

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 April 2, 2009, regarding Detailed Site Plan DSP-01037 for Prince George's Muslim Association Property, the Planning Board finds:

1. **Request:** The subject application is a request for approval of a 15-foot by 25-foot addition to the existing mosque and private school and validation of an existing parking facility on the west side of the building.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-55	R-55
Use(s)	Mosque & Private School	Mosque & Private School
Acreage	5.45	5.45
Lots	29	29
Square Footage	19,000	19,375
Dwelling Units	0	N/A

Parking Data

Required

Church (200 seats @ 1 space per 4 seats)	50
School (100 students @ 1 space per 6 students up to 9 th grade)	17

Total 67
of which, 3 are required to be handicap

Provided

Standard	63
Compact	110
Handicap	6

Total 179

3. **Location:** The property is located in Planning Area 70, Council District 3, southwest of the intersection of Lanham Severn Road (MD 564), Main Street and 8th Street.

4. **Surrounding Uses:** The subject site is bounded to the north by 8th Street and single-family detached residences, to the east by Main Street, to the west by Cipriano Road and to the south by Lanham Severn Road and 9th Street.
5. **Previous Approvals:** Record Plat WWW7@23 was recorded for the subject site on August 8, 1939. On November 1, 2001, the Prince George's County Planning Board approved Detailed Site Plan DSP-01037 (PGCPB Resolution No. 01-225) for a private school use within an existing building subject to conditions. The site is the subject of Stormwater Management Concept Plan 20876-2008-00, which will remain valid until August 21, 2011.
6. **Design Features:** The subject application proposes the construction of a 12-foot by 25-foot addition to an existing mosque and private school located on a 5.46-acre repurposed surplus school site in the R-55 Zone. The existing L-shaped building is 19,000 square feet in size and includes 200 seats and a private school for 100 children. The 375-square-foot addition will be located on the north side of the building and will be clad with brick to match the existing structure. The applicant also seeks approval of an existing parking facility located on the west side of the building. Fencing and plant material will be installed along the north and west property lines where the parking facility is adjacent to single-family detached residences on Lots 9 and 10.
7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-55 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(b), which governs permitted uses in residential zones. The existing mosque and private school are permitted uses in the R-55 Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-442, regarding regulations in the R-55 Zone.
 - c. The subject application is in conformance with the requirements of Section 27-443 regarding additional requirements for a private school in a residential zone.

The school is located on property of at least five acres in size and the proposed enrollment is below the maximum of 400 students.

The property has frontage on and direct vehicular access to Lanham Severn Road, a street with a paved surface at least 36 feet wide.

A 10,800-square-foot play area is proposed to be provided, which is in excess of the 10,000 square feet required for a private school with an enrollment of 100 children. The play area is located at least 25 feet from any dwelling on any lot, is buffered from adjoining uses in accordance with the provisions of the *Prince Georges County Landscape Manual* and is proposed to be enclosed with a five-foot-high fence.

8. **Detailed Site Plan DSP-01037:** On November 1, 2001, the Prince George’s County Planning Board approved Detailed Site Plan DSP-01037 (PGCPB Resolution No. 01-225) for a private school use within an existing building subject to one condition, which is not applicable to the review of the subject detailed site plan. The subject detailed site plan is in conformance with DSP-01037.

9. **Prince George’s County Landscape Manual:** The proposed development is subject to Section 4.3, Parking Lot Requirements, for the portion of the parking facility that has been added since the approval of DSP-01037/01 and Section 4.7, Buffering Incompatible Uses, where parking is proposed closer to the adjacent single-family detached lots than is allowed per the Landscape Manual.

Alternative Compliance was requested from Sections 4.3(a) and 4.7 of the *Prince George’s County Landscape Manual*.

The site is subject to the *Prince George’s County Landscape Manual* Parking Lot Landscaped Strip, and 4.7, Buffering Incompatible Uses, of the *Prince George’s County Landscape Manual* because the parking facility is located partially within the 30-foot landscaped yard required adjacent to the existing single-family detached residences on Lots 9 and 10 to the northwest. The parking facility is also located partially within the ten-foot-wide landscaped strip required adjacent to 9th Street pursuant to Section 4.3(a) of the *Prince George’s County Landscape Manual*.

REQUIRED: 4.7 Buffering Incompatible Uses, along the west property line adjacent to a single-family detached dwelling on Lot 10.

Length of bufferyard	80 feet
Building setback	40 feet
Landscape yard	30 feet
Fence or wall	(Yes)
Plant units (120 per 100 l.f.)	48 plant units

PROVIDED: 4.7 Buffering Incompatible Uses

Length of bufferyard	80 feet
Building setback	115 feet
Landscape yard	10 feet
Fence or wall	Yes (6-foot-high, sight-tight)
Plant units	85 (17 existing evergreens with a minimum 4-inch caliper)

REQUIRED: 4.7 Buffering Incompatible Uses along the north property line adjacent to single-family detached dwellings on Lots 9 and 10.

Length of bufferyard	55 feet
Building setback	40 feet
Landscape yard	30 feet
Fence or wall	Yes
Plant units (80 per 100 l.f.)	33 plant units

PROVIDED: 4.7 Buffering Incompatible Uses

Length of bufferyard	55 feet
Building setback	N/A
Landscape yard	10 feet
Fence or wall	Yes (6-foot-high, sight-tight)
Plant units	50 plant units

REQUIRED: 4.3(a) Parking Lot Landscaped Strip along 9th Street.

Linear feet of street frontage of parking lot	40 feet
Minimum width of landscaped strip	10 feet
Number of shade trees	2
Number of shrubs	12

PROVIDED: 4.3(a) Parking Lot Landscaped Strip

Linear feet of street frontage of parking lot	40 feet
Minimum width of landscaped strip	6 feet
Number of shade trees	2 (existing)
Number of evergreens	2 (existing)
Number of ornamentals	3 (existing)

The applicant is requesting relief due to existing conditions on this site. A parking facility was constructed without proper permits on the west side of the existing school/mosque building. The applicant is seeking detailed site plan approval of the existing parking facility and to construct a 375-square-foot addition to the existing mosque. In order to justify the reduction in the width of the Section 4.7 bufferyard adjacent to the single-family detached residences to the northwest, the Planning Board finds that the proposed six-foot-high non-wood board-on-board fence, the preservation of the existing trees on-site, and the incorporation of additional evergreen plant material along the northern property line will result in buffers that are equal or better than normal in compliance with the *Prince George's County Landscape Manual*. Likewise, the preservation of existing trees along 9th Street, which is an unimproved right-of-way, will result in a landscaped strip that is equal or better than the strict requirements of Section 4.3(a) of the *Prince George's County Landscape Manual*.

9. **Woodland Conservation and Tree Preservation Ordinance:** The site is exempt from the requirements of the Woodland Conservation and Tree Preservation Ordinance because the plan shows the clearing of zero square feet of existing woodland. This exemption will remain valid 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. A letter of exemption has been issued for the site under Exemption No. E-027-08, which will remain valid until July 8, 2010.

10. **Planning Board Analysis:**

Subdivision:

The property is the subject of record plat WWW7@23, recorded August 8, 1939. The subject site includes Lots 11-40. It is known as the Addition to Hynesboro Park.

Section 24-107 (c)(7)(D) of the Subdivision Regulations does not require the approval of a preliminary plan of subdivision for Lots 11-40 if the existing building development constitutes more than ten percent of the total area of the site and has been constructed pursuant to a building permit issued on or before December 31, 1991. Groups of record lots can form one building site if the minimum requirements of the zoning ordinance are met. The applicant is not proposing a gross floor area that exceeds 5,000 square feet.

The detailed site plan is in conformance with the approved record plat. There are no other subdivision issues at this time.

Permits: Several issues relating to the issuance of permits have either been addressed through revisions to the plans or are not applicable at this time.

Department of Public Works and Transportation (DPW&T): DPW&T offered the following comments:

- Restoration bond for the entrance on 8th Street in accordance with DPW&T standard bond and fee schedule is required at time of the building permit.
- Roadway frontage improvements along 8th Street and Main Street are required. The improvements are to be in accordance with urban residential standards.

These requirements will be enforced by DPW&T at the time of the issuance of relevant permits. DPW&T's comments did not address the issue of the detailed site plan's conformance with the approved stormwater management concept plan. Evidence should be provided from DPW&T to verify that the two plans are consistent. Condition 1 below requires such evidence prior to signature approval of the plans.

Washington Suburban Sanitary Commission (WSSC): According to WSSC, water and sewer is available to the site and the applicant will need to apply for a plumbing permit.

Maryland State Highway Administration (SHA): SHA indicated that it did not wish to comment on the project.

City of Greenbelt: At the time of the Planning Board hearing, a referral response has not been received from the City of Greenbelt.

City of New Carrollton: The City of New Carrollton indicated that the City does not object to the proposed development.

11. As required by Section 27-285(b), 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-01037/01 and further APPROVED Alternative Compliance No. AC-08021, subject to the following condition:

Prior to signature approval, the following revisions shall be made to the detailed site plan or the following information shall be provided:

- a. Provide evidence from the Department of Public Works and Transportation (DPW&T) that the detailed site plan is consistent with the approved stormwater management concept 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 Squire, seconded by Commissioner Clark, with Commissioners Squire, Clark, Vaughns, Cavitt and Parker voting in favor of the motion at its regular meeting held on Thursday, April 2, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 23rd day of April 2009.

Oscar S. Rodriguez
Executive Director

By Frances J. Guertin
Planning Board Administrator

OSR:FJG:JS:bjs