



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

PGCPB No. 15-55

File No. DSP-13023 & AC-14004

RESOLUTION

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 4, 2015, regarding Detailed Site Plan DSP-13023 for Ebenezer United Methodist Church Day Care Center for Children, Lots 1 and 2, Ardmore subdivision, the Planning Board finds:

1. **Request:** The subject approval is for a day care center, with a maximum enrollment of 19 children, in the Rural Residential (R-R) Zone.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-R	R-R
Use(s)	Vacant	Day Care Center
Acreage	0.527	0.527
Lots	2	2
Enrollment	0	19 children

Parking Required:

Day Care Center 3
(1 parking space per 8 children or
3 spaces for 19 children)

Total Parking Provided: 3

Loading Spaces Required: 0
(one space for 10,000–100,000 square feet of GFA)

Loading Spaces Provided: 0

Minimum Outdoor Play Area Required per Section 27-464.02 of the Zoning Ordinance:
19 children x 0.5 x 75 square feet = 750 square feet*

Enclosed Play Area Provided: 875 square feet

*The Zoning Ordinance requires that all outdoor play areas for day care centers for children in residentially-zoned areas have 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. As a maximum of ten children will be permitted to utilize the play

area at one time, this requirement has been met. The total required outdoor play area is 75 times 10 (half of the enrollment, rounded up), or 750 square feet. This meets and exceeds this requirement by providing a play area measuring 875 square feet.

3. **Location:** The site is located in the southwestern quadrant of the intersection of Whitfield Chapel Road and Ebenezer Lane. Whitfield Chapel Road, a Maryland State Highway Administration (SHA) owned and maintained right-of-way with an ultimate right-of-way width of 80 feet, runs along the subject site's eastern frontage. Ebenezer Lane (formerly known as Belmont Street) measures 30 feet wide and runs along the subject site's northern frontage.

4. **Surrounding Uses:** The subject project is surrounded by single-family detached development to the south and west; by Ebenezer Lane to the north, with the Ebenezer United Methodist Church beyond; and by Whitfield Chapel Road to the east, with single-family detached residential development beyond. All of the surrounding land uses are located in the R-R Zone.

5. **Previous Approvals:** The site was previously approved under Section 27-121 of the Prince George's County Zoning Ordinance and Permit 29458-2001-CGU as a federally-run nursery school and day care (operated by Head Start), a public use which is exempt from the requirements of the Zoning Ordinance. An application for either a private day care or a church to operate from the property requires detailed site plan (DSP) approval. Hence, the subject application was submitted. The site is also the subject of a stormwater management concept approval, 23371-2013-00, approved by the Department of Permitting, Inspections and Enforcement (DPIE) on October 1, 2013 and valid until October 1, 2016.

6. **Design Features:** The 0.527-acre site, composed of two lots (Lots 1 and 2), is currently improved with a 2,188-square-foot one-story brick structure with a basement. This structure was originally built and utilized as a single-family residential unit, was subsequently utilized as a Head Start day care center for children and preschool, and is vacant at the time of this approval.

Ebenezer United Methodist Church, with which the subject day care center for children is associated, is located on the opposite side of Ebenezer Lane. A concrete cross walk is provided between the subject site and the church to make crossing Ebenezer Lane from the day care center to the church property a safer condition.

An 875-square-foot play area is surrounded by an existing four-foot-tall fence. Only ten children shall by condition of this approval play in the area at one time.

7. **Conformance to the applicable sections of the Zoning Ordinance:** The Planning Board has reviewed the subject project against the relevant requirements of the Zoning Ordinance and finds it in compliance. More particularly, with respect to Section 27-441(b), Table of Uses, the day care center for children approved herein is a permitted use in the R-R Zone.

Each other relevant requirement of Section 27-445.03(a), Day care center for children, and Section 27-441, Table of Uses, Footnote 95, is included in **boldface** type below and is followed by Planning Board comment:

(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 maximum enrollment for the Ebenezer United Methodist Church Childcare Center is 19. Therefore, the required play area for 50 percent of the licensed capacity is 750 square feet. As the outdoor play area indicated on the DSP measures 875 square feet, it meets and exceeds 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, at least 25 feet from any dwelling unit, and is to be enclosed by an existing four-foot-tall chain-link fence in accordance 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 Planning Board is not requiring a greater setback from adjacent properties or land uses, or a higher fence, as it does not hereby determine that it is needed in order to protect the health and safety of the children utilizing the play area. As the children enrolled at the day care will have supervision at all times when playing in the play area, the existing four-foot-tall fence is sufficient. The play area is located as is required by the Zoning Ordinance, at least 25 feet from all surrounding residential units. Therefore, the approval conforms to this requirement.

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

There are several shade trees located proximate to the outdoor playground area which will provide sufficient shade for the children playing in the designated area during the warmer months of the year, in accordance with this requirement.

- (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;**

As the site plan indicates that there will be no "night use" of the play area, lighting pursuant to this requirement is not herein required.

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

The hours of operation approved herein are 6:00 a.m. to 7:00 p.m. and there will be no night use of the outdoor play area. Therefore, the Planning Board hereby finds that the approval conforms to this requirement.

In addition, per Section 27-445.03(a), a site plan prepared in accordance with the following is required for the day care center. Each requirement is included in **boldface** type followed by Planning Board comment.

(2) **Site plan.**

- (A) **A Detailed Site Plan shall be approved for the center, in accordance with Part 3, Division 9, of this Subtitle to insure compliance with the provisions of the Section.**

As the subject site plan is approved herein, the subject approval conforms to this requirement.

- (B) **In addition to the submittal requirements of Part 3, Division 9, the Detailed Site Plan shall show:**

- (i) **The proposed enrollment;**
- (ii) **The location and use of all buildings located on adjoining lots;**
- (iii) **The location and size of outdoor play or activity areas; and**
- (iv) **The location, quantity, and type of screening and landscaping.**

General Note 19.b. indicates that the maximum number of children to be included in the day care will be 19, in accordance with Subpart (i) of the above requirement. The site plan indicates the adjacent uses and the building to the south on the adjacent lot. The location

and size of the outdoor play area are indicated as required by Subpart (iii) of the above requirement, and the location, quantity, and type of screening are located in accordance with Subpart (iv) of the above requirement. Therefore, the Planning Board finds that the subject approval conforms to this requirement.

Section 27-441, Footnote 95

If the day center is owned and operated by a church and was previously a Head Start public school and day care center operated by Prince George's Board of Education, it may be permitted by right, in accordance with Section 27-445.03. Said day care center must be adjacent to the church. The church must provide its tax-exempt identification number when applying for a Detailed Site Plan or a building or use and occupancy permit, as well as documentation demonstrating the contractual relationship between the church and the Prince George's Board of Education. (CB-2-2013)

Comment: The subject day care center is permitted by-right in the R-R Zone pursuant to Footnote 95 of Section 27-441, Table of Uses, as it is a day care center owned and operated by the Ebenezer United Methodist Church, and was previously a Head Start public school and day care center operated by the Prince George's Board of Education. As detailed above, the subject approval is in conformance with the requirements of Section 445.03 for day care centers for children in residential zones. Additionally, the church proffered its tax-exempt identification number, as well as documentation demonstrating the previous contractual relationship between the church and the Board of Education, when it applied for the subject DSP, as also required by this footnote.

8. **Prince George's County Landscape Manual:** The underlying DSP application is for the conversion of the existing 2,188-square-foot single-family detached house into a day care center for 19 children on a 0.527-acre lot in the R-R Zone. The original single-family detached residential property was previously improved and used as a federally-run Head Start center. However, since federal uses are not subject to the Zoning Ordinance including the 2010 *Prince George's County Landscape Manual* (Landscape Manual) per Section 27-121, the only previously permitted use of the site is as a residential single-family home. The site is subject to Section 4.2, Requirements for Landscape Strips along Streets; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual because it involves a change in use from residential to nonresidential. An Alternative Compliance approval (AC-14004) granting relief from Section 4.7, Buffering Incompatible Uses, for a reduction in the width of the building setbacks and landscape yards provided along the western and southern property lines, adjacent to existing single-family detached homes is hereby approved as a companion case to Detailed Site Plan DSP-13023.

The details of that approval are as follows:

REQUIRED: 4.7 Buffering Incompatible Uses, along the western property line, adjacent to an existing single-family detached home.

Length of bufferyard	112 feet
Minimum building setback	30 feet
Landscape yard	20 feet
Bufferyard occupied by existing trees	6 percent
Fence or wall	Yes
Plant Units (80 per 100 l. f.)	43

PROVIDED: 4.7 Buffering Incompatible Uses, along the western property line, adjacent to an existing single-family detached home.

Length of bufferyard	112 feet
Minimum building setback	75 feet
Landscape yard	2-20 feet
Bufferyard occupied by existing trees	6 percent
Fence or wall	Yes
Plant units	62

REQUIRED: 4.7 Buffering Incompatible Uses, along the southern property line, adjacent to an existing single-family detached home.

Length of bufferyard	153 feet
Minimum building setback	30 feet
Landscape yard	20 feet
Bufferyard occupied by existing trees	11 percent
Fence or wall	No
Plant Units (80 per 100 l. f.)	109

PROVIDED: 4.7 Buffering Incompatible Uses, along the southern property line, adjacent to an existing single-family detached home.

Length of bufferyard	153 feet
Minimum building setback	8 feet
Landscape yard	8-20 feet
Bufferyard occupied by existing trees	11 percent
Fence or wall	No
Plant units	168

The underlying DSP approval converts a single-family residence (previous Head Start Program facility) into a day care center for children. The approval includes a companion case Alternative Compliance (AC-14004) from Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. A Section 4.7, Type 'B' bufferyard, which includes a 30-foot building setback and a 20-foot-wide landscaped yard, is required along the western and southern property boundaries adjacent to existing single-family detached homes. Due to existing improvements on the property, it is not possible to meet the full requirements along either property line. Along the western property line, a fenced outdoor play area reduces the provided landscape yard to a minimum of two feet wide for approximately 35 linear feet of the 112-foot length, with no reduction in the required building setback. As an alternative to the normal requirements of Section 4.7, the Planning Board hereby approves a six-foot-high sight-tight fence along the entire western property length and an additional 19 plant units. Along the southern property line, two existing 12-square-foot sheds reduce the provided building setback landscape yard to eight feet for approximately 24 linear feet. As an alternative to the normal requirements of Section 4.7, the Planning Board hereby approves providing an additional 59 plant units along the southern property line.

The applicant has provided a fence and additional plant units which the Planning Board hereby finds makes up for the minor incursions by the existing site improvements into the required setback and landscape yard. Given the provision of a fence and additional plant units, the Planning Board finds the applicant's alternative compliance measures are equally effective as normal compliance with Section 4.7 of the Landscape Manual. Conditions of this approval correct minor technical errors on the submitted landscape plan.

The Alternative Compliance application for relief from Section 4.7 of the Landscape Manual along the western and southern property lines, adjacent to Lots 3 and 35, is hereby approved as a companion case to the DSP, subject to the following conditions:

- a. Prior to certification of the detailed site plan, the following corrections shall be made:
 - (1) Revise the plant labels on the landscape plan to match the plant list in terms of types and quantities.
 - (2) Correct the Section 4.2 schedule for Ebenezer Lane so that the number of ornamental and evergreen trees provided matches the number shown on the landscape plan.
 - (3) Correct the number of plant units required in the Section 4.7 schedule for Bufferyard 1 to 43.

The application is also subject to Sections 4.2, 4.4, and 4.9 of the Landscape Manual. Each section is listed in **boldface** type below, followed by Planning Board comment:

Section 4.2—Section 4.2 requires landscape strips along streets. In the subject case, it requires a landscape strip along both Ebenezer Lane and Whitfield Chapel Road frontages. On Sheet DSLP2 of the plan set, are two separate Section 4.2 schedules, one for each frontage. Regarding the Whitfield Chapel Road frontage, the requirement is that three shade trees and 30 shrubs be included along that frontage. The schedule then states, and the plan reflects, that the required three shade trees and 30 shrubs are, in fact, indicated along the Whitfield Chapel Road frontage of the subject project. Option one is selected for the required Section 4.2 landscape strip along Ebenezer Lane, requiring four shade trees and 33 shrubs in this case. Four ornamentals are provided instead of two of the shade trees, resulting in the following landscaping required: two shade trees, four ornamental trees, and 33 shrubs. This is what is reflected on the plans for the project. A typographic error in the landscape schedule which states that three instead of four ornamental trees are to be included along this frontage is corrected by a condition of this approval.

Section 4.4—Section 4.4 requires the screening of loading spaces, outdoor merchandise storage, trash and recycling facilities, and mechanical equipment. None of these are shown, except for a small heating/air conditioning unit located adjacent to the building behind a set of stairs on the western side of the building. As the heating/air conditioning unit is small and will be screened from roadways and other properties by the adjacent stairs, vegetation, and a fence, the mechanical equipment is adequately screened as required by this section.

Section 4.9—Section 4.9, Sustainable Landscaping Requirements, stipulates that a percentage of plants within each plant type shall be native species. A schedule of the sustainable landscaping requirements is included on Sheet DSPL2 of the plan set. The schedule correctly states that four of the shade trees are required to be and are native; that three of the total number of ornamental trees are required to be native and five are provided, meeting and exceeding this requirement; that eight of the evergreen trees are required to be native and that 25 are provided, meeting and exceeding this requirement; and that 19 of the shrubs are required to be native and that 27 native shrubs have been provided, meeting and exceeding this requirement. Therefore, and because no invasive species are proposed nor found on the site, and no trees are proposed to be planted on slopes greater than 3:1, the approval conforms to the requirements of Section 4.9 of the Landscape Manual.

9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The subject approval has been issued a Standard Letter of Exemption from the requirements of the Prince George's County Woodland Exemption for the use of the site as a day care center for children because there are no previously approved tree conservation plans associated with this property and that it measures less than 40,000 square feet in size.
10. **Prince George's County Tree Canopy Coverage Ordinance:** The subject approval is exempt from the requirements of the Tree Canopy Coverage Ordinance as it does not involve in excess of 5,000 square feet of land disturbance.

11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the appropriate agencies and divisions. The referral comments are summarized as follows:
- a. **Historic Preservation**—Detailed Site Plan DSP-13023 will have no effect on Prince George's County historic sites, historic resources or historic districts.
 - b. **Archeological Review**—The Planning Board does not recommend that a Phase I archeological survey be required for the site, as a search of current and historic photographs and topographic and historic maps indicate that the probability of finding archeological sites within the subject property is low. The subject approval will not impact any documented historic sites or resources, documented properties, or archeological resources.
 - c. **Community Planning**—The development herein approved is consistent with the *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) and the 1990 Approved Master Plan and Adopted Sectional Map Amendment for Largo-Lottsford, Planning Area 73, (Largo Lottsford Master Plan and SMA) policies that suggest low- to medium-density residential land uses for the site. More particularly, with respect to Plan Prince George's 2035, the Planning Board hereby finds that the proposed development is located in the Established Community policy area and that Plan Prince George's 2035 states that this policy area is most appropriate for context-sensitive infill and low- to medium-density development. Further, the Planning Board herein approves maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of existing residents are met. Regarding planning issues, the Planning Board stated that Plan Prince George's 2035 (page 93) sets forth two major land use policies to stabilize neighborhoods in the Established Community policy area and improve the quality of life for their residents. Policy 9 of that discussion suggests that the stable neighborhoods in these areas be maintained and Policy 10 calls for limiting commercial services outside of designated regional, local, and suburban centers. With respect to the Largo-Lottsford Master Plan and SMA, the Planning Board stated that the development is located in an established single-family detached residential neighborhood designated as Neighborhood A, Enterprise Community, by the master plan.

The Planning Board also noted that the subject property is located within the Joint Base Andrews Interim Land Use Control area. More particularly, it is located within Imaginary Surface F, establishing a height limit of 500 feet above the runway surface. Although the property is outside of the 65 dBA Ldn and above noise contour and the accident potential zones, these designations shall by condition of this approval be noted on the DSP.

A condition of this approval requires that, prior to certificate approval, the plans be revised to include a note stating that the subject project is located within the Joint Base Andrews Interim Land Use Control area, that it is located in Imaginary Surface F (establishing a limit of 500 feet above the runway), and outside the 65 dBA Ldn and

above noise contour and the accident potential zone. Policies 9 and 10 of the master plan are guiding suggestions, not development district standards or a use table which has to be followed more strictly. The use is otherwise allowed in the R-R Zone and meets the requirements of the various evaluation criteria.

d. **Transportation**—The Planning Board hereby makes the following transportation-related findings:

The site is subject to the general requirements of site plan review, which include attention to parking, loading, on-site circulation, etc. There are no specific transportation-related requirements imposed by the zone or the use, and otherwise no traffic-related findings are required.

The site is adjacent to Whitfield Chapel Road, a master plan collector roadway listed in the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) with an ultimate right-of-way of 80 feet. There is an existing entrance to the site from Whitfield Chapel Road (MD 950A). This will be closed and restored per SHA standards. A new commercial entrance is shown on Ebenezer Lane. This entrance will improve traffic safety by reducing conflicts between vehicles on Whitfield Chapel Road. The freestanding signage is herein approved to be located outside the ultimate master plan right-of-way.

Three parking spaces are shown on the site plan, one is a handicap-accessible parking space. Additional parking is available at the main church on the north side of Ebenezer Lane; a crosswalk also exists on Ebenezer Lane. There is a concrete sidewalk from Ebenezer Lane to the site. In addition, on-street parking is allowed on Whitfield Chapel Road.

From the standpoint of transportation, it is hereby found by the Planning Board that this plan is acceptable and meets the finding required for a DSP as described in Section 27-285 from a transportation-related perspective.

e. **Subdivision**—The Planning Board hereby makes the following subdivision-related findings:

The subject property is composed of Lots 1 and 2, known as the Ardmere Subdivision, recorded on December 7, 1909 in Plat Book BDS 1-83, in the Prince George's County Land Records. The property is located on Tax Map 52 in Grid C-2, measures approximately 22,651 square feet, and is improved with a 2,188-square-foot single-family detached dwelling unit. The site plan includes a day care center for children located in the vacant single-family detached dwelling unit on the site. There is no additional gross floor area being approved with this DSP.

Pursuant to Section 24-111(c)(2) of the Subdivision Regulations, this site is exempt from the requirement of filing a preliminary plan of subdivision because the total development proposed does not exceed 5,000 square feet of gross floor area.

Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected.

- f. **Trails**—The subject DSP has been reviewed by the Planning Board for conformance with the Master Plan of Transportation (MPOT) and the Largo-Lottsford Master Plan and SMA in regard to implementation of trails, bikeways, and pedestrian improvements.

According to the MPOT, the Planning Board hereby finds that the DSP is impacted by a single master plan trail and that Whitfield Chapel Road is designated a bikeway and sidewalk corridor. The MPOT includes the following wording regarding the planned facilities:

Whitfield Chapel Road Sidewalks and On-Road Bicycle Facilities: These sidewalk improvements will connect existing residential communities to MD 450, Whitfield Chapel Park, and MD 704 (page 23).

Lastly, the Complete Streets section of the MPOT includes the following policies regarding sidewalk construction and accommodation of pedestrians:

Policy 1: Provide standard sidewalks along both sides of all new road construction within the Developed and Developing Tiers.

Policy 2: All road frontage improvements and road capital improvement projects within the Developed and Developing Tiers shall be designed to accommodate all modes of transportation. Continuous sidewalks and on-road bicycle facilities should be included to the extent feasible and practical.

The Planning Board hereby finds that a standard sidewalk is provided along the western side of Whitfield Chapel Road to the north of the subject site, no sidewalks exist to the south of the subject site and a crosswalk and sidewalk connection link the subject site to the property to the north. The Planning Board then stated that the revised plans that were submitted January 20, 2015 reflect sidewalks along both Ebenezer Lane and Whitfield Chapel Road.

The Planning Board hereby finds that, from a standpoint of non-motorized transportation, this plan would be acceptable, fulfill the intent of the applicable master plan and functional plans and prior conditions of approval, and meet the finding required for DSPs by Section 27-285 of the Zoning Ordinance from a trails-related perspective.

- g. **Environmental Planning**—The Planning Board stated that they had reviewed the subject DSP and found no outstanding issues regarding the environmentally-related aspects of the DSP.

The site is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance because fewer than 10,000 square feet of woodland are located on it and it is the subject of no previously approved tree conservation plan. In this regard, the Planning Board issued a Woodland Conservation Exemption Letter, on July 14, 2013.

Noting that the subject site is not in a transit or development district overlay zone, the Planning Board stated that the subject site contains none of the following environmental features: specimen trees, wetlands and/or streams; 100-year floodplain, primary management area, Chesapeake Bay critical area, green infrastructure plan areas, scenic and/or historic roadways, or Marlboro clay soils. With respect to noise, noting that Whitfield Chapel Road is a collector roadway, that Ebenezer Lane is an undesignated roadway, that the use is not residential, and that an outdoor playground is included on the DSP, the Planning Board stated that no on-site noise contours would be required to be added to the DSP.

- h. **Prince George's County Fire/EMS Department**—In a memorandum dated April 7, 2014, the Fire/EMS Department offered information regarding needed accessibility, private road design, and the location and performance of fire hydrants. On May 13, 2015, the Office of the Fire Marshal confirmed that the revised plans have no impact on their original comments.
- i. **Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated May 19, 2015, DPIE offered the following:
- Right-of-way dedication and frontage improvements including curb and gutter, sidewalk, and street trees will be required for Ebenezer Lane as determined by the Prince George's County Department of Public Works and Transportation (DPW&T) and DPIE. The right-of-way along Whitfield Chapel Road is maintained by SHA; therefore, coordination with SHA official is necessary.
 - DPIE has no objection for the proposed commercial entrance at Ebenezer Lane.
 - The site has an approved Site Development Concept Plan, 23374-2013, dated October 1, 2013. The proposed DSP is determined to be consistent with the approved concept plan.
 - All improvements within the public rights-of-way, as dedicated for public use to the County, are to be designed in accordance with the County's Road Ordinance, DPW&T's standards and specifications, and the Americans with Disabilities Act.

- Main sidewalk is required at both sides of Ebenezer Lane within the permit frontage.
- Full-width two-inch mill and overlay for the frontage on Ebenezer Lane is required.
- Compliance with DPW&T's Utility Policy is required. Proper temporary and final patching and the related mill and overlay, in accordance with the established DPW&T's Policy and Specification for Utility Installation and Maintenance Permits, are required.

DPIE's requirements will be met through their separate permitting process.

- j. **Prince George's County Police Department**—In a memorandum dated January 22, 2015, the Police Department indicated that, after reviewing the plans and visiting the site, they would like all existing exterior building-mounted lights to be checked and certified for proper operation.

A condition of this approval requires that, prior to issuance of a use and occupancy permit, the applicant shall provide written certification from a licensed electrician that all exterior building-mounted lights have been examined and are operating properly.

- k. **Prince George's County Health Department**—In a memorandum dated February 18, 2015, the Health Department stated that they had completed a health impact assessment review for the subject project and offered the following comments or recommendations:

The site is located within 300 feet of a major arterial road at the intersection of John Hanson Highway (US 50) and the Capital Beltway (I-95/495). Published scientific reports have found that noise generated from road traffic, considered a chronic environmental stressor, could impair cognitive development in children, such as reading comprehension, speech intelligibility, memory, motivation, attention, problem-solving, and performance on standardized tests.

There is an emerging body of evidence indicating that fine particulate air pollution from traffic is associated with childhood asthma. Several large-scale studies demonstrate that increased exposure to fine particulate air pollution is also associated with detrimental cardiovascular outcomes, including increased risk of death from ischemic heart disease, higher blood pressure, and coronary artery calcification.

The issues raised by the Health Department are outside the Planning Board's jurisdiction and authority to condition.

13. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible if environmental features exist. In this case, the property is devoid of any 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 the Detailed Site Plan DSP-13023 and further APPROVED Alternative Compliance No. AC-14004, subject to the following conditions:

- d. Correct the Section 4.2 schedule for Ebenezer Lane so that the number of ornamental and evergreen trees “provided” matches the number shown on the landscape plan.

- e. Correct the number of plant units "required" in the Section 4.7 schedule for Bufferyard 1 to 43.
 - f. Add a note to the plans stating that a maximum of ten children will be allowed in the play area at a time.
2. Prior to issuance of a use and occupancy permit for the project:
- a. The applicant shall purchase and install one "Share the Road with a Bike" sign along Whitfield Chapel Road, in accordance with the Maryland State Highway Administration's (SHA) Manual on Uniform Traffic Control Devices provisions for bicycle facilities, unless this requirement is modified by SHA.
 - b. Provide written certification from a licensed electrician stating that all exterior building-mounted lights have been examined and are operating properly.

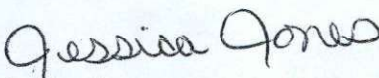
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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 Bailey, seconded by Commissioner Washington, with Commissioners Bailey, Washington, Geraldo and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, June 4, 2015, in Upper Marlboro, Maryland.

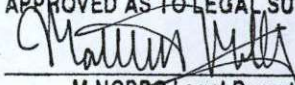
Adopted by the Prince George's County Planning Board this 18th day of June 2015.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:RG:ydw

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPC Legal Department
Date 6/10/15