

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 September 7, 2006, regarding Detailed Site Plan DSP-05081 for Forestville Baptist Church, the Planning Board finds:

1. **Request:** This application requests approval for a private school, the Children of Promise Christian Academy, in the currently occupied building of the Forestville Baptist Church.
2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	I-1	I-1
Use(s)	Church	Church/Private School (Christian Academy)
Acreage	3.03	3.03
Lots	NA	NA
Parcel (5 & 6)	2	2
Building Square Footage/GFA	13,796	13,796
Private School	3,260	3,260
Library/Pastor Study	3,260	3,260
Church Sanctuary	7,276	7,276
Play Area (square feet)	16,885	16,885

OTHER DEVELOPMENT DATA

	<b>REQUIRED</b>	<b>PROPOSED</b>
Total Parking Spaces	42	59
Church	28	42
Private School	14	14
Handicap Van Spaces	2	3

3. **Location:** The site is in Planning Area 75A, Council District 6. More specifically, it is located on the north side of Marlboro Pike, approximately 1000 feet east of Forestville Road.
4. **Surroundings and Use:** The subject property is bounded to the north by a residential dwelling in I-1 (Light Industrial) Zone; to the east by an auto storage yard in the I-1 Zone; to the west by vacant property in the I-1 Zone. The site is facing Marlboro Pike to the south.
5. **Previous Approvals:** The property has an approved Numbered Exemption E-54-03, issued by the Environmental Planning Section on September 25, 2003, which is expired.

6. **Design Features:** The subject site is accessed from Marlboro Pike. The entrance point leads into a parking lot along a sidewalk that leads to the two-story brick church and 3,260-square-foot private school. The proposed private school is located within the church building. The grade levels provided for the Children of Promise Academy are K through 6<sup>th</sup> grade (ages 3-11 years) with 84-student enrollment. The school hours are from 8:30 a.m. to 3:00 p.m. There is an existing 16,885 square foot playground on the northwestern side of church. The playground is completely surrounded by a six-foot-high chain-link fence; there is a tree within the play area, which provides some shade for the children. The proposed parking for the project is provided along the west side of church.

#### COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the I-1 Zone, the site plan design guidelines and the provisions regarding school establishments of the Zoning Ordinance.
  - a. The subject application is in conformance with the requirements of Section 27-473(b), which governs permitted uses in commercial zones. The proposed private school is a permitted use in the I-1 Zone.
  - b. The proposed private school is in conformance with the requirements of Section 27-475.06.01, Regulations, regarding additional regulations for development in commercial zones.
8. **Landscape Manual:** The proposed development is exempt from the requirements of the *Landscape Manual* according to Section 1.1.c. Applicability of the Landscape Manual: **“Permits for interior or exterior rehabilitation of an existing building which do not involve any change of use or increase in the gross floor area (GFA) of the building are exempt from the requirements of Sections 4.1, 4.2, 4.3, and 4.7 of this Manual.”** The applicant is not proposing any addition or increase of gross floor area to the existing church building.
9. **Woodland Conservation Ordinance:** In a memorandum dated July 17, 2006, the Environmental Planning Section states:

“This property is subject to the provisions of the Prince George’s County Woodland Conservation and Tree Preservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. Because this application does not propose an activity that will result in the disturbance of more than 5,000 square feet of woodland and there are no previously approved Tree Conservation Plans for this property, the use as currently proposed is exempt from the requirements of the Woodland Conservation Ordinance. The application as submitted proposed zero square feet of woodland disturbance. Revisions to the plans resulting in woodland disturbances will need to be evaluated to determine if the property maintains the exempt status or would require the approval of a Tree Conservation Plan. A Letter of Exemption (E-54-03) was issued by the Environmental Planning Section on September 25, 2003 for the subject

property, but it has since expired. A new and revised numbered exemption letter is attached and should be forwarded to the applicant for their use in permit applications.” A standard letter of exemption from the ordinance would be required prior to the issuance of the permit, noting that the woodland areas on site would not be disturbed.

Comment: The Environmental Planning Section has issued an approved letter of exemption from the Woodland Conservation Ordinance for the subject property, which expires on July 14, 2008. The proposed plan is not subject to the requirements of the Woodland Conservation Ordinance, because the proposed activity will disturb less than 5,000 square feet of woodland and there are no previously approved Tree Conservation Plans. The site contains more than 10,000 square feet of existing woodland and the property is larger than 40,000 square feet. The subject property is exempt from the requirements of Woodland Conservation Ordinance until such time as the cumulative woodland disturbance exceeds 5,000 square feet during any five-year period or the site is required to go through the subdivision process.

10. **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 August 9, 2006, the Community Planning Division stated that the proposed application is not inconsistent with the 2002 *Prince George's County Approved General Plan* Development Pattern policies for the Developing Tier. The proposed application conforms to the land use recommendations for public or quasi-public uses of the 1985 *Approved Master Plan and Adopted Sectional Map Amendment* for *Suitland-District Heights and Vicinity, Planning Areas 75A and 75B*.

**Transportation:** As of writing of this report no comments were received from the Transportation Planning Section.

**Subdivision:** In a memorandum dated July 19, 2006, the Subdivision Section stated: The property consists of two acreage parcels, which have not previously been the subject of a preliminary plan or final plat of subdivision. The Detailed Site Plan submitted demonstrates that there are no additions, or any increase of gross floor area proposed to the existing church building at this time. Therefore, a preliminary plan of subdivision is not required in accordance with Section 24-107(c)(7)(C) of the Prince George's County Subdivision Regulations.

**Permits:** In a memorandum dated July 17, 2006, the Permit Review Section offered the following comments:

1. The Permits Office has permits placed on hold for this site that include a daycare use. Does the church still have intentions of having a daycare at this location? If so, it should be include in the application.

Comment: This application if for private school use and no day care use is proposed for the subject site.

2. The building was constructed in 1960; the date of construction should be placed on the site plan under the general notes. Any parking provided prior to 1970 shall be shown at 10 feet by 20 feet with 2-way traffic drive aisles of a minimum of 18 feet wide. Parking spaces 9 feet by 19 feet in size is not an adequate size per Part 11 of the Prince George's County Zoning Ordinance.

Comment: The applicant revised the site plan to provide 10-foot by 20-foot spaces with 2-way traffic drive aisles of a minimum of 18 feet wide. A total of 42 parking spaces is required for this site. The applicant is providing 39 (10'x20'), 7 parallel parking (8'x22'), 10 compact parking (8'x16.5'), 2 handicapped spaces (13'x22'), 1 van accessible parking (16'x20'), and 1 loading space (15'x 20').

3. The general notes shall include the zoning of the property as well as the lots size.

Comment: The zoning of the property and lot size have been included in the general notes.

4. The square footage, gross floor area and use of each building shall be included on the site plan and parking provided for each use.

Comment: The square footages of all structures on site including their parking are provided on the site plan.

5. The Site Plan shall include the total number of seats in the church and the total number of children including the grades in the private school. If the church will have Sunday school to be occupied at the same time as normal church services, additional parking will be require. If not, place a note on the site plan.

Comment: The applicant is not providing a Sunday school at the same time as regular church services, thus no additional parking is required. A total of 165 seats is provided in the church sanctuary and an enrollment of 84 students, grades K-6<sup>th</sup> grade, is proposed for the private school.

6. Is the site plan in conformance with the Subdivision Regulations? Refer to Subdivision Office for review.

Comment: The proposed site plan was referred to the Subdivision Section. A Preliminary Plan of Subdivision is not required in accordance with Section 24-107(c)(7)(C) of the Prince George's County Subdivision Regulations.

7. Section 27-475.06.01(1), (A) requires at least 100 square feet of usable space per student unless the private school is for special education or the applicant demonstrate that less usable space per student is adequate.

Comment: The proposed site has an existing fenced outdoor play area with one shade tree.

8. If the structures exceed 10,000 square feet a loading space at 15-feet by 20-feet in size must be provided.

Comment: The required loading space is provided.

9. The review of this referral does not include the review of any signage.

Comment: There was no signage package included with this application.

**Environmental Planning:** In a memorandum dated July 17, 2006, the Environmental Planning Section offered the following comments:

#### SITE DESCRIPTION

This 3.03-acre site in the I-1 zone is located on the north side of Marlboro Pike, approximately 1000 feet east of Forestville Road. A review of the available information indicates that streams, wetlands, 100-year floodplain, severe slopes, and areas of steep slopes with highly erodible soils are not found to occur on this property. Roadway related noise associated with Marlboro Pike, a collector roadway, is not an issue. However, this site is in close proximity to the I-95, and is located within the Air Compatible Installation Use Zone of Andrews Air Force Base, both of which are major noise generators and generally regulated for noise impacts. The predominant soil type on the site is Beltsville series. This soil series generally exhibits moderate to severe limitations to development due to steep slopes, impeded drainage and perched water table. According to available information, Marlboro clay does not occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads in the vicinity of this application. This property is located in the Southwest Branch watershed of the Patuxent River basin and in the Developed Tier as reflected in the 2002 adopted General Plan.

#### ENVIRONMENTAL REVIEW

As revisions are made to the plans submitted the revision boxes on each plan sheet shall be used to describe what revisions were made, when, and by whom.

This property is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the gross tract area is in excess of 40,000 square feet and there are more than 10,000 square feet of existing woodland on-site. Because this application does not propose an activity that will result in the disturbance of more than 5,000 square feet of woodland and there are no previously approved Tree Conservation Plans for this property, the use as currently proposed is exempt from the requirements of the Prince George's County Woodland Conservation Ordinance. The application as submitted proposes zero square feet of woodland

disturbance. Revisions to the plans resulting in woodland disturbance will need to be evaluated to determine if the property maintains the exempt status or would require the approval of a Tree Conservation Plan. A Letter of Exemption (E-54-03) was issued by the Environmental Planning Section on September 25, 2003 for the subject property, but it has since expired. A new and revised numbered exemption letter is attached and should be forwarded to the applicant for their use in permit applications.

**Environmental Comment:** No further action is needed with regard to the Woodland Conservation Ordinance at this time.

Noise levels can be high on the subject property due to aircraft over flights from Andrews Air Force Base. Because there are no changes being proposed to the structures on the site at this time, no interior or exterior noise mitigation measures will be recommended. If, in the future, structural changes are proposed to the buildings or outdoor play area, consideration should be given to providing noise mitigation to ensure that interior noise levels are no greater than 45 dBA Ldn and to providing an outdoor structure at least 10 feet by 10 feet in area to provide shade and a place where children can go to be protected from the episodic noise.

**Environmental Comment:** No additional information or changes are needed with respect to noise at this time. Future considerations of noise mitigation will be addressed on any future applications that result in structural changes to the buildings or play area.

Comment: The Environmental Planning Section issued a Letter of Exemption for the subject site. The submitted Site Plan addresses the environmental constraints for the subject property. However, a standard letter of exemption would be required prior to issuance of a permit for the project with no disturbance to the proposed woodland areas. The Environmental Planning Section recommends the approval of Detailed Site Plan (DSP-05081).

**Department of Environmental Resources (DER):** In comments received by the Urban Design Section on July 25, 2006, DER stated that their office had no objections to the proposed project.

**Prince George's County Fire Department:** At the time of writing of this report no comments were received from the Fire Department.

**Department of Public Works and Transportation (DPW&T):** In a memorandum date August 9, 2006, the DPW&T stated: "right-of-way dedication for Marlboro Pike is required in accordance with DPW&T's urban commercial and industrial road standards. The plan submitted appears to be an existing church without any additions or construction proposed under this referral."

**Morningside:** At the time of writing of this report no comments were received from the Town of Morningside.

11. 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-05081, subject to the following condition:

1. Prior to signature approval of the proposed detailed site plan, the following revisions shall be made to the plans or required items shall be submitted:
  - a. The height of all existing fences shall be clearly indicated on the site plan.
  - b. Provide the square footage, gross floor area and use of each building on the site plan.

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 Eley, seconded by Commissioner Clark, with Commissioners Eley, Clark, Squire, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, September 7, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 7th day of September 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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