

PGCPB No. 2023-135

File No. DSP-23011

R E S O L U T I O N

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, From the Heart Church Ministries, Inc., submitted an application for approval of a detailed site plan; and

WHEREAS, pursuant to Section 27-1903 of the Zoning Ordinance, development proposals for properties in the Commercial, General and Office (CGO) Zone may utilize the Zoning Ordinance or Subdivision Regulations in existence prior to April 1, 2022 (the prior Zoning Ordinance and prior Subdivision Regulations) for development of the property on which the development is proposed; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the prior Zoning Ordinance; and

WHEREAS, in consideration of evidence presented at a public hearing on Thursday, December 14, 2023, regarding Detailed Site Plan DSP-23011 for From the Heart Church Ministries, the Planning Board finds:

1. **Request:** The subject detailed site plan (DSP) is to add a parcel to an existing shopping center for development of a private school for 208 students, a day care center with a maximum enrollment of 60 children, and related site improvements associated with an existing church (with 3,000 seats), within an existing integrated shopping center, known as the Andrews Manor Shopping Center. The 60 children who attend the day care center are also students at the private school.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	CGO (Prior C-S-C)	CGO (Prior C-S-C)
Use	3,000-seat church within an integrated shopping center	3,000-seat church, private school and day care within an integrated shopping center and Office
Gross acreage	21.49	31.38
Parcels/Lots	3	4
Gross floor area (GFA) of building	289,738 sq. ft.	399,726 sq. ft. in total
Parcel W-4A (7.7574 acres)	163,387 (Building 1: 163,387 sq. ft.)	163,387
Parcel W-4B (1.2615 acres)	10,083 (Building 3: 10,083 sq. ft.)	10,083

	EXISTING	APPROVED
Parcel W-5 (12.4807 acres)	116,268 (Building 4: 5,657 sq. ft.; Building 5: 798 sq. ft.; Building 6: 7,399 sq. ft.; Building 7: 102,414 sq. ft.)	116,268
Parcel A-1 (9.8823 acres)	-	109,988 (Building 2: 109,988 sq. ft.)

Parking Requirements (per Sections 27-566(b)(1) and 27-568(a) of the prior Zoning Ordinance)

	Required	Approved
Church (Building 1)	1 space per 4 seats (3,000 seats): 750	-
Private School (Building 1)	Total Student Number: 208* 1 space per 6 students (185 students at levels below 10th grade): 31 1 space per 3 students (23 students at 10th grade and above): 8	-
Office (Building 2: 109,988 sq. ft.)	1 space per 250 sq. ft. of the first 2,000 sq. ft. of GFA: 8 1 space per 400 sq. ft. above the first 2,000 sq. ft. of GFA: 270	-
Office (Building 3: 10,083 sq. ft.)	1 space per 250 sq. ft. of the first 2,000 sq. ft. of GFA: 8 1 space per 400 sq. ft. above the first 2,000 sq. ft. of GFA: 21	-
Shopping Center (Buildings 4, 5, 6 & 7)	1 per every 250 sq. ft. (116,268 sq. ft.): 466	-
Total Parking Required	1,562 Spaces	-
Total Parking Provided	-	1,732**
Standard spaces (nonparallel) (9.5 feet x 19 feet)	-	1,417
Standard spaces (parallel) (8.0 feet x 22 feet)	-	20
Compact parking (nonparallel) (8.0 feet by 16.5 feet)	-	238
Handicap-Accessible	-	57***

Notes: *The number of minimum required parking spaces for day care use is one space per eight children and for private school use the minimum is one space per six students (at levels below 10th grade). Because the 60 children who are enrolled in the approved day care center will also be enrolled in the approved private school, the minimum parking space requirement will be solely based on private school use, as the stricter requirement takes hold. The parking space requirements for church, private school, and day care center uses need to be calculated separately from the integrated shopping center that houses these uses. Conditions are included herein requiring the applicant to revise the parking schedule and note on the plan that the 23 students enrolled in the private school are in 10th grade and above.

**The total number of existing parking spaces on-site is 1,805, of which 71 standard parking spaces and 2 handicap-accessible parking spaces will be removed, for the approved outdoor play area.

***At least 28 parking spaces are required to be handicap-accessible, in accordance with Section 27-566 of the prior Zoning Ordinance.

Loading Space (per Section 27-582(a) of the prior Zoning Ordinance)

	Required	Approved
Institution (Church, Day Care Center, and Private School) (Building 1: 163,387 sq. ft.)	2	-
Office (Building 2: 109,988 sq. ft.)	2	-
Office (Building 3: 10,083 sq. ft.)	1	-
Shopping Center Buildings 4, 5, 6 & 7: 116,268 sq. ft)	4	-
Total loading space required	9	-
Total loading space provided	-	11* (12 feet x 33 feet)

Note: *This DSP includes 11 loading spaces for conformance with the loading space requirement. These loading spaces are located within the existing building: five spaces in Building 1, one space in Building 2, and five spaces in Building 7. Conditions are included herein requiring the applicant to revise the loading space schedule and note on the plan that the loading space size is to be 12 feet x 33 feet.

Outdoor Play Area (per Sections 27-463 the prior Zoning Ordinance)

Use	REQUIRED	APPROVED
Day Care (30 children) @ 75 sq. ft./Child	2,250 sq. ft.	21,649.5 sq. ft.*
Private School (208 students) @ 100 sq. ft./Student	20,800 sq. ft.	

Note: *Section 27-464.02(a)(1)(A)(i) indicates, “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 60 children enrolled in the day care center will also be enrolled in the private school. The day care center will be operated when the private school is not in session. The play area included in this DSP meets the requirements of both uses. Conditions are included herein requiring the applicant to correct technical errors and ensure consistency of the play area calculation.

3. **Location:** The subject property is located on Tax Map 98 in Grids C-1, C-2, D-1, and D-2, and is geographically located approximately 0.25 mile southwest of the intersection of the northbound I-95/495 (Capital Beltway) ramp and MD 337 (Allentown Road), on the north side of MD 337.
4. **Surrounding Uses:** The abutting property to the north of the subject property is undeveloped and vegetated land in the Residential, Rural (RR) Zone, formerly the Rural Residential (R-R) Zone, which is owned by the Maryland State Highway Administration (SHA). Beyond that is I-95/495. To the northeast are commercially developed properties in the Commercial, General and Office (CGO) Zone, previously the Commercial Shopping Center (C-S-C) Zone. The subject property is bounded to the southeast by MD 337, beyond which is Joint Base Andrews. Properties to the west and the southwest include apartments in the Residential, Multifamily-20 (RMF-20) Zone, formerly the Multifamily Medium Density Residential (R-18) Zone and a hotel in the CGO Zone (formerly the C-S-C Zone).
5. **Previous Approvals:** The subject site was the result of a resubdivision and was recorded in Plat Book CEC 91-13 on January 6, 1975. Previously approved use and occupancy permit plans for the Andrews Manor Shopping Center, prepared by Ben Dyer Associates, indicate Parcels W-4A, W-4B, and W-5 as one integrated shopping center. On October 7, 2008, From the Heart Church Ministries, Inc. was approved for the use of a church with 3,000 seats, within the integrated shopping center, by Permit 30463-2008-CU.

DSP-10016 was approved by the Prince George’s Planning Board on May 16, 2013 (PGCPB Resolution No. 13-54), for the same uses on a 21.49-acre property (private school and day care), which did not include Parcel A-1.
6. **Design Features:** The Andrews Manor Shopping Center is located on a 21.37-acre property, which consists of Parcels W-4A (7.7574 acres), W-4B (1.2615 acres), and W-5 (12.4807 acres). Parcel A-1 (9.8823 acres) is added to this DSP, to ensure that the parking requirements are met.

Seven buildings, in total, are currently located on-site, with parking areas in front of or between them. Building 1 is on Parcel W-4A and Building 2 is on Parcel A-1. Building 3 is on Parcel 4-B, while Buildings 4, 5, and 7 are on Parcel W-5. Two entry points, accessing the site, are located on MD 337, with a third access point located on Maxwell Drive.

The focus of this DSP is Building 1, which is occupied by the applicant, From the Heart Church Ministries, Inc. This building contains 163,387 square feet and was previously a designated warehouse. Approximately 45 percent of the building (69,472 square feet) is used as storage or vacant. The church is located in the southeast portion of the building and takes up approximately 20 percent of the building's floor area (27,030 square feet). The approved private school and day care center, located in the eastern portion of the building, will occupy the remaining floor area of the building, which is approximately 35 percent (60,477 square feet) of the total floor area.

This DSP removes 73 parking spaces from the front of Building 1 for development of a 21,649.5-square-foot outdoor play area. This area will be fenced in with a 5-foot-tall steel fence and is accessible through a 12-foot-wide rolling gate. New bollards are installed on the sides abutting parking spaces to prevent vehicle intrusion into the fenced play area. The applicant will also install new removable bollards, not only to block one section of the driveway for students and children to safely access the play area, but also for emergency purposes or occasional traffic circulation, as needed. In addition, this DSP includes the construction of a 5-foot-wide walkway and a new ramp between the entrance of Building 1 and the play area, to enhance safe and secure accessibility and connectivity. These approved measures demonstrate conformance to Section 27-464.02(a)(1)(iv) of the prior Zoning Ordinance, noting that an outdoor play area shall be safely accessible, without crossing (at grade) any hazardous area, such as a street or driveway.

The approved play area consists of two parking bays with one approximately 9-foot-wide linear landscape island between them. Approximately two-thirds of one parking bay area will be milled and resurfaced with asphalt, for installation of a basketball court. For safety reasons, the remaining area of the play area will be poured-in-place play surface over the existing asphalt surface. Conditions are included herein requiring the applicant to demonstrate on the DSP that the required American Society for Testing and Materials fall zones and appropriate surface material depth are met, as well as to update play area information, contained in different legends, to ensure its consistency across the DSP. In addition to the basketball court, the play area also includes several playground structures, picnic tables, and three shade structures. Conditions are included herein for provision of trash receptacles, within the play area, and to add a schedule to the plans listing all structures included in the play area and their quantity. Four shade trees will also be added to the play area, for additional shade.

This DSP does not alter the exterior façades of Building 1, nor include any signage. If signs are being included in the future, or a signage violation regarding Building 1 and the approved uses is filed, conformance to Subtitle 27, Part 12, of the prior Prince George's County Zoning Ordinance will be required.

A dumpster included in this DSP for church, private school, and day care center uses is shown at the northwest side of Building 1. The location of the dumpster shown on the plan is problematic because the dumpster will interfere with several parking spaces around it. Conditions are included

herein requiring the applicant to situate the dumpster in an alternate, feasible location, and provide proper elevations of the dumpster enclosure other than details of an 8-foot-high, board-on-board, fence as shown on Sheet C-3.10. Within the play area, there is an existing light fixture originally installed for the parking area. Since the play area will not be utilized at night, no additional lighting is needed. A condition is included herein for a note to be added to the coversheet indicating that this DSP does not include any lighting.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** This DSP has been reviewed for compliance with the applicable requirements of the C-S-C and Military Installation Overlay (M-I-O) Zones and the site design guidelines. The DSP is subject to the requirements of Section 27-274, Design Guidelines, of the prior Zoning Ordinance. The approved private school and day care center for children are permitted uses under Section 27-461(b), Table of Uses, of the prior Zoning Ordinance, subject to additional requirements contained in Sections 27-463 and 27-464.02, respectively. The following discussion is offered, regarding these requirements:

- a. The DSP complies with Section 27-281, of the prior Zoning Ordinance, which describes the purpose of DSPs:

Section 27-281. - Purpose of Detailed Site Plans.

(b) General purposes.

(1) The general purposes of Detailed Site Plans are:

- (A) To provide for development in accordance with the principles for the orderly, planned, efficient and economical development contained in the General Plan, Master Plan, or other approved plan;**
- (B) To help fulfill the purposes of the zone in which the land is located;**
- (C) To provide for development in accordance with the site design guidelines established in this Division; and**
- (D) To provide approval procedures that are easy to understand and consistent for all types of Detailed Site Plans.**

(c) Specific purposes.

(1) The specific purposes of Detailed Site Plans are:

- (A) To show the specific location and delimitation of buildings and structures, parking facilities, streets, green areas, and other physical features and land uses proposed for the site;**
- (B) To show specific grading, planting, sediment control, tree preservation, and storm water management features proposed for the site;**
- (C) To locate and describe the specific recreation facilities proposed, architectural form of buildings, and street furniture (such as lamps, signs, and benches) proposed for the site; and**
- (D) To describe any maintenance agreements, covenants, or construction contract documents that are necessary to assure that the Plan is implemented in accordance with the requirements of this Subtitle.**

The approved development promotes the intended purposes of the DSP. The DSP shows the specific location and delimitation of buildings and structures, parking facilities, streets, green areas, and other physical features and approved land uses for the site, including existing features and an approved new playground area in a portion of the existing parking lot. No other changes to grading, landscaping, or stormwater management (SWM) are included for the subject property.

- b. The DSP complies with Sections 27-274 and 27-283, of the prior Zoning Ordinance, which set forth required design guidelines for a DSP:

Section 27-283. - Site design guidelines

- (a) The Detailed Site Plan shall be designed in accordance with the same guidelines as required for a Conceptual Site Plan (Section 27-274).**
- (b) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development, and the specific zone in which it is to be located.**

Section 27-274. - Design Guidelines

- (a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:**

(1) General.

- (A) The Plan should promote the purposes of the Conceptual Site Plan.**
- (B) The applicant shall provide justification for, and demonstrate to the satisfaction of the Planning Board of District Council, as applicable, the reason for noncompliance with any of the design guidelines for townhouses and three-family dwellings set forth in paragraph (11), below.**

(2) Parking, loading, and circulation.

- (A) Surface parking lots should be located and designed to provide safe and efficient vehicular and pedestrian circulation within the site, while minimizing the visual impact of cars. Parking spaces should be located to provide convenient access to major destination points on the site...**
- (B) Loading areas should be visually unobtrusive and located to minimize conflicts with vehicles or pedestrians...**
- (C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers...**

Internal pedestrian facilities at the shopping center are largely limited to the sidewalks and striped crosswalks immediately in front of the commercial space. A crosswalk currently exists, connecting the approved playground area and the entrance to the building. This crosswalk is acceptable as marked and labeled on the plans. A crosswalk linking the day care with the planned playground is also shown with removable bollards, that will provide a separate pedestrian route to the playground. The DSP adds an ADA-accessible ramp that will better connect the approved use to the commercial space to the east.

The shopping plaza parking facilities are adjacent to the early learning center and can be used for parking. There is a sidewalk between the south side of the building and the parking lot. The submitted plan sheets include an approved crosswalk from the building between the early learning center indoor facility and the outdoor playground.

(3) Lighting.

- (A) For uses permitting nighttime activities, adequate illumination should be provided. Light fixtures should enhance the design character...**

The approved development will provide adequate lighting. The submitted site plan indicates that outdoor play is limited to daylight hours only (between 9 a.m. and 5 p.m.), and that existing lighting fixtures in the parking area within/around the approved outdoor play area will remain as the only illumination source. Since the playground can only be used during daylight hours, additional lighting is not required.

(4) Views.

- (A) Site design techniques should be used to preserve, create, or emphasize scenic views from public areas.**

The addition of a day care, private school, and playground to an existing shopping center and warehouse building will not significantly alter the views of the site from adjacent roadways and properties. The school uses will be located within existing buildings and no change to onsite landscaping is anticipated.

(5) Green Area.

- (A) On-site green area should be designed to complement other site activity areas and should be appropriate in size, shape, location, and design to fulfill its intended use...**

The addition of a day care, private school, and playground to an existing shopping center and warehouse building will not impact the existing onsite green area. The school uses will be located within existing buildings, and the playground will be located on a portion of an existing parking lot.

(6) Site and streetscape amenities.

- (A) Site and streetscape amenities should contribute to an attractive, coordinated development and should enhance the use and enjoyment of the site...**

The site has been designed to contribute to an attractive, coordinated development. The addition of a day care, private school, and playground, to an existing shopping center and

warehouse building, will not impact existing site and streetscape amenities.

(7) Grading.

- (A) Grading should be performed to minimize disruption to existing topography and other natural and cultural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts...**

Minimal grading, in a portion of the existing parking lot, will occur in the location of the new onsite playground and will not disrupt existing topography or other natural and cultural resources on the site or on adjacent sites.

(8) Service Areas.

- (A) Service areas should be accessible, but unobtrusive.**

No new service areas are included with this DSP application.

(9) Public Spaces.

- (A) A public space system should be provided to enhance a large-scale commercial, mixed use, or multifamily development.**

The approved development does not include any large-scale commercial, mixed-use, or multifamily uses.

(10) Architecture.

- (A) When architectural considerations are referenced for review, the Conceptual Site Plan should include a statement as to how the architecture of the buildings will provide a variety of building forms, with unified, harmonious use of materials and styles.**
- (B) The guidelines shall only be used in keeping with the character and purpose of the proposed type of development and the specific zone in which it is to be located.**
- (C) These guidelines may be modified in accordance with Section 27-277.**

No changes to existing architecture are included with this DSP application.

(11) Townhouses and Three-Story Dwellings.

- (A) Open space areas, particularly areas separating the rears of buildings containing townhouses, should retain, to the extent possible, single or small groups of mature trees. In areas where trees are not proposed to be retained, the applicant shall demonstrate to the satisfaction of the Planning Board or the District Council, as applicable, that specific site conditions warrant the clearing of the area. Preservation of individual trees should take into account the viability of the trees after the development of the site.**
- (B) Groups of townhouses should not be arranged on curving streets in long, linear strips. Where feasible, groups of townhouses should be at right angles to each other, and should facilitate a courtyard design. In a more urban environment, consideration should be given to fronting the units on roadways.**
- (C) Recreational facilities should be separated from dwelling units through techniques such as buffering, differences in grade, or preservation of existing trees. The rears of buildings, in particular, should be buffered from recreational facilities.**
- (D) To convey the individuality of each unit, the design of abutting units should avoid the use of repetitive architectural elements and should employ a variety of architectural features and designs such as roofline, window and door treatments, projections, colors, and materials. In lieu of this individuality guideline, creative or innovative product design may be utilized.**
- (E) To the extent feasible, the rears of townhouses should be buffered from public rights-of-way and parking lots. Each application shall include a visual mitigation plan that identifies effective buffers between the rears of townhouses abutting public rights-of-way and parking lots. Where there are no existing trees, or the retention of existing vegetation is not practicable, landscaping, berming, fencing, or a combination of these techniques may be used. Alternatively, the applicant may consider designing the rears of townhouse**

buildings such that they have similar features to the fronts, such as reverse gables, bay windows, shutters, or trim.

- (F) Attention should be given to the aesthetic appearance of the offsets of buildings.**

No townhouses or three-story dwellings are included with the subject application.

- c. The DSP complies with Section 27-463(a), which sets forth additional required findings for private schools in commercial zones:

(1) Requirements.

- (A) The school shall be located on a parcel of at least five (5) acres, on which the maximum enrollment shall be four hundred (400) students. For each acre over five (5), the total enrollment may be increased by one hundred (100) students. State and local health, education, or fire regulations may reduce the number of students permitted to be enrolled. For the purposes of this Section, enrollment shall mean the total number of students enrolled in the institution at any one (1) time. If there are separate morning, afternoon, and evening sessions, each one of which is attended by different students, enrollment shall mean the number of students enrolled in the session having the largest number of students.**

Parcel W-4, on which the approved private school and day care center is located, meets the lot size requirement, because it is 7.7574 acres. This DSP also meets the maximum enrollment requirement because it will only enroll 208 students in total.

- (B) The school may be located on a separate parcel of not less than two (2) acres if enrollment is limited to ninety (90) students, school programs are only for special education students referred from other public or private schools, and all school programs are certified or accredited by the State of Maryland.**

This provision is not applicable to this DSP.

- (C) The property shall have frontage on, and direct vehicular access to, a street having a paved surface at least thirty six (36) feet wide. This shall not apply where the property is located in sparsely settled or farm area, or where the Planning Board determines that adequate passenger debarkation areas are provided.**

As the Planning Board found in its approval of DSP-10016, a street may be an “easement along which development is authorized pursuant to Subtitle 24.” There is an easement at the southwestern corner of Parcel W-4, which is recorded at Plat Book REP 204, page 46. This easement appears to have been created specifically for access to Parcel W-4 and has a pavement width of approximately 52 feet. Therefore, the Planning Board finds this easement is a street, as defined by Section 27-107.01(225)(A)(i) of the prior Zoning Ordinance, and it is sufficient in width to meet this provision.

- (D) An outdoor playground or activity area shall be provided. It shall contain at least one hundred (100) square feet of usable space per student, unless the private school is for special education students and the owner or applicant demonstrates that less usable space per student will be adequate. In no case shall the playground or activity area have less than twenty-five (25) square feet per student. The area shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot and buffered from adjoining uses in accordance with the provisions of the Landscape Manual. The area shall be enclosed by a substantial wall or fence at least three (3) feet high for grades six (6) and below, and at least five (5) feet high for other grades.**

The enrollment of the private school, through this DSP, is 208 students, which requires a total of 20,800 square feet of play area. This DSP meets this requirement by providing a play area of 21,649.5 square feet. Details of this discussion have also been addressed in Finding 2 above.

The approved play area is not in proximity to any abutting properties. The distance from the play area to the nearest residential dwelling unit is approximately 530 feet. These residential dwellings are located on adjoining properties to the west of the subject site, which are zoned RMF-20 (formerly R-18). With such distance, visibility of the play area from these residential dwellings will be low. In addition, it is most likely screened by the buildings on-site.

The applicant will install a 5-foot-tall steel fence, to enclose the play area, in conformance with this requirement.

- (E) The requirements of this Section shall not apply to the use of existing public schools which have been conveyed by the Prince George’s County Board of Education to either Prince George’s County or to any municipality within the County, provided the County or municipality:**

- (i) Maintains ownership of the facility and operates a school in it; or**

(ii) Leases the facility for use as a private school (of any type).

This provision is not applicable to this DSP.

(3) Site plan.

(A) A Detailed Site Plan shall be approved for all private schools, in accordance with Part 3, Division 9, of this Subtitle.

The subject application has been submitted, in fulfillment of the above requirement.

- d. A day care center for children must meet the additional requirements of Section 27-464.02(a), which are analyzed as follows:

(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 60 children who attend the day care center are also students at the private school. The day care center will be operated when the school is not in session. As such, the approved private school and the approved day care center do not share the play area. Therefore, it is required that an area be provided for the day care center children in addition to the school play area.

The approved maximum enrollment of the day care center is 60 children, and the required play area for the licensed capacity is 2,250 square feet. The maximum number of children permitted to use the play area at one time is 30, which results in the same minimum 2,250-square-foot area requirement. This DSP includes a total of 21,649.5 square feet of play area, located in front of Building 1, and conforms with this requirement.

- (ii) **All outdoor play areas shall be located 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 distance from the approved play area to the nearest residential dwelling unit is approximately 530 feet. These residential dwellings are located on adjoining properties to the west of the subject site, which are zoned RMF-20 (formerly R-18).

The applicant intends to enclose the play area with a 5-foot-tall metal fence, 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 approved play area is internal to the site. It sets back approximately 300 feet from the nearest property line to the south and 530 feet from the nearest residential unit to the west. Therefore, no greater setback should be necessary. The approved 5-foot-tall metal fence will be sufficient to protect the health and safety of the children in the play area. A condition is included herein, requiring the applicant to label the setback dimension from the play area fence to the southern property boundary.

- (iv) **An off-premises outdoor play or activity area shall be located in proximity to the day care center, and shall be safely accessible without crossing (at grade) any hazardous area, such as a street or driveway;**

The play area included in this DSP is located directly in front of Building 1, that houses the approved day care center for children. This area is easily accessible for children without crossing a drive aisle or other hazardous areas.

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

In addition to four new shade trees, this DSP includes a 20-foot by 30-foot and two, 12-foot by 20-foot, shade structures, within the play area, which will provide sufficient shade for children playing during the warmer months of the year.

- (vi) **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;**

The submitted site plan indicates that outdoor play is limited to daylight hours only (between 9 a.m. and 5 p.m.), and that existing lighting fixtures in the parking area within/around the approved outdoor play area will remain as the only illumination source.

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

A note on the coversheet indicates that the hours of operation will be between 7 a.m. and 5 p.m., which complies with this requirement. A condition is included herein, requiring the applicant to note this information consistently across the DSP and avoid noting the information of “7 A.M. to dark.”

- e. The DSP contains the information required by Sections 27-463 and 27-464.02 and is designed in compliance with the applicable site design guidelines, as required in Section 27-283 and contained in Section 27-274 of the prior Zoning Ordinance.
- f. The subject site is located within the M-I-O Zone and is subject to the height and noise requirements. However, the approved private school and day care center in Building 1 is only located within this zone for height, known as Surface D (Inner Horizontal Surface). Pursuant to Section 27-548.54(e)(2)(C) of the prior Zoning Ordinance, structures shall not exceed a height (in feet) equivalent to 150 feet. This DSP repurposes the existing space, within Building 1, for private school and day care center uses, without altering the height of the building. This requirement was met, at the time of issuing permits for construction of Building 1.
8. **Detailed Site Plan DSP-10016:** The site was previously approved under DSP-10016. At the time of reviewing DSP-10016, it was determined that no caps on development would restrict the expansion of the requested uses. The day care use would generate 17 AM and 17 PM peak-hour vehicle trips, assuming that 65 percent of traffic is pass-by (already using the adjacent street). The private school use would generate 133 AM and 47 PM peak-hour vehicle trips. These findings are consistent with this DSP. No conditions from the prior approval are applicable to this DSP.
9. **2010 Prince George’s County Landscape Manual:** The application is exempt from the *Prince George’s County Landscape Manual* (Landscape Manual) because this DSP does not involve a change of use from a lower to a higher intensity use category, an increase in impervious surface, or an increase in gross floor area of the building.

The site is subject to requirements in place, prior to adoption of the Landscape Manual. The previously approved landscape plans for the shopping center indicate that five percent of the parking lot shall include interior planting area. A landscape strip along the site's frontage, to be planted with 40 shade trees and 196 shrubs, is required. These requirements are noted on the site plan coversheet. Failure to maintain required landscaping may result in a zoning violation.

10. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** The site has an approved Natural Resources Inventory Equivalency Letter (NRI-005-13-01), which is valid until October 14, 2027, and an approved standard letter of exemption from the Woodland Conservation Ordinance (S-186-2022), which is valid until October 14, 2024, for the approved project.
11. **Prince George's County Tree Canopy Coverage Ordinance:** Since this DSP has less than 5,000 square feet of gross floor area of disturbance, in accordance with Section 25-127 of the Tree Canopy Coverage Ordinance, this application is exempt from tree canopy coverage requirements.
12. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference, and summarized, as follows:
 - a. **Historic Preservation**—The Planning Board has reviewed and adopts the memorandum dated September 20, 2023 (Stabler, Smith & Chisholm to Shelly). The Historic Preservation Section noted that a search of current and historic photographs, topographic, and historic maps and locations of currently known archeological sites indicates that the probability of archeological sites within the subject property is low. A Phase I archeology survey is not required. The subject property does not contain, and is not adjacent to, any designated Prince George's County historic sites or resources.
 - b. **Community Planning**—The Planning Board has reviewed and adopts the memorandum dated October 20, 2023 (Cloutre to Shelly). The Community Planning Division indicated that, pursuant to Subtitle 27, Part 3, Division 9, Subdivision 3, of the prior Zoning Ordinance, conformance with the applicable area master or sector plan is not required for this application.
 - c. **Transportation Planning**—The Planning Board has reviewed and adopts the memorandum dated November 6, 2023 (Patrick to Huang). The Transportation Planning Section offered the following comments:

Master Plan Right of Way

This DSP is subject to the 2009 *Approved Countywide Master Plan of Transportation* (MPOT). The site backs to a right-of-way (ROW) associated with I-95/495, but otherwise is not adjacent to or within any master plan rights-of-way. The existing ROW associated with I-95/495 is consistent with the master plan recommendations for that facility. The uses are to be served by an existing main driveway that connects directly to MD 337.

Other driveways within the site connect to existing internal driveways on the adjacent shopping center site, that also connect to MD 337.

Master Plan Pedestrian and Bike Facilities

The MPOT provides policy guidance regarding multimodal transportation and the Complete Streets element of the MPOT recommends how to accommodate infrastructure for people walking and bicycling.

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.

Policy 4: Develop bicycle-friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO Guide for the Development of Bicycle Facilities.

Policy 5: Evaluate new development proposals in the Developed and Developing Tiers for conformance with the complete streets principles.

A standard sidewalk exists along the shopping center's entire frontage of MD 337. Designated bike lanes can be provided by SHA, at the time of road resurfacing or restriping. These lanes will be accommodated either within the existing ROW or within any additional ROW required by SHA.

- d. **Subdivision**—The Planning Board has reviewed and adopts the memorandum dated October 9, 2023 (Vatandoost to Huang). The Subdivision Review Section noted that the subject property consists of four platted parcels known as Parcels W-4A, W-4B, W-5, and A-1. Parcel W-5 is subject to Preliminary Plan of Subdivision (PPS) 4-71066, while Parcels W-4A and W-4B are subject to PPS 4-73274; however, there are no records available for either of these prior PPS's. Parcel A-1 is subject to PPS 4-04155. This PPS was approved subject to six conditions (PGCPB Resolution No. 04-281), which are not relevant to the review of this DSP, because no development is located within the boundaries of Parcel A-1. The approved development only impacts Parcel W-4A. Parcel A-1 is included in the DSP solely for the purpose of including the available parking in the site's total parking calculations. Therefore, at this time, a new PPS is not required.

In addition, Parcels W-4A, W-4B, W-5, and A-1 have an automatic certificate of adequacy pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, which became effective April 1, 2022, and is valid for twelve years from that date subject to the expiration provisions of Section 24-4503(c).

- e. **Environmental Planning**—The Planning Board has reviewed and adopts the memorandum dated November 2, 2023 (Kirchhof to Huang). The Environmental Planning Section offered the following:

Stormwater Management

An approved SWM Concept Plan 7399-2020-00 was submitted with the application for this site. The approval letter was issued from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) on June 16, 2022, and is valid until June 16, 2025. The approved letter indicates that the project is exempt from SWM requirements.

- f. **Permits**—The Planning Board has reviewed and adopts the memorandum dated October 15, 2023 (Bartlett to Huang). The Permit Review Section offered comments, which have been addressed through revisions to the plans or included as conditions in this resolution.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—In an email dated October 30, 2023 (Thompson to Hung), DPR had no comments on this application.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comments on the subject application.
- i. **Prince George's County Fire/EMS Department**—In an email dated August 31, 2023 (Reilly to Huang), the Fire/EMS Department noted that the bollards and fencing shown on the plans will make the existing fire hydrant inaccessible for the fire department. The applicant needs to provide access to this hydrant or relocate it to a location with adequate fire access. A hydrant must be located within 200 feet of the Fire Department connection (FDC), which needs to be shown on the plans.
- The revised plans, received on October 25, 2023, indicate that the bollards blocking the drive aisle will be removeable, in order for fire trucks to access the existing fire hydrant, at all times. A condition is included herein to confirm the existing fire hydrant is within 200 feet of a nearby FDC.
- j. **Prince George's County Police Department**—The Police Department did not offer comments on the subject application.
- k. **Prince George's County Health Department**—The Planning Board has reviewed and adopts the memorandum dated September 7, 2023 (Adepoju to Shelly). The Health Department provided two comments, as follows:

- “(1) Ensure that the construction of the relocated playground designed, constructed, maintained and operated according to the guidelines and standards indicated in the Maryland State Department of Education Playground and Water safety

manual and the Maryland Department of Health's Injury and Violence prevention for Playground safety guidelines.

“(2) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.”

- l. **Maryland Department of Human Resources**—The Maryland Department of Human Resources did not offer comments on the subject application.
 - m. **Joint Base Andrews (JBA)**—In an email dated September 15, 2023 (Zimmerman to Huang), JBA noted that this DSP is not located in the Clear Zone or either of the Accident Potential Zones, nor does it include building a multi-story structure that would impact the airspace above. In addition, it does not lie within the noise contours (although it is close to the 65 dB contour that may create additional noise for the school). Therefore, JBA has no issues with this project.
 - n. **Town of Morningside**—The subject property is located within a quarter mile of the geographic boundary of the Town of Morningside. The DSP application was referred to the Town for review and comments on August 31, 2023. The Town of Morningside did not offer comments on the subject applications.
13. **Community Feedback:** The Planning Board has not received any written correspondence from the community regarding this subject application.
 14. Based on the foregoing, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP, if approved with conditions, 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 costs and without detracting substantially from the utility of the approved development for its intended use.
 15. Section 27-285(b)(2) of the prior Zoning Ordinance does not apply to this DSP because the subject property is not subject to a conceptual site plan.
 16. Section 27-285(b)(3) of the prior Zoning Ordinance does not apply to this DSP because it is not a DSP for infrastructure.
 17. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, for approval of a DSP, the regulated environmental features (REF) on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the prior Prince George's County Subdivision Regulations, as no REFs are located on-site, and the site has already been graded and developed.

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 Detailed Site Plan DSP-23011 for the above-described land, subject to the following condition:

1. Prior to certification, the detailed site plan (DSP) shall be revised, or additional information shall be provided, as follows:
 - a. Revise the name of the application to be "From the Heart Church Ministries" throughout the entire submission.
 - b. Remove General Notes from other sheets and only list these notes on the coversheet.
 - c. Include Parcel A-1 in the location map on the coversheet.
 - d. Note on the coversheet that the 23 students enrolled in the private school are in 10th grade and above and the other 185 students are at levels below 10th grade.
 - e. Revise the parking schedule to include separate calculations for church, private school, and day care center uses.
 - f. Revise the loading space schedule to include separate calculations for church, private school, day care center, and office uses.
 - g. Note on the plan the size of loading spaces included in this DSP.
 - h. Correct the required play area for day care center use to be 2,250 square feet, not 2,2250 square feet on Sheet C-2.10, and ensure this number is consistent throughout the submittal.
 - i. Update the total square footage of the play area and ensure the consistency of this number and the play area boundary shown on the plans.
 - j. Revise the hours of the play area for day care use as between 7 a.m. and 5 p.m., not from 7 A.M. to dark, and ensure this information is noted on the plans consistently.
 - k. Update play area information contained in different legends on different sheets to ensure its consistency across the DSP.
 - l. Include trash receptacles within the play area and provide details.
 - m. Add a schedule to the plan, listing all structures and equipment included in the play area and their quantity.
 - n. Label the setback dimension from the play area fence to the southern property boundary.

- o. Demonstrate that the required American Society for Testing and Materials fall zones and appropriate surface material depth are met on the DSP.
- p. Note on the plan that the playground equipment will meet the requirements of the Americans with Disabilities Act.
- q. Provide additional signage to increase pedestrian safety, subject to the review of the Urban Design and Transportation Planning Sections of the Prince George's County Planning Department, and the property owner's permission.
- r. Revise the plan to show a new location for the dumpster, that does not interfere with its nearby parking spaces, and update the parking schedule if the removal of additional parking spaces is necessary.
- s. Provide proper elevations for the dumpster enclosure with details.
- t. Note on the plan indicating this DSP does not include any lighting.
- u. Revise the DSP to add a note concerning the potential for a future bicycle lane along the subject property's frontage of MD 337 (Allentown Road), to be constructed at the discretion of the Maryland State Highway Administration.
- v. Label the location of a nearby Fire Department connection (FDC) on the plan, demonstrating that the existing hydrant located in the play area is within 200 feet of this FDC.

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Shapiro voting in favor of the motion at its regular meeting held on Thursday, December 14, 2023, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of January 2024.

Peter A. Shapiro
Chairman


By Jessica Jones
Planning Board Administrator

PAS:JJ:EH:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel
12/27/23