

**DISTRICT COUNCIL FOR PRINCE GEORGE'S COUNTY, MARYLAND
OFFICE OF THE ZONING HEARING EXAMINER**

SPECIAL EXCEPTION

4836

DECISION

| | |
|-------------------|----------------------------|
| Application: | Private School |
| Applicant: | The Children's Guild, Inc. |
| Opposition: | None |
| Hearing Date: | April 21, 2021 |
| Hearing Examiner: | Joyce B. Nichols |
| Disposition: | Approval with Conditions |

NATURE OF PROCEEDINGS

- (1) Special Exception 4836 is a request to operate a 120 student Private School for preschool aged students within an existing Church and associated playground improvement, on approximately 2.15 acres of land in the R-55 (One-Family Detached Residential) Zone, located in the northeast quadrant of the intersection of Rhode Island Avenue and Hollywood Road, also identified as 9601 Rhode Island Avenue, College Park, Maryland.
- (2) The City of College Park and the North College Park Community Association are in support of this Application. (Exhibits 43 and 46)
- (3) The Technical Staff recommended approval with conditions (Exhibit 4) and the Planning Board adopted the recommendation of the Technical Staff as its own.

FINDINGS OF FACT

Subject Property

(1) The subject property comprises a collection of thirty small lots which together amount to 2.1522 acres of land in total. The subject property is located at the northeast corner of the intersection of Rhode Island Avenue with Hollywood Road, and is surrounded on three sides by the following roads: to the west by the eastern service road of Rhode Island Avenue; to the south by Hollywood Road; and, to the east by 50th Avenue. The fourth (northern) side of property abuts the rear yards of a row of single-family dwellings which front on Lackawanna Street.

The subject property is improved by an existing church building, College Park United Methodist Church, which includes a wing with the sanctuary and a wing with a fellowship hall. The front of the existing church building faces Rhode Island Avenue; vehicular access is obtained from two points on 50th Avenue. This Church has been present at the subject property since the mid-1950s.

An asphalt parking lot with twenty-two spaces occupies the southeast corner of the subject property, and a gravel lot with an additional eleven spaces occupies the northeast corner. The subject property is generally clear but does have a number of mature trees throughout its extent. The topography is mostly level, sloping generally from northwest to southeast, and the grade change across the site is concentrated in a “bowl” to the north of the existing sanctuary building and to the west of the existing fellowship hall building. Service areas are located off of the gravel lot in the northeast corner.

Surrounding Uses

(2) The subject property is surrounded by the following uses: to the north are single-family detached dwellings and College Park Church of Nazarene in the R-55 Zone; to the east, south and west are single-family detached dwellings in the R-55 Zone.

Abutting the subject property to the north are single-family detached dwellings in the R-55 Zone, which front on the south side of Lackawanna Street. Surrounding the subject property, across all of the abutting streets and some distance beyond, are more single-family detached dwellings in the R-55 Zone, which form the predominant character of the neighborhood.

The non-detached residential uses scattered throughout the rest of the neighborhood include: the Hollywood Shopping Center (anchored by Mom’s Organic Market) on the east side of Rhode Island Avenue, beginning approximately 1,000 feet to the north of the subject property; other small, miscellaneous and individual retail, service and office commercial uses on the south side of Edgewood Road at the northern edge of the Neighborhood; the Church of the Nazarene on the west side of Rhode Island Avenue approximately 400’ north of the subject property; Hollywood Elementary School a quarter-mile northwest of the subject property, and a small apartment building on 47th Place near Edgewood Road.

Neighborhood

(3) The neighborhood of the subject property was defined in the Technical Staff Report as having the following boundaries:

North – Capital Beltway

West – Baltimore Avenue (US Route 1)

East – Greenbelt Metro

South – University Boulevard (Maryland Route 193).

The Technical Staff's neighborhood is unduly large given the low impact of the proposed small Private School, and furthermore the large number of commercial and industrial uses around this neighborhood's perimeter do not accurately reflect the overwhelmingly single-family detached residential character of the neighborhood that exists for some distance surrounding the subject property. The limits of the neighborhood are as follows:

North – Edgewood Road

West – 47th Place/48th Avenue (i.e. one block east of US Route 1)

East – Camden Line (CSX Railroad)

South – Indian Lane

This amended neighborhood extends approximately one-third of a mile in all directions from the subject property and has a much more consistent land use character that is reflective of the subject property's surroundings.

Master Plan and Sectional Map Amendment

(4) The site is located in Planning Area 66. The applicable Master Plan is the Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area, approved on October 16, 2001.

The Master Plan Map designated the site for "Public or Quasi-public" future land use.

The Approved Sectional Map Amendment retained the site in the previously existing R-55 Zone.

The Growth Policy Map in the May, 2014 General Plan placed the property in the Established Communities category, and the Generalized Future Land Use Map designated it for "Residential Medium" land use.

The site is not within a Priority Preservation Area.

Zoning History

(5) The subject property is located on Tax Map 25 in Grid F2, consists of 30 lots, and contains a total of 2.15 acres of land. The subject property is known as Lots 11 through 40, recorded by plat among the Prince George's County Land Records in Plat Book RNR 2, Pg. 18–19. The existing Church, totaling two buildings, was originally constructed circa 1950. On May 15, 1964, the Prince George's County District Council approved a Special Exception (SE-1028) with no conditions to accommodate a portion of the property for the purpose of a Day Care use for Children with the

existing Church use. The Day Care use will cease when the pending SE-4836 is approved for the use of the property as a Church and Private School.

Applicant's Proposal

(6) The proposed use for SE-4836 is a Private School for 120 pre-school aged children, which is proposed to occupy a part of the existing building on the subject property. Proposed improvements will be limited to a playground to accommodate the children's recreation, and peripheral improvements including the installation of a new landscaped buffer along the common property line with the houses to the north, new sidewalks along a portion of the property's frontages, and a second entrance to the parking lot at the southeast corner to improve circulation for student drop-off and pickup.

LAW APPLICABLE

(1) A Private School is permitted in the R-55 Zone by Special Exception in accordance with the requirements of § 27-396 and § 27-317 of the Zoning Ordinance.

(2) Sec. 27-317. - Required findings.

(a) A Special Exception may be approved if:

(1) The proposed use and site plan are in harmony with the purpose of this Subtitle;

(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan;

(4) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

(3) Section 27-396 states in pertinent part:

(b) A private school which offers a partial or complete program of elementary school (including kindergarten) or nursery school may be permitted, subject to the following:

(1) The Council may specify the maximum number of children to be enrolled, which may not be increased by State or local health, education, or fire regulations;

(2) An outdoor play area shall be provided, which shall have a usable space of at least one hundred (100) square feet per child. This area 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 three (3) feet high;

(3) No private school, other than a nursery school, shall be located in any multifamily dwelling or in any building of a multifamily project;

* * * * *

(c) In addition to the requirements of Section 27-296(c), the site plan shall show:

- (1) The character of the proposed use;
- (2) The proposed enrollment;
- (3) The location of all dwellings located on adjoining lots; and
- (4) The location and size of outdoor play (or activity) areas.

* * * * *

(e) For the purposes of this Section, enrollment shall mean the total number of students enrolled in the school at any one 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.

(f) Medical uses, including, but not limited to medical practitioners' offices, education programs, medical clinics and laboratories may be permitted on a property with an approved special exception for a private school, provided that a separate Health Campus operating pursuant to an approved Special Exception is located within 500 feet of the property which is approved as a private school, and is in accordance with the following:

(1) An additional medical use may locate on the campus of an existing private school, as a permitted use, and shall not require an amendment to the approved Special Exception for the private school use, provided that the additional medical use is located within a building on the private school campus that was constructed prior to January 1, 2016.

(2) If additional parking is required to accommodate the additional medical use, the parking may be approved in accordance with the provisions of Section 27-325 of this Subtitle.

(3) An amendment to an approved Special Exception for a private school is required for an additional medical use on the campus of an existing private school that is located within a building constructed after January 1, 2016, or located within an addition to an existing building on the private school campus, in accordance with Section 27-324 of this Subtitle.

CONCLUSIONS

(1) Section 27-317(a) requires that the Use and Site Plan be in harmony with the general Purposes of the Zoning Ordinance, §27-102, and the specific Purposes of the R-55 Zone, §27-430(a)(1).

(2) The general Purposes of the Zoning Ordinance are listed in §27-102(a). The instant Application is in harmony with the general Purposes as follows:

(1) To protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the County;

The proposed Private School will be modest in size, will not affect the physical appearance of the existing buildings which have been present for approximately seventy years, and will provide new landscaped planting to buffer the activity from the abutting neighbors. The students of the school will be young (ages 3-5); in fact, were the proposed use instead regulated as a Day Care Center, it would meet the requirements of §27-445.03 and as such not require the approval of a Special Exception.

The proposed use will further promote the health, safety, morals, comfort, convenience and welfare of the County by providing a needed educational facility to serve the surrounding neighborhood.

(2) To implement the General Plan, Area Master Plans, and Functional Master Plans;

The relevant Plans which apply to this site are the 2014 General Plan, the 2013 Approved Subregion 5 Master Plan and Sectional Map Amendment, and a number of Functional Master Plans, including the Green Infrastructure Plan, the County Master Plan of Transportation, the Public Safety Facilities Master Plan, The Historic Sites and Districts Plan, and the Water Resources Functional Master Plan.

General Plan

The General Plan classified the subject site in its Growth Policy Map¹ in the Established Communities category, and the Generalized Future Land Use Map² designated it for “Residential Medium” land use.

“Established Communities” are described by the General Plan as “the County’s heart – its established neighborhoods, municipalities and unincorporated areas outside designated centers,”³ and recommends that, “Established communities are most appropriate for context-sensitive infill and low- to medium-density development....”⁴ The proposed Private School, particularly because it will not entail physical modifications to the exterior of the existing buildings, is context-sensitive to the surrounding single-family development.

¹ M-NCP&PC, *Plan Prince George’s 2035 – Approved General Plan* (May, 2014), p. 107.

² *General Plan*, p. 101.

³ *Ibid.*, p. 106.

⁴ *Ibid.*, p. 20.

“Residential Medium” land use is described by the General Plan as, “Residential areas between 3.5 and 8 dwelling units per acre. Primarily single-family dwellings (detached and attached).”⁵ The subject Private School will be a compatible institutional use.

Given the long history of institutional use of the subject property, and the addition of buffering between the proposed use and the abutting residential neighbors, the approval of the subject Application would constitute context-sensitive infill.

Master Plan

The applicable Master Plan is the Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area, approved on October 16, 2001. The Land Use Element of the Sector Plan places the subject property in the North College Park community.

Map 4, the Land Use Plan, recommends the subject property for “Public or Quasi-Public” land use, which recognizes the existing institutional use of the subject property.⁶ The Master Plan text recommends generally for the North College Park community that, “the plan recommends retention of the residential character and uses in this community and recommends compatible residential infill development.”⁷

In summary, because the proposed Application is consistent with the Master Plan’s land use recommendation, the approval of the subject Private School would be in harmony with the recommendations of the Master Plan.

Other Applicable Functional Master Plans

The Special Exception area does not contain any Regulated Areas of the County’s Green Infrastructure Network. As such, the subject Application conforms to the Green Infrastructure Plan.

With regard to the Historic Sites and Districts Plan, the Buck-Singleton House, County Historic Site 66-015, is 415’ west of the subject property. That property is not, however, intervisible with the subject property. As such, the approval of the subject Application will not have an adverse impact on this Functional Master Plan.

The Water Resources Functional Master Plan addresses broad regulatory policy and large-scale watershed planning, and as such makes no recommendations which are directly applicable to the subject Application.

⁵ *Ibid.*, p. 100.

⁶ M-NCP&PC, *Approved Sector Plan and Sectional Map Amendment for the Greenbelt Metro Area* (October, 2001), p. 32.

⁷ *Greenbelt Metro Sector Plan*, p. 34.

No proposed sites for Public Safety facilities are in the area affected by the subject Application.

The Countywide Master Plan of Transportation designates Rhode Island Avenue as a Collector roadway, and proposes the construction of the Rhode Island Avenue Trolley Trail along its length.⁸ The ultimate right-of-way width of Rhode Island Avenue is proposed to be 80',⁹ however the existing right-of-way substantially exceeds that width. No improvements are proposed within this ultimate right-of-way, and the City of College Park's pending improvements to Rhode Island Avenue with dedicated bike lanes will not impact the subject property; as such, the subject Application is in conformance with this functional Master Plan.

In conclusion, because the proposed Private School is not in conflict with the General Plan, the Sector Plan or the applicable Functional Master Plans, approval of the subject Application will be in harmony with the Ordinance's purpose of implementing those Plans.

(3) To promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services;

This Application does not propose any new buildings area which is ordinarily what would be considered to generate new traffic. The existing use, a Church, does not generate peak-hour trips, while the proposed use, a Private School, will. Even though the County Code provides that the adequacy of public facilities is to be evaluated at the time of subdivision and not at the time of the approval of a Special Exception, an analysis provided by the Applicant¹⁰ indicates that the nearby intersections would function adequately with the traffic generated by the proposed Private School. As such, its approval would be in harmony with this Purpose.

(4) To guide the orderly growth and development of the County, while recognizing the needs of agriculture, housing, industry, and business;

Approval of the subject Application would be in harmony with this Purpose of the Ordinance by allowing for the addition of a modestly-scaled compatible institutional use to a long-developed institutional site which was recognized by the Master Plan's proposed land use recommendation, which is evidence of its place in the orderly growth and development of the County.

(5) To provide adequate light, air, and privacy;

The subject Private School will be in harmony with this Purpose because it will conform to the setback and lot coverage requirements of the Zoning Ordinance, and additionally because it will provide additional landscaping to buffer the abutting single-family residences beyond the

⁸ M-NCP&PC, *Approved Countywide Master Plan of Transportation* (November, 2009), pp. 31 & 53.

⁹ *Ibid.*, p. 53.

¹⁰ Technical Staff Report backup, p.31 of 44.

requirements of the Landscape Manual.

- (6) To promote the most beneficial relationship between the uses of land and buildings and protect landowners from adverse impacts of adjoining development;***

The subject Private School would be in harmony with this Purpose as it will occupy an adequately-sized tract with ample open space and retained mature trees. Furthermore, existing landowners which abut the subject property will be additionally protected by the creating of a landscaped buffer.

- (7) To protect the County from fire, flood, panic, and other dangers;***

The subject Private School would be in harmony with this Purpose as it will be constructed in conformance with regulations established in the body of the Zoning Ordinance, as well as other County Ordinances, which are intended to protect from fire, flood, panic and other dangers, namely: the Floodplain Regulations, Stormwater Management Regulations, the Fire Prevention Code, the Building Code, and the Tables of Permitted Uses for the various zones.

- (8) To provide sound, sanitary housing in a suitable and healthy living environment within the economic reach of all County residents;***

Because the subject use is institutional in nature, this Purpose is not directly applicable to this Application. The preservation of the existing buildings on a large lot with ample open space and retained mature trees will, however, contribute to the healthy living environment of its surrounding neighbors.

- (9) To encourage economic development activities that provide desirable employment and a broad, protected tax base;***

The approval of the Special Exception for the proposed Private School would be in harmony with this Purpose because it would augment the tax base of the County directly and through the employment provided to its teachers and other workers.

- (10) To prevent the overcrowding of land;***

The proposed Private School would be in harmony with this Purpose as it will be occupied in accordance with various principles that have been codified in the Ordinance to ensure the prevention of overcrowding, including the provisions of the Table of Uses that provides for the compatibility of uses, and the regulations which provide for height limits and setbacks.

(11) To lessen the danger and congestion of traffic on the streets, and to insure the continued usefulness of all elements of the transportation system for their planned functions;

The approval of the subject Private School would be in harmony with this Purpose because it will continue to be a low-intensity use, in that no new buildings are proposed, and as the adequacy analysis¹¹ indicates, the proposed use will not unduly increase the intensity of the activity at the subject property beyond the capacity of the surrounding transportation system. The construction of the proposed sidewalks will further enhance the safety of the surrounding streets, and will improve the usefulness of the transportation system.

(12) To insure the social and economic stability of all parts of the County;

As the Zoning Ordinance is the principal tool for the implementation of the planning process by enacting legal requirements which implement the planning goals that strive to maintain the social and economic stability of the County, conformance with the requirements and regulations of the Zoning Ordinance will be prima facie evidence of the Application's harmony with this Purpose.

Beyond that, however, the approval of the subject Private School would promote the social stability of the County by providing for needed place for care and education of pre-school youth.

(13) To protect against undue noise, and air and water pollution, and to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas, and other similar features;

Because the subject Application proposes no new buildings or parking areas, it will generate no new air or water pollution, and will disturb no stream valleys, steep slopes, lands of natural beauty, dense forests, scenic vistas and other similar features. Finally, the minimal noise which can reasonably be expected from normal playground activity will be mitigated by its separation from nearby dwellings that exceeds the minimum requirement by at least three times. As such approval of this Application will be in harmony with this Purpose of the Ordinance.

The final two Purposes,

(14) To provide open space to protect scenic beauty and natural features of the County, as well as to provide recreational space; and

(15) To protect and conserve the agricultural industry and natural resources.

are not directly applicable to the approval of this Private School because it would constitute the use of an existing institutional site without modification to the existing buildings and parking areas. §27-317(a)(1)

¹¹ Ibid.

(3) The instant Application is in harmony with the specific Purposes of the R-55 Zone, §27-430(a)(1) as follows:

(1) *The purposes of the R-55 Zone are:*

- (A) *To provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain;***
- (B) *To facilitate the planning of higher density one-family residential developments with small lots and dwellings of various sizes and styles;***

Because the proposed use is institutional in nature and does not propose a new subdivision, these two Purposes are not applicable to the instant Application. The existing subdivided lots which underlie the existing church, will remain, however, and as such, the approval of this Application will not conflict with these two Purposes.

(C) *To encourage the preservation of trees and open spaces; and*

The proposed Private School will be in compliance with the requirements of the R-55 Zone which limit lot coverage, and will also be in compliance with the requirements of Subtitle 25 for Tree Canopy Coverage, thus being in harmony with this Purpose of the R-55 Zone.

(D) *To prevent soil erosion and stream valley flooding.*

The proposed Private School proposes only a small amount (1,730 square feet) of new impervious area associated with some of the playground improvements and some new sidewalks along the perimeter streets. Given that the proposed Special Exception Site Plan will be in compliance with the requirements of the R-55 Zone which limit lot coverage, the small amount of new impervious area proposed will not create a flooding hazard and will be in harmony with this Purpose of the R-55 Zone. §27-317(a)(1)

(4) Special Exception residential uses such as Private School are presumed compatible with other residential uses provided that the established setbacks, lot coverage, landscaping, minimum acreage, traffic and parking improvements, and all other regulations are met. No variances, waivers or departures are requested. Although lot coverage is not indicated on the Site Plan, it is clearly less than the 60% permitted for “other allowed uses” in the R-55 Zone. §27-317(a)(2)

(5) The instant Application is in harmony with the Purposes of Zoning Ordinance generally to implement the General and Master Plans and to provide for the efficient desirable use of land in accordance with those Plans. Accordingly, the approval of the instant Application will not impair the integrity of either the approved Master Plan or the County’s General Plan. §27-317(a)(3)

(6) The conformance of the subject Application with the principles laid out in the Purposes of the Zoning Ordinance, its compliance with the provisions of the Zoning Ordinance, its compliance with the provisions of other State and County regulations for environmental protection represent a high level of protection against adverse effects to the public health safety and welfare.

Beyond those basic principles, however, the small number of students proposed, their young age, and the provision of additional landscaping to buffer the abutting single-family residences indicate that the proposed Private School will not adversely affect the health, safety and welfare of residents and workers in the area as compared to the activity currently existing on the subject property. §27-317(a)(4)

(7) The long existence of an institutional use at the subject property and the fact that the proposed use of the subject property as a Private School will not entail a physical expansion of the existing buildings indicates that the proposed Private School will be compatible with the surrounding residential neighborhood, and because of the addition of landscaping to buffer the abutting houses, its approval will not be detrimental to the use or development of adjacent properties or the general neighborhood. §27-317(a)(5)

(8) The subject Application is exempt from the requirement for a Tree Conservation Plan. §27-317(a)(6)

(9) No regulated environmental features are present on the subject property. §27-317(a)(7)

Private School

(10) The subject Application proposes a maximum of 120 children. §27-396(b)(1)

(11) An outdoor play area of 13,000 square feet is proposed, which exceeds the requirement of 100 square feet per enrolled child. The play area is proposed to be located no closer than 71' 11" to the nearest garage, and a greater (but unspecified) distance to any dwelling on an adjoining lot. The play area will be enclosed by a six-foot wrought-iron-appearance fence. §27-396(b)(2)

(12) The subject property is not improved with multi-family dwellings and does not propose a nursery school. §27-396(b)(3)

(13) The Site Plan includes the Private School located in the existing buildings on the subject property. §27-396(c)(1)

(14) The proposed maximum enrollment of 120 children is noted on the Site Plan. §27-396(c)(2)

(15) The location of all of the dwellings on adjoining lots are shown on the Site Plan. §27-396(c)(3)

- (16) The location of the outdoor play area is shown on the Site Plan. §27-396(c)(4)
- (17) The instant Application is for a new Private School, §27-396(d) is not applicable.
- (18) Enrollment means the total number of students enrolled at any one time. §27-396(e)
- (19) No medical uses are proposed on the subject property. §27-396(f)

Parking Regulations

(20) In accordance with the parking and loading regulations contained in Section 27-568(a)(3) of the Zoning Ordinance, the existing church (50 seats) is required to provide 13 spaces and the proposed Private School (up to 120 students) is required to provide 20 parking spaces, for a total of 33 parking spaces. The submitted Site Plan shows that a total of 35 parking spaces will be provided, including 33 regular parking spaces and 2 standard handicap-accessible spaces. Section 27-582(a) of the Zoning Ordinance does not require loading spaces for churches or Private Schools. Required parking will be accommodated in an existing concrete parking lot with access to 50th Avenue.

2010 Prince George's County Landscape Manual Requirements

(21) Since the proposed development neither increases the gross floor area of the existing building, nor increases the intensity of the existing church use, this development is exempt from the requirements of Sections 4.1, 4.2, 4.3, 4.6, 4.7, 4.8, 4.9, and 4.10, in accordance with Section 1.1(d) of the Landscape Manual. However, this development includes a large outdoor play area that is located closer than the existing church building to the existing adjacent single-family detached residences to the north of the site. The Applicant has provided a bufferyard, in accordance with the design standards of Section 4.7, that will minimize any possible negative impacts of the playground on the existing houses abutting the property to the north. The Special Exception Site Plan shows a proposed dumpster along 50th Avenue frontage. The dumpster is required to be screened from view along 50th Avenue, in accordance with the requirements of Section 4.4 of the Landscape Manual.

Tree Canopy Coverage

(22) Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of Tree Canopy Coverage (TCC) on projects that require a grading permit. Properties zoned R-55 are required to provide a minimum of 15 percent of the gross tract area in TCC. The subject site is 2.15 acres in size and will be required to provide a minimum of 14,048 square feet of the site in TCC. The TCC schedule shows conformance with the requirements.

Prince George's County Woodland and Wildlife Habitat Conservation Ordinance (WCO)

(23) The site is exempt from the provisions of the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the property contains less than 10,000 square feet of woodland and has

no previous Tree Conservation Plan approvals. A Standard Letter of Exemption from the WCO was issued for this site (S-157-2020), which expires on October 7, 2022.

Signage

(24) No changes to the existing signage and no new signage are proposed with this application; therefore, this Application does not require review of the sign regulations.

DISPOSITION

Special Exception 4836, is APPROVED, subject to the following Conditions:

1. The Applicant, and the Applicant's heirs, successors, and/or assignees shall provide the following facilities, prior to any building permit, and depict the following facilities on the site plan, prior to its certification:
 - a. Provide a crosswalk extending from the existing crosswalk crossing of Rhode Island Avenue, directly north of its intersection with Hollywood road, to connect with the proposed sidewalk facility along the subject property's frontage of Rhode Island Avenue, unless modified by the City of College park, with written correspondence.
 - b. Provide a sidewalk along a portion of the subject site's frontage of Rhode Island Avenue, unless modified by the City of College park, with written correspondence.
 - c. Provide a sidewalk along a portion of the subject site's frontage of 50th Avenue, unless modified by the City of College Park, with written correspondence.
 - d. Provide a 10' wide easement for future sidewalk along the subject site's full frontage of Hollywood Road, unless modified by the City of College Park, with written correspondence.
 - e. Provide R4-11 bikeway signage along the subject site's frontage of Hollywood Road, unless modified by the City of College Park, with written correspondence.