One (A) |
| Building Square Footage/GFA | 22,072 | 22,072 |

OTHER DEVELOPMENT DATA

| | REQUIRED | PROPOSED |
|-------------------------------|-----------------|-----------------|
| Total parking spaces | 160 | 244 |
| Of which handicapped spaces | 7 (of 244) | 7 |
| Standard spaces (9.5' x 19') | 160 | 237 |
| Compact spaces (8.0' x 16.5') | 0 | 0 |
| Loading spaces | 1 | 1 |

3. **Location:** The site is in Planning Area 74B and Council District 4. More specifically, it is located in the northeast quadrant of Central Avenue (MD 214) and Crain Highway (MD 301).
4. **Surroundings and Use:** The subject property is bounded largely by undeveloped property. There are, however, a few commercial establishments in the general vicinity, a consolidated storage facility across US 301 to the northwest of the subject property, and a lumber yard and sports bar across Central Avenue to the south.
5. **Previous Approvals:** Preliminary Plan of Subdivision 4-01052 was approved by the Planning Board for the subject site on November 15, 2001. Resolution 01-242 was adopted, formalizing

that approval on December 6, 2001. A Detailed Site Plan, DSP-02057, was approved for a church for 600 members and a day care center for 60 children by the Planning Board on May 8, 2003. The subject application is the first revision to that DSP.

In addition, the site has an approved Type II Tree Conservation Plan, TCPII/08/02-02, and Stormwater Management Concept Plan 8007940-1997-03 was approved for the subject site on July 20, 2004.

6. **Design Features:** The subject private school is proposed to be located at an existing facility, currently including a single building housing a 600-seat church and 60-child day care, located on a parcel measuring 80.6 acres in the RA Zone. The site plan indicates a single vehicular access from Old Mitchellville Road leading to parking in front and to the building housing the church and private school on the property. Directly behind the subject building is additional parking and a 15 by 15-foot dumpster enclosure screened by a six-foot board-on-board wooden fence. A 6,000-square-foot day care play area is located to the northeast of the rear parking area for the church and is enclosed by a 42-inch chain link fence. Stormwater on the site is managed by two stormwater management ponds, one located along its northerly property line, almost in the extreme northeasterly corner of the site; the other much smaller one is located approximately 320 feet directly behind the building on the property.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-A Zone and the site plan design guidelines of the Zoning Ordinance.
- a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in residential zones. The proposed private school is a permitted use in the RA Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in residential zones.
 - c. Section 27-443 of the Zoning Ordinance (Private Schools) governs the proposed private school use on the property. The following table demonstrates compliance:

| Requirement | Demonstrated Compliance |
|--|--|
| Located on at least 5 acres. | Property measures 80.6 acres. |
| Maximum enrollment is 400 students. | Maximum enrollment is 60 students. |
| Property shall have frontage on, and direct vehicular access to a street having a paved surface at least 36 feet wide. | The property fronts on and has direct vehicular access to Old Mitchellville Road, a street having a paved surface at least 36 feet wide. |

| | |
|--|--|
| Outdoor activity or playground area must contain at least 100 square feet per child. | Outdoor activity area or playground measures 6,000 square feet. |
| Outdoor activity or playground area must be located at least 25 feet from any dwelling on an adjacent lot. | There are no dwellings on adjacent parcels. |
| Must be buffered in accordance with the provisions of the Landscape Manual. | The site was found to comply with the provisions of the <i>Landscape Manual</i> at the time the church and day care were approved. The private school use, substituting for the day care use and not classified a more intense land use, will not alter that compliance. |
| Play area must be enclosed by a substantial wall or fence at least three feet high for grade six and below | The play area will be enclosed by a 42-inch chain link fence. |
| A detailed site plan must be approved for all private schools | The subject detailed site plan application fulfils this requirement, if approved by the Board. |

8. **Preliminary Plan of Subdivision, 4-01052:** the Planning Board approved Preliminary Plan 4-01052 on November 15, 2001. Resolution PGCPB 01-242 was adopted on December 6, 2001. Review of that resolution indicates that the proposed revision to the detailed site plan is in conformance with Preliminary Plan 4-01052.
9. **Landscape Manual:** The proposed development is subject to the requirements of the *Landscape Manual*. Conformance with the *Landscape Manual* was found when DSP-02057 was approved by the Planning Board on May 8, 2003. Buffering requirements, if any, adjudged under the *Landscape Manual* would be unaffected since a school is categorized as the same intensity land use as the existing church on the property. Therefore, it can be said that the proposed project is in compliance with the *Landscape Manual*.
10. **Woodland Conservation Ordinance:** The 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. A forest stand delineation was previously approved for the site together with TCP I (TCPI/25/97). A Type II TCP (TCP/08/02) was then approved for the site on April 15, 2002. Since the proposed expansion of the play area will not require the removal of any trees, as per the Environmental Planning Section, there are no impacts to the approved Type II TCP.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

Community Planning— In a memorandum dated October 6, 2004, the Community Planning Division, noting that a portion of the property will be affected by the upgrading of the Central Avenue/US 301 interchange and the upgrading of US 301 to a freeway, stated that the application is not inconsistent with the 2002 General Plan Development

Pattern policies for the Rural Tier and that the application conforms to the recommendations of the Bowie-Collington, Mitchellville and Vicinity Master Plan. Please note that the proposed project will have minimal impacts on the site as it merely substitutes a private school for an existing day care. The only modification to the previously approved detailed site plan would be to increase the outdoor play area from 4,500 to 6,000 square feet.

Permits—In a memorandum dated September 23, 2004, the Permit Review Section stated that the landscape plan must be revised to include additional play area for the proposed school and that a note should be placed on the plan stating that the school is only for grades six and below or a five-foot high fence should be placed around the play area. These comments have been addressed by revisions to the plans.

Environmental Planning—The Environmental Planning Section stated that since there are no impacts to the approved TCP II or other environmental features of the site, that they had no comment on the proposed project.

Maryland Department of Human Resources—As of the writing of this report, staff has not received comment from the Maryland Department of Human Resources, Child Licensing Division.

12. As required by Section 27-285(b) of the Zoning Ordinance, 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 the Detailed Site Plan DSP-02057/01.

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.

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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 Harley, seconded by Commissioner Squire, with Commissioners Harley, Squire, Vaughns and Hewlett voting in favor of the motion, and with Commissioner Eley absent, at its regular meeting held on Thursday, October 21, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of October 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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