

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 July 31, 2014, regarding Detailed Site Plan DSP-86072-01 for St. Mary's Catholic Church Daycare Center, the Planning Board finds:

1. **Request:** The subject application is for approval of a DSP for a day care center ancillary to an existing church.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-A and R-R	R-A and R-R
Use(s)	Church, Private School, Office, Rectory	Church, Private School, Office, Rectory, Day Care
Acreage	16.30	16.30
Lots	1	1
Parcels	0	0

OTHER DEVELOPMENT DATA

Parking Data:

Parking Spaces Required

Church (416 seats @ 1 space/4 seats)	104
Office (1,946 square feet @ 1 space/250 SF)	8
Chapel (40 seats @ 1 space/4 seats)	10
Rectory	2
Private School (200 students @ 1 space/6 students)	34
Day Care (30 children @ 1 space/8 children)	4
Total parking required	162
Parking Spaces Provided	162

3. **Location:** The subject site is located in Planning Area 84, Council District 9. St. Mary's Catholic Church is located on the west side of Piscataway Road, approximately 350 feet north of its intersection with Floral Park Road and 2,650 feet south of its intersection with Gallahan Road.

4. **Surrounding Uses:** The subject property is bounded to the north and west by undeveloped property owned by the church in the Residential-Agricultural (R-A) Zone; to the east across Piscataway Road by undeveloped property in the R-A and Reserved Open Space (R-O-S) Zones; and to the south by single-family detached dwellings in the R-A Zone.
5. **Previous Approvals:** The site under review was the subject of Preliminary Plan of Subdivision 4-86188, approved by the Planning Board on December 18, 1986. The site was also the subject of Detailed Site Plan DSP-86072, approved by the Planning Board on August 7, 1986 (PGCPB Resolution No. 86-324).
6. **Design Features:** The subject application is for approval of a day care center for 30 children in an existing space currently used for a church office. No exterior construction is proposed or required to provide the day care facility. The office/day care building is part of the larger church campus that includes the original chapel and cemetery, rectory, main church, private school, play areas, and associated parking. The buildings are generally grouped around a green courtyard and set back from the roadway. Except for the chapel, the campus buildings are located behind the cemetery, which fronts a service drive which provides access to/from Piscataway Road and which runs along the perimeter of the property.
7. **Prince George's County Zoning Ordinance:** The application has been reviewed for compliance with the requirements of the Zoning Ordinance 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 day care development is a permitted use in the R-A Zone as it is an ancillary use to an existing church.
 - b. The proposed development is also in conformance with Section 27-445.03, Daycare center for children, which addresses the following site design requirements for day care uses:
 - (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 applicant is proposing an enrollment capacity of 30 children, requiring a minimum 1,125-square-foot play area for 15 children. A 2,759-square-foot outdoor play area currently exists on the south side of the existing church office building. This requirement is met.

- (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 proposal is 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 location of the existing play area within the church campus does not necessitate a greater setback or higher fence.

- (iv) **The play area shall contain sufficient shade during the warmer months to afford protection from the sun;**
- (v) **Sufficient lighting shall be provided on the play area if it is used before or after daylight hours to insure safe operation of the area; and**
- (vi) **Outdoor play shall be limited to the hours between 7 A.M. and 9 P.M.**

The existing play area does not currently provide shade from the sun during the warmer months. The applicant is proposing to install a pervious vinyl sunscreen canopy; however, a condition requiring a permanent structure is included in the Planning Board's approval. In addition, a condition adding a general note indicating that the hours of outdoor play will be limited to daylight hours is also included.

- c. The proposed development is also in general conformance with the parking requirements set forth in Part 11 of the Zoning Ordinance; however, the site plan should indicate conformance with Section 27-568, which requires the provision of one loading space (33 feet by 12 feet). The site plan shows a loading area adjacent to the one-story school building, but it must be dimensioned accordingly.

- 8. **2010 Prince George's County Landscape Manual:** The property is located within the geography previously designated as the Developing Tier and reflected on Attachment H(5) of the 2014 *Approved Plan Prince George's 2035 General Plan*, as found in Prince George's County Planning Board Resolution No. 14-10 (see County Council Resolution CR-26-2014, Revision No. 31). The proposed development is exempt from the standards of the 2010 *Prince George's County*

Landscape Manual since no increase in gross floor area or impervious surface for parking is proposed. Nonetheless, the applicant is proposing to provide shade trees in general compliance with the requirements for interior planting of parking lots by installing a total of 11 additional shade trees in parking areas A, B, and C.

9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The property is exempt from the requirements of the Woodland and Wildlife Habitat Conservation Ordinance since there is no previous tree conservation plan for the site, and no clearing or grading is proposed for the day care facility.
10. **Prince George's County Tree Canopy Coverage Ordinance:** Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require a grading or building permit for more than 5,000 square feet of disturbance. The day care facility will be located in an existing structure; therefore, the application is exempt from TCC requirements. It is noted that the church campus is well-landscaped with numerous existing mature trees, which the applicant is proposing to supplement with interior parking lot plantings.
11. **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**—In an email dated May 13, 2014, the Historic Preservation Section indicated that the proposed day care facility would have no impact on historic sites or resources.

The Planning Board notes that Old St. Mary's Church and its cemetery are a designated County Historic Site (84-10). The original church, constructed in 1838, was replaced in 1904 in the same location. The environmental setting is the 2.75-acre cemetery. The other structures are outside of the environmental setting.

- b. **Community Planning**—In a memorandum dated July 8, 2014, the Community Planning Division provided the following summarized analysis:

The 2014 *Approved Plan Prince George's 2035 General Plan* (Plan Prince George's 2035) designates the property within the Established Communities policy area, and the proposed use is generally consistent with the goals and policies of Plan Prince George's 2035. The 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* designates this development for residential land use.

The property is located within the Joint Base Andrews (JBA) Interim Land Use Control (ILUC) impact area. The property is within Imaginary Surface F (Inner Horizontal Surface), establishing a height limit of 500 feet above the runway surface and a total of

774 feet above sea level at this location. The property is not located within noise contours or an accident potential zone.

The proposed development is located approximately four miles east of the Mount Vernon National Historic Site located in Fairfax County, Virginia. Although the property is located within the boundaries of the Mount Vernon Viewshed Area of Primary Concern, a sight line analysis from Mount Vernon to the day care site shows that the existing buildings and proposed use will not be visible from Mount Vernon.

The Planning Board notes that on June 30, 2014, the Prince George's County District Council adopted Resolution CR-70-2014. This resolution extends the ILUC through June 30, 2015.

- c. **Permit Review**—In a memorandum dated May 22, 2014, the Permit Review Section offered numerous comments that have been addressed either by revisions to the plan or in the recommended conditions below.
- d. **Environmental Planning**—In an e-mail dated July 3, 2014, the Environmental Planning Section indicated that the subject site was exempt from the Woodland and Wildlife Habitat Conservation Ordinance and other environmental regulations. However, if grading over 5,000 square feet is required for any activity associated with the proposed use, a grading permit would be required which would trigger the requirement for a natural resources inventory (NRI) and compliance with the ordinance. No impacts to sensitive environmental areas on the site are identified.

The site is also exempt from stormwater management concept plan requirements. A condition is included in the Planning Board's approval requiring a letter from the Department of Permitting, Inspections and Enforcement (DPIE) indicating that the site is exempt from the requirements.

- e. **Prince George's County Department of Human Resources**—No memorandum was received with regard to the subject application.
- 12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the detailed site plan satisfies the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
 - 13. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a detailed site plan:

- (4) **The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

The site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible in accordance with Section 24-130(b)(5) of the Subdivision Regulations. The on-site regulated environmental features include 100-year floodplain. Impacts to the regulated environmental features have been limited to those that are necessary for the development of the property, and were previously approved by Detailed Site Plan DSP-86072. No additional impacts are proposed with the subject application.

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-86072-01, subject to the following conditions:

1. Prior to certificate of approval of the detailed site plan, the following revisions shall be made or information provided:
 - a. A general note shall be added indicating that outdoor play areas shall be limited to the hours between 7:00 a.m. and 9:00 p.m.
 - b. Provide a permanent shade structure including details for the 2,759-square-foot play area (Playground A).
 - c. Indicate the height and type of fence provided for Playground A.
 - d. Provide one 33-foot by 12-foot loading space.
 - e. Provide the width of Piscataway Road.
 - f. Provide a letter of exemption from the Department of Permitting, Inspections and Enforcement (DPIE) for stormwater management.

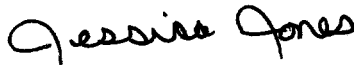
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

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, Shoaff and Hewlett voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, July 31, 2014, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 31st day of July 2014.

Patricia Colihan Barney
Executive Director



By Jessica Jones
Planning Board Administrator

PCB:JJ:CF:arj

APPROVED AS TO LEGAL SUFFICIENCY.



M-NCPPC Legal Department

Date

8/4/14