

R E S O L U T I O N

WHEREAS, the Prince George’s County Planning Board has reviewed Special Permit Application No. SP-200002, St. Joseph’s House, requesting a single-family dwelling with a family day care use in accordance with Subtitle 27 of the Prince George’s County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on March 11, 2021, the Prince George’s County Planning Board finds:

1. **Request:** This special permit requests to develop a family day care use within an existing single-family detached residential dwelling in the Development District Overlay (D-D-O) Zone of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District* (Gateway Arts District Sector Plan and SMA).The companion Detailed Site Plan DSP-20013 was also approved by the Planning Board on March 11, 2021 (PGCPB Resolution No. @) for site improvements relative to the proposed use, including a building addition.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-55/D-D-O	R-55/D-D-O
Use(s)	Residential	Residential with family day care
Acreage	0.18	0.18
Lots	1	1
Square Footage/GFA	2,486	2,918 (432 sq. ft. addition)

3. **Location:** The subject site, known as 4000 Oliver Street, is located in the northeast quadrant of the intersection of Oliver Street and 40th Avenue, within the municipal limits of the City of Hyattsville, and in Planning Area 68 and Council District 02.
4. **Surrounding Uses:** The subject property is zoned One-Family Detached Residential (R-55) and is bounded to the north and east by existing single-family detached houses in the R-55 Zone, to the south by the right-of-way of Oliver Street with single-family detached houses in the R-55 Zone beyond, and to the west by the right-of-way of 40th Avenue with single-family detached houses in the R-55 Zone beyond. The subject site and all those surrounding it are located within the D-D-O Zone.
5. **Previous Approvals:** There are no prior zoning approvals associated with the subject site. The site is the subject of Stormwater Management (SWM) Concept Plan 38798-2020-00, which was approved by the Prince George’s County Department of Permitting, Inspections and Enforcement on October 30, 2020 and is valid until October 30, 2023.

6. **Design Features:** The subject site is a 0.18-acre (7,670 square feet) lot with an existing single-family detached dwelling originally constructed in approximately 1938, predating the current Zoning Ordinance. The lot is rectangular in shape and the existing 2,486-square-foot, two-story, approximately 23-foot-high house sits in the middle northern end. The house faces south toward Oliver Street, has a concrete driveway in the northwest corner, and a separate shed in the northeast corner. A 432-square-foot, one-story addition, approximately 12 feet in height is proposed with the companion DSP, in the front, southern end of the existing dwelling. With the addition, the southern entrance to the house is being removed, but the building materials and design are otherwise maintained. The architectural design includes a gray, asphalt-shingled, gabled roof, gray vinyl siding, multiple residential-style windows, and a painted cinder block foundation.

The subject special permit application proposes to add a family day care as an accessory use to the existing primary residential use.

COMPLIANCE WITH EVALUATION CRITERIA

7. **2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:** The subject site is located within the Traditional Residential Neighborhood (TRN) Character Area of the D-D-O Zone of the Gateway Arts District Sector Plan and SMA. The D-D-O Zone Use Table requires a special permit be approved for the proposed family day care use in this Character Area, and then also requires DSP review for uses that require a special permit.

In addition, Footnote 2 on page 144 of the Gateway Arts District Sector Plan and SMA provides that R-55-zoned properties in the TRN Character Area within the City of Hyattsville are exempt from the development district standards of the D-D-O Zone and will abide by the requirements of the R-55 Zone. The subject site meets the exemption criteria of Footnote 2, as it is zoned R-55 and is within the City of Hyattsville, and is therefore exempt from the D-D-O Zone standards.

8. **Prince George's County Zoning Ordinance:** The SP application has been reviewed for compliance with the requirements of the Zoning Ordinance:

- a. Section 27-239.02(a)(6), Special Permits prescribes the following required findings for approval of a special permit:

(C) **The Planning Board may grant a Special Permit in other zones, as provided in the use tables, if it finds:**

- (i) **The site plan generally conforms with design guidelines in an approved Master Plan or other applicable plan; and**

As detailed in Finding 7, this application meets the exemption criteria of Footnote 2 of the D-D-O Zone Use Table, and conformance with the

D-D-O Zone development standards is not required. However, the proposed minor addition to the existing single-family dwelling and addition of a family day care as an accessory use is compatible with the goals and guidelines for development within the TRN Character Area of the Gateway Arts District Sector Plan and SMA.

(ii) **The site plan shows that the proposed use will not be incompatible with adjacent properties because of building or site design.**

The SP, and companion DSP, shows the existing residential use, and proposed family day care, as accessory to the residential use, will be compatible and complementary with adjacent properties. The proposed building addition is also in character with the adjacent development.

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, and are incorporated herein by reference:

- a. **Community Planning**—The Planning Board adopts a memorandum dated January 28, 2021 (Hyson to Bossi), which noted no major issues with the proposed project and suggested an increase of the width of the proposed walkway.
- b. **City of Hyattsville**—The Planning Board adopts a letter dated February 17, 2021 (Ward to Hewlett), in which the interim mayor notified the Prince George’s County Planning Board that on February 16, 2021, the City Council reviewed and unanimously voted to support the approval of the companion DSP and the special permit. It was additionally noted that the services to be provided by St. Joseph’s House are critical to the community and the facility’s presence in Hyattsville is highly valuable.

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 Special Permit SP-200002 for St. Joseph’s House.

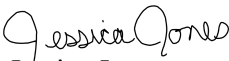
BE IT FURTHER RESOLVED, that an appeal of the Planning Board’s action must be filed with the Circuit Court for Prince George’s County, Maryland within thirty (30) days of the final notice of the Planning Board’s decision.

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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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 11, 2021, in Upper Marlboro, Maryland.

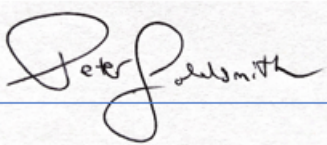
Adopted by the Prince George's County Planning Board this 18th day of March, 2021.

Elizabeth M. Hewlett
Chairman

By 
Jessica Jones
Planning Board Administrator

EMH:JJ:AB:nz

APPROVED AS TO LEGAL SUFFICIENCY



M-NCPPC Legal Department
Date: March 12, 2021