



The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
Development Review Division
301-952-3530

Note: Staff reports can be accessed at <http://mncppc.iqm2.com/Citizens/Default.aspx>

Detailed Site Plan Highland Park Senior Housing

DSP-91071-03

REQUEST	STAFF RECOMMENDATION
An amendment to a detailed site plan for development of an apartment building of 137 dwelling units for the elderly.	<p>With the conditions recommended herein:</p> <ul style="list-style-type: none"> • APPROVAL of Detailed Site Plan DSP-91071-03 • APPROVAL of Type 2 Tree Conservation Plan TCP2-016-2023

Location: On the south side of Sheriff Road, approximately 150 east of its intersection with MD 704 (Martin Luther King Jr. Highway)	
Gross Acreage:	18.69
Zone:	RSF-95
Prior Zone:	R-80
Reviewed per prior Zoning Ordinance:	Section 27-1704(b)
Dwelling Units:	137
Gross Floor Area:	262,845 sq. ft.
Planning Area:	72
Council District:	05
Municipality:	N/A
Applicant/Address: Community Housing Initiative Inc. 1123 Ormond Court McLean, VA 22101	
Staff Reviewer: Te-Sheng (Emery) Huang Phone Number: 301-952-4534 Email: tesheng.huang@ppd.mncppc.org	



Planning Board Date:	07/06/2023
Planning Board Action Limit:	07/12/2022
Staff Report Date:	07/22/2023
Date Accepted:	05/03/2023
Informational Mailing:	10/06/2022
Acceptance Mailing:	05/02/2023
Sign Posting Deadline:	06/06/2023

The Planning Board encourages all interested persons to request to become a person of record for this application. Requests to become a person of record may be made online at http://www.mncppcapps.org/planning/Person_of_Record/. Please call 301-952-3530 for additional information.

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THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-91071-03
Type 2 Tree Conservation Plan TCP2-016-2023
Highland Park Senior Housing

The Urban Design Section has reviewed the detailed site plan for the subject property and recommends APPROVAL, with conditions, as described in the Recommendation section of this technical staff report.

EVALUATION CRITERIA

The subject property is within the Residential, Single-Family-95 (RSF-95) Zone and was previously located within the One-Family Detached Residential (R-80) Zone. This application is being reviewed and evaluated in accordance with the prior Prince George's County Zoning Ordinance, pursuant to Section 27-1704 (b) of the Zoning Ordinance. The detailed site plan was reviewed and evaluated for conformance with the following criteria:

- a. The requirements of the prior Prince George's County Zoning Ordinance for the One-Family Detached Residential Zone (R-80);
- b. The requirements of Preliminary Plan of Subdivision 4-21022;
- c. The requirements of the 2010 *Prince George's County Landscape Manual*;
- d. The requirements of the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance;
- e. The requirements of the Prince George's County Tree Canopy Coverage Ordinance;
- f. Referral Comments; and
- g. Community Feedback.

FINDINGS

Based upon the analysis of the subject application, the Urban Design staff recommend the following findings:

1. **Request:** This detailed site plan (DSP) requests an amendment to DSP-91071-02 for development of an apartment building for the elderly, consisting of 137 dwelling units.

2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone (s)	RSF-95 (prior R-80)	RSF-95 (prior R-80)
Use(s)	Institutional	Institutional and Residential
Gross Tract Acreage	18.69	18.69
Lots	0	0
Parcels	1	1
Dwelling Units	N/A	137
Gross Floor Area	128,112 sq. ft.	262,845 sf in total (Institutional: 128,112 sq. ft. and Residential: 134,733 sq. ft.)

Parking Requirements (Per Section 27-568(a) of the prior Zoning Ordinance)

	Number of Spaces Required	Number of Spaces Provided
Church	1 space per 4 seats (1,199 seats): 300	Standard: 282 Compact: 2 Handicap-accessible: 14 Handicap van-accessible: 2
Day Care Center and Private School	Day Care Center: 1 space per 8 children (117 Children): 15 Private School 1 space per 6 students (250 students): 42	Standard: 59 Compact: 0 Handicap-accessible: 3 Handicap van-accessible: 2
Apartment Housing for the Elderly	0.66 per unit (137 units): 91	Standard: 116 Compact: 0 Handicap-accessible: 4 Handicap van-accessible: 2
Total	448 parking spaces	486 parking spaces

Based on the number of parking spaces labeled in each parking bay on Sheet DSP-16, the total number of regular parking spaces in the parking area for the proposed apartment building is 130. A condition has been included herein for clarification.

Loading Spaces (Per Section 27-582(a) of the prior Zoning Ordinance)

	Required	Provided
Institutional (Church, Day Care Center, and Private School)	2	2 (12 feet x 33 feet)
Apartment Housing for the Elderly	1	1 (12 feet x 33 feet)
Total loading spaces required	3	3

3. **Location:** The subject site is located on the south side of Sheriff Road, approximately 150 feet east of its intersection with MD 704 (Martin Luther King Jr. Highway). The property is 18.39 acres within Planning Area 72 and Council District 5. The site is currently occupied by the First Baptist Church of Highland Park, a day care center, and a private school. To the southwest of the existing church sanctuary, there is an area currently developed as a parking area. This area will be the location for the proposed apartment building of 137 units for the elderly. It will be set back over 200 feet from Sheriff Road and 14–18 feet from the property to the east.

4. **Surrounding Uses:** The abutting properties to the south and east are in the One-Family Detached Residential (R-80) Zone and are developed with cemetery and single-family residential uses. The properties flanking the site to the west are in the Mixed Use-Infill (M-U-I) and Development District Overlay (D-D-O) Zones, developed with an eating and drinking establishment with drive through service, a gas station, and a monopole. The properties beyond Sheriff Road to the north are in the M-U-I/D-D-O Zones and the Townhouse (R-T) Zone, and are developed with a gas station and single-family attached dwellings, respectively.

5. **Previous Approvals:** Preliminary Plan of Subdivision (PPS) 4-92017 was approved by the Prince George’s County Planning Board on April 23, 1992 (PGCPB Resolution No. 92-92). This PPS was approved for resubdivision of the site into two outlots and one parcel containing the existing church development. In addition, the site had an approved Stormwater Management (SWM) Concept Plan, CSD 910154.

DSP-91071 was approved by the Planning Board on September 10, 1992 (PGCPB Resolution No. 92-247), for an 800-seat church and a 100-student day care. The site had an approved SWM Concept Plan, CSD 910154 Branch 7034.

PPS 4-98052 was approved by the Planning Board on December 3, 1998 (PGCPB Resolution No. 98-310). This PPS was approved for resubdivision of the site into one parcel and one outlot containing the existing church development and associated uses. The site had an approved SWM Concept Plan, CSD 910154 Branch 7034. No development was proposed with this application. The outlot was conveyed to the adjoining National Harmony Memorial Park cemetery. This PPS was superseded by PPS 4-21022. None of the conditions associated with this previously approved PPS affect this proposal.

DSP-91071-01 was approved by the Planning Board on June 19, 2003 (PGCPB Resolution No. 03-139), for the addition of a 250-student private school, an increased enrollment (17 children) to the existing day care center, and a 1,064-square-foot accessory credit union/bank. The site had an approved SWM Concept Plan, 42858-2002.

DSP-91071-02 was approved on July 28, 2011 (PGCPB Resolution No. 11-76), for 81,896-square-foot additions to an existing 46,216-square-foot church, school, and day care building complex, with additional parking to serve a church of 1,199 seats. The site had an approved SWM Concept Plan, 16624-2009.

Vacation V-09005 was approved on October 22, 2009, to allow the vacation of part of Hunt Avenue and part of Park Avenue, with the reversion of ownership to the First Baptist Church of Highland Park.

PPS 4-21022 was approved by the Planning Board on March 3, 2022 (PGCPB Resolution No. 2022-30), for the purpose of creating one parcel for development of 138 multifamily dwelling units for the elderly, in addition to 128,112 square feet of the existing institutional uses. A variance from Section 25-122(b)(1)(G) was approved to allow removal of two specimen trees. The site had an approved SWM Concept Plan, 16624-2009-02.

6. **Design Features:** The subject property has an irregular, jagged, linear shape that runs for approximately 1,700 feet along the south side of Sheriff Road, just east and uphill from its intersection with MD 704. The site has many steep slopes that range from high elevations in the southeast, to a midpoint in the front of the site along Sheriff Road, to low elevations around the environmental features in the southwest. The property has been developed and expanded at various times over the years. It is currently developed with a church, a child day care, and a private school.

The applicant proposes to construct one apartment building of 134,733 square feet for the elderly. This building will provide 137 dwelling units, of which 89 units are one-bedroom and 48 units are two-bedroom. The building is in the rear portion of the subject site, away from Sheriff Road and facing the existing church on-site (Figure 1).

The site has three existing access driveways to Sheriff Road, one west of the church, one near the northeast corner of the church, and one further east. The applicant proposes to use the one further east, the third one counting from the intersection of MD 704 and Sheriff Road, as the entry point for the proposed apartment building. The east side of this driveway is paired with a sidewalk for pedestrian access from Sheriff Road to the building. This new driveway will serve two parking areas: one for the church and one for the proposed apartment building. The parking area for the apartment building is located to its west and north.

The proposed apartment building is approximately 60 feet in height, with a total of five stories. The main pedestrian entrance and lobby are located on the west elevation of the building. This entrance is accented by a canopy and glass windows.

In addition to the lobby, the terrace floor (the ground floor) of the apartment building is comprised of residential units, indoor recreational facilities (including a lounge, a game room, a fitness room, a yoga room, a community café, and a bike storage), and other spaces for building maintenance. Other than required maintenance and service spaces, the four floors above are solely comprised of residential units.



Figure 1: Site Plan

Architecture

The architectural design of the apartment building is contemporary and is finished with a mix of materials including clay masonry veneer, clay masonry accent band, vertical fiber cement panels, and vinyl horizontal lap siding. The materials are arranged in a geometric pattern and provide bands of color on the building. Emphasis has been given to the variety of materials of different color palettes used on the building elevations through different volumes, massing, and recessed building faces (Figures 2 and 3). The color tone for the apartment building also matches the existing buildings on-site.

The design of the building roof is flat, with certain sections of the parapets that are slightly higher than the others. The roof is designed with aluminum fascia and wood brackets. The rooftop height of two sections stand out as focal points of the building. One is where the main building entrance is located and the other is the northeast building corner, closest to Sheriff Road.

Access to the utility service room will be located around the north end of the building. However, the provided west elevation does not show this access. A condition is included herein requiring the applicant to revise this technical error on the certified DSP.

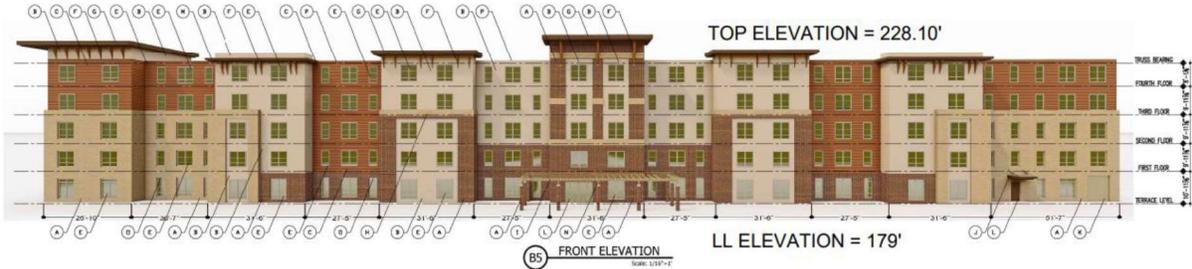


Figure 2: West Elevation



Figure 3: East Elevation

Recreational Facilities

The project provides both outdoor and indoor recreational facilities. An outdoor recreational area is located behind the proposed apartment building, which includes a dog run, a gazebo, a community garden, and an 8-foot-wide walking path, with seating. Indoor recreational facilities are located on the terrace floor (the ground floor) of the building, including a lounge, a game room, a fitness room, a yoga room, a community café, and a bike storage.

Detailed information regarding some amenities remains inadequate. The applicant labels the location of pathway benches provided on the plan but does not include their quantity and value in the recreational amenity list on the coversheet. A condition has been included herein, requiring more details.

On Sheet DSP-17, the 8-foot-wide walking path encloses three outdoor recreational facilities: a gazabo, a dog run and a community garden. However, the plan does not show the connection between these facilities and the walking path in order for future senior residents to access them. Some details regarding the dog run and the community garden are also missing, such as dimensions and size, gate details, the type of planting area that will be operated in the community garden (e.g., on the ground or in raised beds), and any structures located within. The applicant also does not indicate the type and quantity of

use is institutional. Signage requirements are subject to Section 27-617 (Institutional–Other than Temporary) of the prior Zoning Ordinance. The maximum number of signs for the subject property is one.

However, Section 27-441(b), Footnote 134, of the prior Zoning Ordinance allows the DSP to establish regulations for residential use, such as additional signage. Staff find that the sign the applicant is proposing is of the size and design appropriate for the use of the subject site.

Lighting

The DSP application is proposing to install two types of pole-mounted lighting throughout the site. Both lighting fixtures (Types A and B) are 16 feet in height and are clearly labeled on the lighting plan. Details of the proposed lighting have been included in the application.

Staff find that the submitted photometric plan shows adequate light for users on-site and is sufficient for illuminating drive aisles, building entries, and walking paths throughout the site. However, the location of a lighting fixture (A-1) will cause light spillover onto the adjoining residential property. A condition is included for the relocation of this lighting fixture.

In addition, the submitted photometric plan does not cover the sidewalk that will allow pedestrian access from Sheriff Road to the proposed apartment building. The applicant should expand the photometric plan to cover this portion of the driveway and sidewalk to ensure adequate lighting for site access. If supplemental lighting is needed, the applicant should label it, as well as the existing lighting, along this driveway on the plan. A condition has been included herein for revision.

Loading and Trash Facilities

The applicant plans to install one loading space for the proposed apartment building, which meets the required number of spaces. This loading space is located at the south end of the building and is not noticeable from Sheriff Road. Via a walking path, people have direct access to the main building entrance. An outdoor dumpster pad is proposed for the project and is located next to the loading space. Details for the enclosure of the dumpster have been included in the application and are sufficient.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prior Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of Division 3, regarding uses permitted in the residential zones of the prior Zoning Ordinance; Section 27-429, which governs development in the R-80 Zone; Section 27-285, regarding the Planning Board procedures with respect to DSPs, including required findings; and Section 27-274, regarding site design guidelines. The Prince George's County District Council approved Council Bill CB-9-2019, which allows the proposed apartments for the elderly in the R-80 Zone. In addition, CB-9-2019 exempts the proposed project from Section 27-337, of the prior Zoning Ordinance
 - a. This application is subject to the requirements of Section 27-441(b), Uses Permitted, in the residential zones of the prior Zoning Ordinance.

Per Section 27-441(b), apartment housing for elderly or handicapped families in a building other than a surplus public-school building is subject to a special exception in the R-80 Zone, except under certain circumstances, as listed in Footnote 134. That footnote includes the following requirements (listed in **bold**, followed by staff comment):

Footnote 134

- (a) A Special Exception shall not be required, provided:**
 - (A) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;**
 - (B) The site includes lots or parcels totaling ten (10) acres in size or more owned by a nonprofit organization on or before July 1, 2019;**

In conformance with this requirement, the subject site is comprised of 18.69 acres, located in the R-80 Zone. The property is owned by the First Baptist Church of Highland Park, a nonprofit organization. Deed records of the subject property show that the church acquired the site before July 1, 2019.

- (C) The site is adjacent to an historic resource as designated in accordance with Subtitle 29 of this Code and has frontage on a roadway with a functional transportation classification as collector or higher within the applicable Master Plan;**

In conformance with this requirement, the subject property is adjacent to Harmony Memorial Park (Historic Resource 72-045) and contains frontage along Sheriff Road, a collector roadway (C-405), in the 2009 *Approved Master Plan of Transportation* (MPOT).

- (D) Regulations concerning the height of the structure, lot size, lot coverage, frontage, and density shall be in accordance with the R-10 Zone for multifamily dwellings. All other regulations shall be established and shown on the Detailed Site Plan;**

The table below shows the requirements for the height of the structure, lot size, lot coverage, frontage, and density set forth in the Multifamily High Density Residential (R-10) Zone. The proposed apartment building for the elderly meets all of these requirements. However, some information listed on the coversheet is incorrect or missing. Conditions are included herein to revise.

	Required (R-10)	Proposed
Maximum structure Height	110 feet (Section 27-442 (f))	60 feet +/- (5 stories)
Minimum Lot Size	20,000 square feet (Section 27-442 (b))	18.692 acres or 814,224 square feet
Maximum Lot Coverage	814,224*50%= 407,112 square feet (Section 27-442 (c))	384,824 square feet * (Existing buildings: 128,112 sq. ft.; proposed apartment building: 28,547 sq. ft.; and paving coverage: 288,165)
Frontage	150 feet (Section 27-442 (d))	Information is missing on the coversheet (Sheet DSP-1), but the subject property will meet this requirement.
Maximum density	48 dwelling units/acre (Section 27-442 (h))	7.33 dwelling units/acre

Note: *PPS 4-21022 did not approve additional nonresidential gross floor area (GFA) beyond that already existing on the site. Prior to signature approval of this DSP amendment, the difference must be reconciled between the 128,112 square feet of existing GFA identified at the time of PPS, and the 67,254 square feet of existing GFA identified on the submitted site plans.

(E) The owner of the property shall record among the Land Records of Prince George's County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of not less than twenty (20) years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission; and

The subject development is proposed for the elderly. Covenants regarding this will be required to be filed in land records at the time the final plat of subdivision is recorded.

(b) For purposes of this Section, the terms "elderly family" and "physically handicapped family" shall have the same meanings as defined in Section 27-337(c).

The introduction of CB-9-2019 permits the use of "Apartment housing for elderly and handicapped families" within the R-80 Zone. This amendment enables the proposed development of an apartment building for the elderly within the subject site. Section 27-337(c) notes that "'elderly family' means a family which is included within age restrictions in conformance with the Federal Fair Housing Act." Therefore, this specific use, apartment housing for elderly or handicapped families in a building other than a surplus public

school building, shall be noted on the coversheet (Sheet DSP-1) as the proposed use for this application. A condition is included herein to specify the correct use on the site plan.

- b. This application is subject to the requirements of Section 27-429(c), Regulations, of the prior Zoning Ordinance, as follows:

Section 27-429(c)

- (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the R-80 Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

The subject DSP is in conformance with these regulations. Evaluations of off-street parking and loading, signs, and the 2010 *Prince George's County Landscape Manual* (Landscape Manual) have been discussed in Findings 2 and 6 above and Finding 10 below.

- c. Section 27-274(a) of the prior Zoning Ordinance provides site design guidelines for a DSP. The applicable design guidelines are described as the following:

Section 27-274(a)(2)

- (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...**

The site is adjacent to the First Baptist Church of Highland Park, which is connected to Sheriff Road through multiple driveways. The primary access to the proposed apartment building will be the entry point to the far north. The site circulation allows vehicles, bicycles, and pedestrians to enter and exit the site, but a site circulation plan was not submitted. A condition is included herein for such information.

The proposed development also offers internal connections for pedestrian access to and from Sheriff Road, other buildings located on-site, and the proposed recreational area situated behind the apartment building.

The proposed parking spaces for the apartment building are located adjacent to it. Parking spaces for handicap-accessible and handicap van-accessible are located next to the walking path for accessibility. The number of required and provided parking spaces is discussed in Finding 2 above. Both long- and short-term parking areas are provided on-site. Information regarding loading areas is discussed in Finding 6 above.

(3) Lighting.

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

A detailed discussion about lighting has been addressed in Finding 6 above.

(4) Views.

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

The applicant is proposing to locate the apartment building in an existing parking area, away from Sheriff Road, a public right-of-way (ROW). This intent would reduce the building's impact on views from Sheriff Road, which fronts the property, so that these views would be mostly preserved. A modification to the site, along the street frontage, is for construction of a SWM facility. The applicant proposes to maintain the Section 4.2 landscape strip along the Sheriff Road frontage and to comply with Section 4.3-2 for interior planting for the parking area. A detailed discussion regarding this has been addressed in Finding 10 below.

(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.

Information about the green area provided on-site is discussed in Finding 10 below, which addresses the requirements set forth in the Landscape Manual.

(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 applicant is proposing to maintain the Section 4.2 landscape strip along the Sheriff Road frontage, which provides a landscape strip of at least 10 feet wide and has an average width of 15 feet. Planting within the strip is at the rate of one shade tree and five shrubs per 35 linear feet of frontage,

excluding driveway openings. Details of the on-site indoor and outdoor recreational facilities have been discussed in Finding 6 above.

(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.**

The subject site is currently developed. The proposed apartment building will be developed and constructed in an existing parking area. This minimizes any additional disruption to the existing topography. In addition, the applicant is proposing to construct retaining walls in the western perimeter of the parking area to enhance stability.

(8) Service areas.

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

The one loading space provided for the apartment building is located at the south side of the apartment building and has direct access to the main building entrance, via a walking path. Given the location, staff find the proposed service area to be unobtrusive and accessible.

(9) Public spaces.

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

The proposed development is to be an apartment building, solely for the elderly. Public spaces included in the development, such as the outdoor recreational area and various indoor recreational facilities, are for the use of senior residents who will live in the building. Detailed information regarding this is discussed in Finding 6 above.

(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 a 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.**

A detailed discussion regarding architecture has been addressed in Finding 6 above.

8. **Preliminary Plan of Subdivision 4-21022:** The site is subject to PPS 4-21022, which was approved on March 3, 2022 (PGCPB Resolution No. 2022-30), subject to 16 conditions. Of the 16 conditions, the conditions relevant to the review of this proposed DSP are listed below, in **bold** text. Staff analysis of the project's conformance to the conditions follows each one, in plain text:

1. **Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised, as follows:**

- b. **Show a 10-foot-wide public utility easement along the property's frontage with Hunt Avenue.**

This DSP should show a 10-foot-wide public utility easement (PUE) along Hunt Avenue, in accordance with the signature approved PPS. The PUE is shown on Sheet DSP-5, but not on other sheets where it should be shown, including Sheets DSP-4, DSP-7, and DSP-10. A condition is included herein for revision.

2. **Development of the site shall be in conformance with the pending Stormwater Management Concept Plan, 16624-2009-02, and any subsequent revisions.**

The applicant submitted approved SWM Concept Plan 16624-2009-02 and approval Letter 16624-2009-03 with the subject DSP. It is noted that the purpose of the -03 revision was to change the engineer on record for the project.

3. **Prior to approval, the final plat shall include:**

- a. **Dedication of a 10-foot-wide public utility easement along the public rights-of-way, as delineated on the approved preliminary plan of subdivision.**

The DSP shows PUEs along the adjoining public ROWs (Sheriff Road and Hunt Avenue), in accordance with the approved PPS. However, as noted under Condition 1(b) above, consistency is needed between the plan sheets.

4. **Total development within the subject property shall be limited to uses which generate no more than 389 AM peak-hour trips and 232 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The subject DSP is consistent with the land use and development program approved in the PPS application and, therefore, is within the peak-hour trip cap.

7. **At the time of detailed site plan (DSP), the DSP shall show the location of the mitigated safety factor line and the 25-foot building restriction line from the 1.5 safety factor line.**

A revised geotechnical report provided information showing an improved retaining wall design and stability, which eliminates the need to show the 1.5 safety factor line and the associated 25-foot building restriction line on the DSP.

- 10. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

The applicant submitted a Type 2 Tree Conservation Plan (TCP2-016-2023), and it is recommended for approval herein.

- 12. Prior to acceptance of a detailed site plan (DSP), the applicant and the applicant’s heirs, successors, and/or assignees shall include as part of the DSP submission, the following:**

- a. A standard 5-foot-wide bicycle lane along the property frontage of Sheriff Road, consistent with the Guide for the Development of Bicycle Facilities (American of Association of State Highway and Transportation Officials) unless modified by the operating agency, with written correspondence.**
- b. A minimum 6-foot-wide sidewalk along the entire frontage of Sheriff Road, unless modified by the operating agency, with written correspondence.**
- c. A minimum 5-foot-wide sidewalk and associated crosswalks from Sheriff Road to the proposed building entrance.**
- d. Short-term and long-term bicycle parking, consistent with the Guide for the Development of Bicycle Facilities American of Association of State Highway and Transportation Officials to accommodate residents and visitors.**

The DSP shows the location of the 5-foot-wide bicycle lane along Sheriff Road. The plan also shows an existing 6-foot-wide sidewalk along most of the frontage on Sheriff Road and associated sidewalks and crosswalks from Sherriff Road to the proposed building entrance. Subject to approval by Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE), the applicant needs to add sidewalks in those areas where they do not currently exist. In addition, both long- and short-term bicycle parking areas are proposed on-site and shown on Sheet DSP- 16.

- 13. In accordance with Section 24-135(b) of the Prince George’s County Subdivision Regulations, the applicant and the applicant’s heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.**

- 14. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Triggers for construction shall also be determined at the time of DSP.**

A list of recreational facilities proposed for this development is shown on the coversheet (Sheet DSP-1). The provided facilities include both indoor and outdoor amenities which are appropriate for the elderly. Evaluation of the proposed facilities, in accordance with Conditions 13 and 14, has been discussed in Finding 6 above.

The facilities are proposed to be constructed, prior to issuance of the final certificate of occupancy for the residential development, which is appropriate given that a single multifamily building is proposed.

- 9. 2010 Prince George's County Landscape Manual:** Per Section 27-429(c)(1) of the prior Zoning Ordinance, the proposed development is subject to the provisions of the Landscape Manual. Conformance is required with the following sections: Section 4.1, Residential Requirements; Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.7, Buffering Incompatible Uses; and, Section 4.9, Sustainable Landscaping Requirements.

Sheet DSP-17, Schedule 4.1-4 Residential Requirements for Multifamily, shows the green space provided for the subject site is 175,000 square feet. The applicant should clarify how this square footage is determined since the coversheet (Sheet DSP-1) indicates that the green area provided for the entire parcel is 490,063 square feet. A condition is included herein requiring the applicant to confirm the green area provided.

Pursuant to Section 4.1 of the Landscape Manual, the green area needs to include the area on the entire record lot/parcel minus the areas listed in Section 4.1(c)(4)(C) on page 36. The requirement is to provide one shade tree per 1,000 square feet of green area provided. For this application, if the total green area is 490,063 square feet, the number of shade trees required is 491. Any on-site proposed woodland preservation areas can be credited as providing one shade tree per 1,000 square feet, as per the woodland definition they would meet this requirement.

Schedule 4.1-4 on Sheet DSP-17 indicates 265 existing shade trees, which is less than the required 287 trees. Conditions have been included herein requiring the applicant to revise the landscape plan with a certificate of landscape maintenance to determine the conformance of the previously approved landscape plan. This certificate can also show the condition of the existing woodlands for the 10-foot landscape buffer around the area for the outdoor recreational facilities on Sheet DSP-17 and determine if additional landscaping is required.

The other appropriate schedules have been provided for the relevant sections and the submitted plans are in conformance with the requirements, except for several technical errors. Revisions to the landscape plan are needed and have been conditioned herein.

- 10. Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** This project is subject to the Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application was subject to a new PPS and is also subject to the requirements in the 2018 *Environmental Technical Manual*. A Type 2 Tree Conservation Plan (TCP2-016-2023) was submitted for review that covers the area of this DSP.

Based on the TCP2 submitted with this application, the site’s gross area is 18.69 acres, contains 5.53 acres of woodland in the net tract, and 0.28 acre of woodlands in the floodplain resulting in a woodland conservation threshold of 3.68 acres (20 percent). The woodland conservation worksheet proposes the removal of 0.62 acre in the net tract area for a woodland conservation requirement of 3.83 acres. According to the worksheet, the requirement is proposed to be met with 4.68 acres of woodland preservation and 0.44 acre of reforestation. Conditions are included herein requiring the applicant to make several technical revisions to the TCP2.

- 11. Prince George’s County Tree Canopy Coverage Ordinance:** The subject site is located in the Residential, Single-Family-95 (RSF-95) Zone, and a 15 percent tree canopy coverage (TCC) requirement applies, per Section 25-128(b) of the Prince George’s County Code. This amounts to approximately 2.8 acres, or 122,120 square feet, to be provided in TCC. However, the applicant did not include the TCC schedule in the submittal. A condition has been included requiring the applicant to provide an appropriate schedule demonstrating conformance with the requirements.

- 12. Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are incorporated herein by reference and main points are summarized, as follows:

- a. **Historic Preservation and Archeological Review**—In a memorandum dated May 15, 2023 (Stabler, Smith, and Chisholm to Huang), the Historic Preservation Section offered the following comments:
- (1) The *2010 Approved Subregion 4 Master Plan and Sectional Map Amendment* contains goals and policies related to Historic Preservation (pages 287–296). However, these are not specific to the subject site or applicable to the proposed development.
 - (2) A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low.
 - (3) The subject property is adjacent to Harmony Memorial Park (72-045), a County designated historic resource. The size of the resource and the location of the parts of the cemetery associated with the Columbian Harmony Cemetery are located away from the developing property, which will not impact any of these historic sites and resources or known archeological sites.
- b. **Community Planning**—In a memorandum dated June 2, 2023 (Nair to Huang), the Community Planning Division provided an evaluation of the application stating that,

pursuant to Subtitle 27, Part 3, Division 9, Subdivision 3, of the Prior Zoning Ordinance, master plan conformance is not required for this application.

- c. **Transportation Planning**—In a memorandum dated June 7, 2023 (Yang to Huang), the Transportation Planning Section offered the following comments:

Master Plan Right-of-Way

The subject site is near Sheriff Road (C-405), a four-lane, bi-directional roadway, which has a ROW of 80 feet, established with MPOT, but does not have frontage along Sheriff Road. Based on the *2010 Approved Subregion 4 Master Plan and Sectional Map Amendment* (Subregion 4 Master Plan and SMA), this roadway is at its ultimate build out.

Master Plan Pedestrian and Bike Facilities

This application is subject to the MPOT, which provides policy guidance regarding multimodal transportation. In addition, the Complete Streets element of the MPOT provides recommendations on 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. (page 9).

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. (page 10)

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. (page 10)

This development is also subject to the Subregion 4 Master Plan, which has similar compatible policies.

The above policies support a multimodal community. The latest DSP submission adequately shows pedestrian and bicycle improvements, consistent with the MPOT and the Subregion 4 Master Plan policies and recommendations.

- d. **Subdivision**—In a memorandum dated June 2, 2023 (Diaz-Campbell to Huang), the Subdivision Section provided an evaluation of the application and offered the following comments:

The site is subject to PPS 4-21022 and the applicable conditions that affect this DSP were evaluated and discussed in Finding 9. In addition, the following comments were provided:

- (1) Approval of a final plat will be required following approval of this DSP amendment, before any permits can be approved.

- (2) Existing Parcel D is subject to four general notes, which are listed on the plat recorded in Plat Book MMB 234 page 83. These general notes, however, are not relevant to the proposed development. The final plat recorded following approval of this DSP amendment may have similar notes.
 - (3) Pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, the site received an automatic certificate of adequacy, which is valid for 12 years, until April 1, 2034, and subject to the expiration provisions of Section 24-4503(c). PPS 4-21022 is currently valid until March 24, 2024.
 - (4) The proposed parcel is labeled as Parcel E on the site plan. The proposed parcel should have a numbered designation, instead of an alphabetical designation, to denote that it is a development parcel, in keeping with standard nomenclature.
- e. **Environmental Planning**—In a memorandum dated June 5, 2023 (Rea to Huang), the Environmental Planning Section recommends approval of DSP-91071-03 and TCP2-016-2023, with conditions relating to the TCP2, as well as the following summarized comments:

Natural Resource Inventory

An approved Natural Resource Inventory (NRI-037-2008-02) was submitted with the application. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the primary management area. The NRI indicates the presence of two forest stands, labeled as Stand A and B, and 19 specimen trees were identified, with 4 trees off-site and 15 on-site. The TCP2 and DSP show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

Specimen Trees

Section 25-122(b)(1)(G) requires that “Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree’s condition and the species’ ability to survive construction as provided in the Technical Manual.”

In accordance with the approved NRI, 15 specimen trees have been identified on the subject property, and 4 specimen trees are located off-site. At the time of PPS 4-21022 review, the Planning Board made the finding for approval of the removal of Specimen Trees 1 and 5. No additional trees were requested for removal with DSP-91071-03.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0–5 percent slopes), and Christiana-Downer complex (5–40 percent slopes). According to available information, no Marlboro clay exists on-site; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that

exhibit shrink/swell characteristics during rain events, which make it unstable for structures. According to Section 24-131, Unsafe Land, of the Prince George's County Subdivision Regulations, the Planning Board shall restrict or prohibit land found to be unsafe for development because of natural conditions, such as unstable soils and high-water table.

As part of the DSP review process, a geotechnical report, dated December 13, 2021, from Geotechnical Laboratories, Inc., was submitted with the application. This report was reviewed by the staff geotechnical engineer, along with other requested information. The geotechnical engineer has confirmed that the proposed retaining wall ensures global stability and a safety factor higher than 1.5.

Stormwater Management

An approved SWM Concept Plan (16624-2009-02) was submitted with this application. The approved SWM concept plan shows the use of six bioretention facilities to meet the current requirements of environmental site design, to the maximum extent practicable. No further information is required regarding SWM with this application.

- f. **Permit Review**—In a memorandum dated June 9, 2023 (Bartlett to Huang), the Permit Review Section provided comments on the ways of documenting the number of proposed residential units, if the proposed apartment building would be constructed in different phases, and clarification of the proposed one-bedroom units from studios.
- g. **Prince George's County Department of Parks and Recreation (DPR)**—In an email dated June 5, 2023 (Thompson to Huang), DPR stated that the proposed private recreational facilities are satisfied. DPR encourages the provision of programmed activities for seniors within the residential development.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated June 1, 2023 (Giles to Huang), DPIE offered the following comments on this development:
 - (1) The applicant is to provide frontage improvements along Sheriff Road frontage per its status as a Collector roadway in the Master Plan. This includes, but is not limited to, extension of sidewalk to eastern terminus of the site, street trees, and street lighting.
 - (2) The master plan calls for a bike lane along Sheriff Road. The applicant is to provide a bike lane facility along Sheriff Road frontage.
 - (3) The applicant is to provide an ADA ramp with detectable warning surface for east side of easternmost driveway (driveway number 3).
- i. **Price George's County Police Department**—At the time of the writing of this technical staff report, the Police Department did not offer comments on this application.

- j. **Prince George’s County Fire/EMS Department**—At the time of the writing of this technical staff report, the Fire/EMS Department did not offer comments on this application.
 - k. **Prince George’s County Health Department**—At the time of the writing of this technical staff report, the Health Department did not offer comments on this application.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—WSSC offered comments dated May 24, 2023, for the subject DSP, which indicated that public water and sewer facilities are available to serve the development.
 - m. **Public Utilities**—The subject DSP application was referred to Verizon, the Potomac Electric Power Company, AT&T, and Washington Gas for review and comments on May 9, 2023. At the time of the writing of this technical staff report, no correspondence had been received from these public utility companies.
- 13. Community Feedback**—As of the writing of this report, staff received an inquiry from Ms. Lisa Brooks, regarding the subject DSP, on May 19, 2023. After clarifying the exact location for the subject development, Ms. Brook’s initial concern was resolved, and she did not have other questions or comments.
- 14.** Based on the foregoing analysis, and as required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP will, if approved with the proposed conditions below, represent a most reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.
- 15.** As required by Section 27-285(b)(4) of the prior Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a DSP is as follows:
- (4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).**

In a memorandum dated June 5, 2023 (Rea to Huang), it was noted that impacts to regulated environmental features (REF) on this DSP are consistent with those previously approved by the Planning Board with PPS 4-21022, and that the REF on the subject property have been preserved and/or restored, to the fullest extent possible, in accordance with the requirement of Section 27-285(b)(5).

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommend that the Planning Board adopt the findings of this report and recommend APPROVAL of Detailed Site Plan DSP-91071-03 and Type 2 Tree Conservation Plan TCP2-016-2023, Highland Park Senior Housing, subject to the following conditions:

1. Prior to certification approval of this detailed site plan (DSP), the applicant shall:
 - a. Revise the label for proposed Parcel E to proposed Parcel 1.
 - b. Show the 10-foot-wide public utility easement along Hunt Avenue on Sheets DSP-4, DSP-7, and DSP-10, in accordance with the approved preliminary plan of subdivision.
 - c. Revise the Detailed Site Development Notes on the coversheet (Sheet DSP-1), as follows:
 - (1) In Note 5, provide a breakdown of the existing uses on the site, consistent with the total 128,112 square feet of institutional development determined to be on-site at the time of Preliminary Plan of Subdivision 4-21022.
 - (2) In Note 6, revise "Elderly Housing Project" to "Apartment housing for elderly or handicapped families in a building other than a surplus public-school building." Remove "Institutional (church, daycare & private school)" from this note, since they are existing uses.
 - (3) In Note 8, update the building coverage to be 156,659 square feet (existing buildings: 128,112 square feet and proposed apartment: 28,547 square feet).
 - (4) In Note 8, revise the minimum requirement for lot frontage to 150 feet, per Section 27-442 (d) of the prior Prince George's County Zoning Ordinance. Add the linear feet of the frontage of the subject site to the plan.
 - d. Revise the gross floor area of the existing church and gymnasium labeled on all sheets, in accordance with Preliminary Plan of Subdivision 4-21022. On all sheets, replace "proposed" with "existing" for the church and gymnasium.
 - e. Clarify the total number of regular parking spaces for the apartment building. If some of these spaces will be dedicated to the users of the church, add a hatch symbol for those spaces on the plan, indicating such dedication.
 - f. Revise the recreational amenities, as follows:
 - (1) Update the total value of the proposed on-site recreational facilities on Sheet DSP-1, including the quantity and value of pathway benches, as well as the size of the indoor recreational facilities.
 - (2) Add a note below the table, stating that all facilities shall be constructed, prior to issuance of the final certificate of occupancy for the residential building.
 - (3) Provide a breakdown list of amenities to be included in the lounge, the game room, the fitness room, the yoga room, and the community café on Sheet DSP-1.

- (4) Remove the construction cost of the indoor recreational facilities from the amenity list on Sheet DSP-1.
 - (5) Remove the bike storage from the amenity list on Sheet DSP-1.
 - (6) Provide a large-scale plan of the outdoor recreational area that clearly shows the connection between the walking path and the gazebo, the dog run, and the community garden, and its material and dimensions.
 - (7) Details regarding the gazebo, the dog run, and the community garden shall be added to the plans, such as dimensions and size, gate details, if the vegetable planting area in the community garden would be raised-bed or in-ground, and any structures proposed to be installed within.
 - (8) Seating shall be installed within the gazebo. Add seating details to the plans and its value to the amenity list on the coversheet (DSP-1).
- g. Construct a secondary building entrance at the east end of the building, closest to the outdoor recreational area.
 - h. Revise the lighting, as follows:
 - (1) Relocate the lighting fixture (A-1) in the outdoor recreational area to prevent light spillover onto the adjoining residential property.
 - (2) Revise the photometric plan to cover the entry point, the driveway, and the sidewalk for the proposed apartment, to ensure adequate lighting for site access. Label the lighting fixtures along the driveway on the plan.
 - i. Add a Tree Canopy Coverage schedule to the landscape plan, demonstrating conformance with the requirements in Section 25-128(b) of the Prince George's County Code.
 - j. Provide a site circulation plan to show how vehicles, bicycles, and pedestrians enter and exit the site.
2. Prior to certification, the applicant shall revise the landscape plan, as follows:
- a. Confirm the green area provided on the subject property.
 - b. Revise the landscape plan to meet the requirements of Section 4.1 of the 2010 *Prince George's County Landscape Manual*, for the entirety of the green area on the subject property.
 - c. Provide a certificate of landscape maintenance on the landscape plan for the entire subject property, to ensure the existing landscaping is in compliance with the previously approved landscape plans. If plants are missing, they must be shown as proposed with this landscape plan.

- d. Per Section 4.2(c)(3)(ii) of the 2010 *Prince George's County Landscape Manual*, one shade tree and five shrubs shall be provided for every 35 linear feet of frontage. Add one additional shade tree to Schedule 4.2-1 and label it on the plan.
 - e. Revise Schedule 4.3-2, regarding the provision of a planting island and square footage of the parking area.
 - f. On Sheet DSP-17, revise "Sustainable Landscape Requirements for Section 4.9-1" to "Residential Requirements for Multifamily for Section 4.1-4."
3. Prior to certification, the applicant shall revise the architectural plans and elevations, as follows:
 - a. Revise the west elevation of the building to reflect access to the utility service room located at the north end of the building.
 - b. Revise the east elevation to reflect a secondary building entrance at the east end of the building. Its design shall be articulated with architectural features similar to the design of the main building entrance, with a canopy.
 4. Prior to signature approval of the detailed site plan, the Type 2 tree conservation plan shall be revised, as follows:
 - a. Update the worksheet to use the current version.
 - b. Remove previous approvals from the approval block.
 - c. Have the plans signed and dated by the qualified professional who prepared them.
 5. Prior to certification of the Type 2 tree conservation plan (TCP2) for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section for review by the Office of Law, and submitted to the Prince George's County Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan, as follows:

"Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George's County Land Records at Liber ____ folio ____. Revisions to this TCP2 may require a revision to the recorded easement."

HIGHLAND PARK SENIOR HOUSING (FIRST BAPTIST CHURCH)

Detailed Site Plan

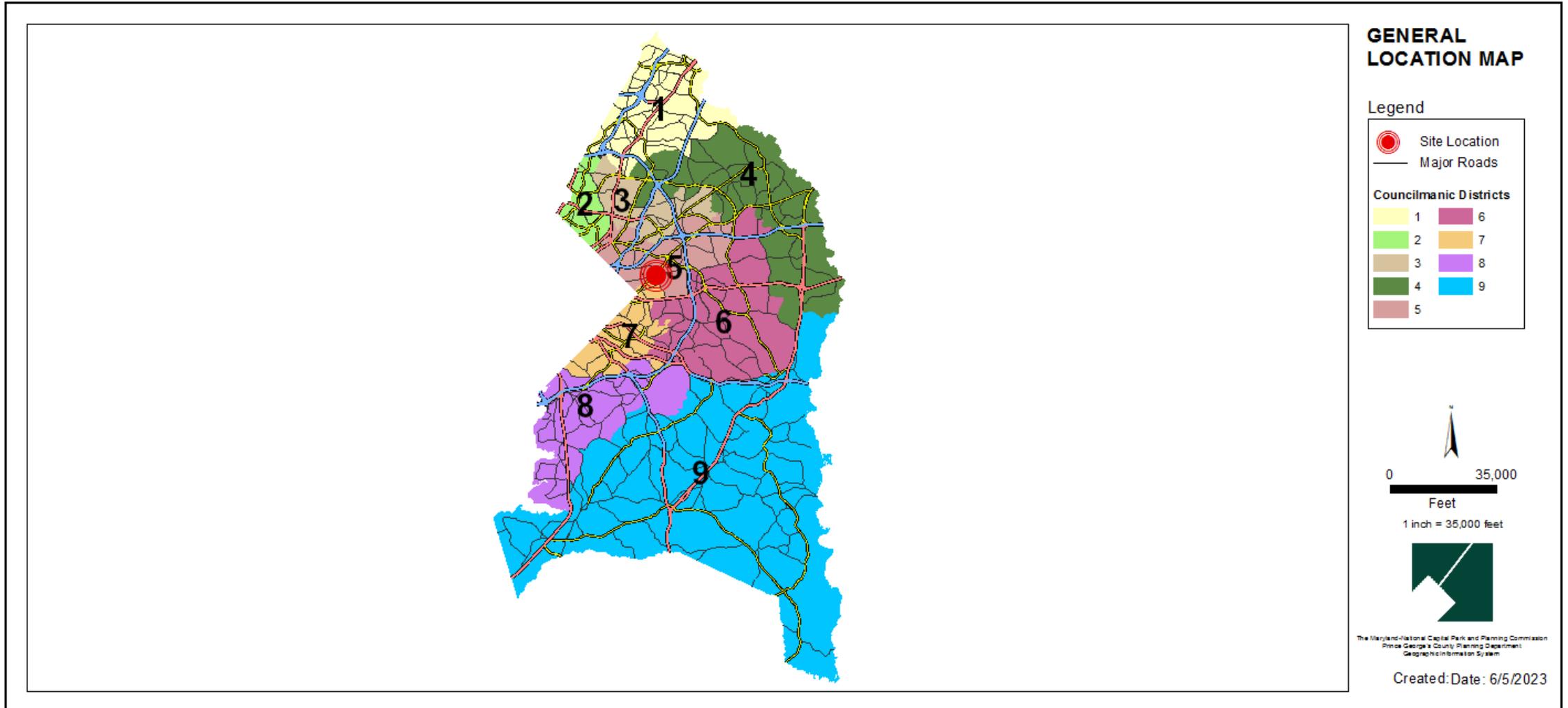
Staff Recommendation: APPROVAL with conditions



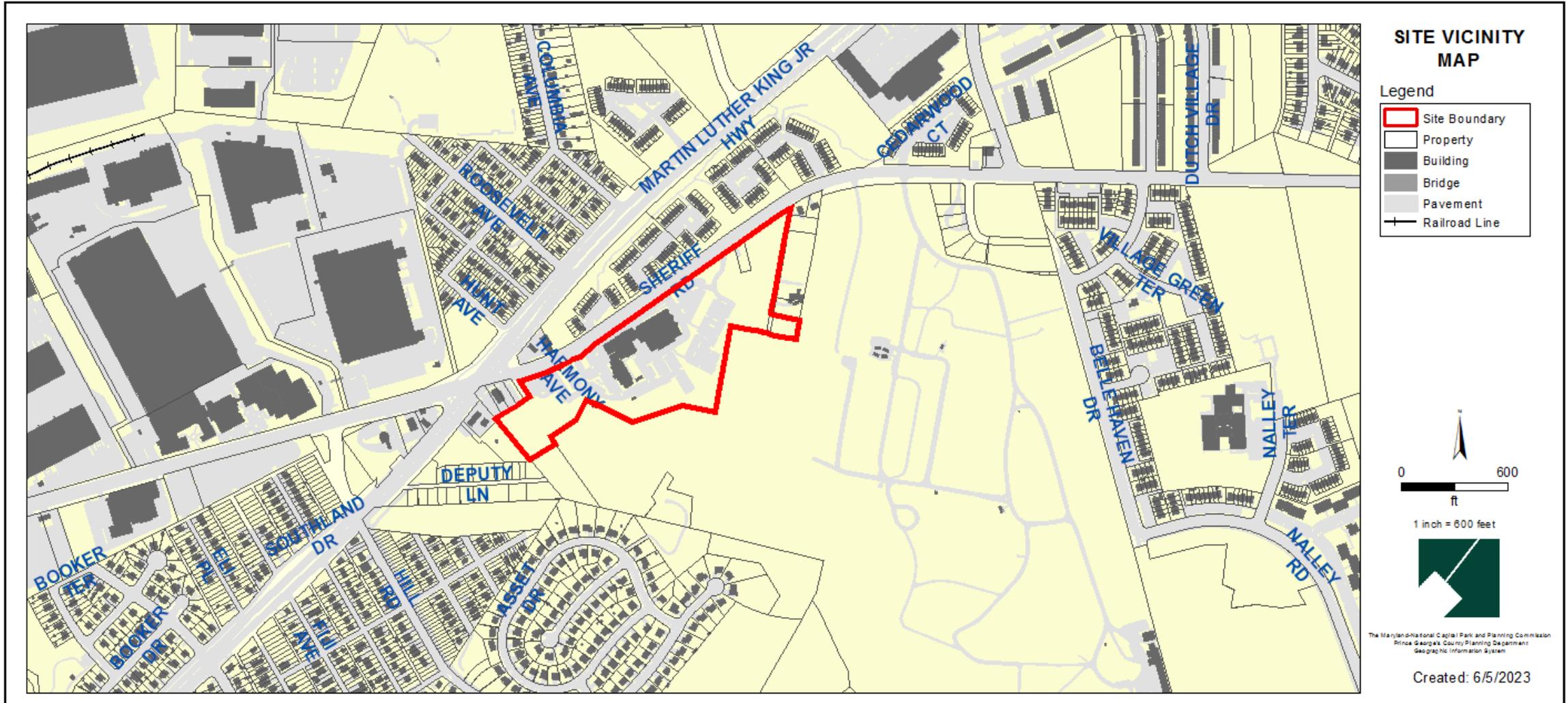
GENERAL LOCATION MAP

Council District: 05

Planning Area: 72



SITE VICINITY MAP



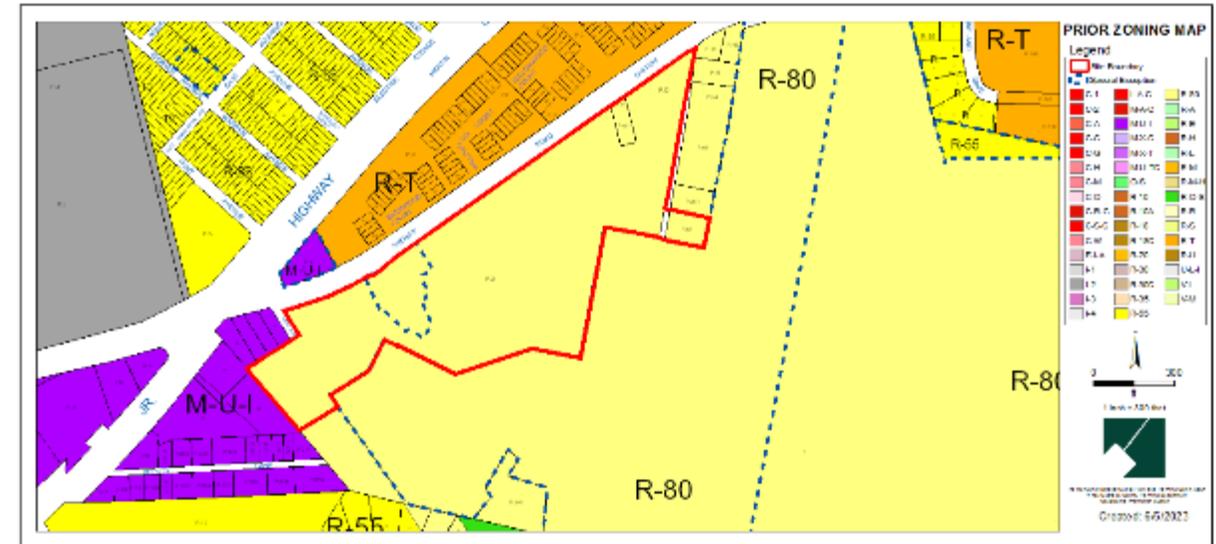
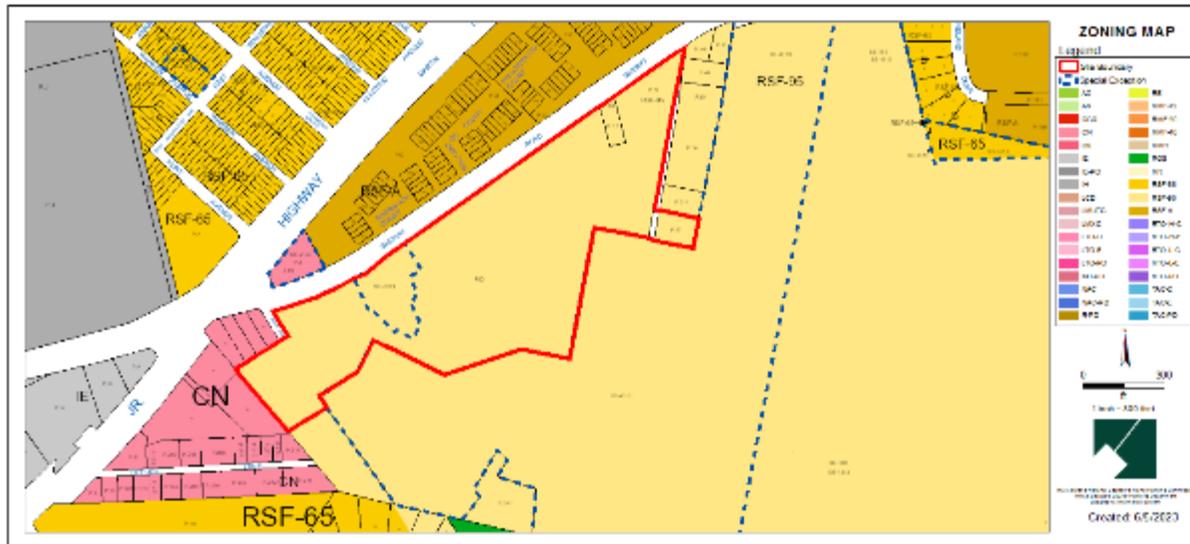
ZONING MAP (CURRENT & PRIOR)

Current Property Zone: RSF-95

Prior Property Zone: R-80

CURRENT ZONING MAP

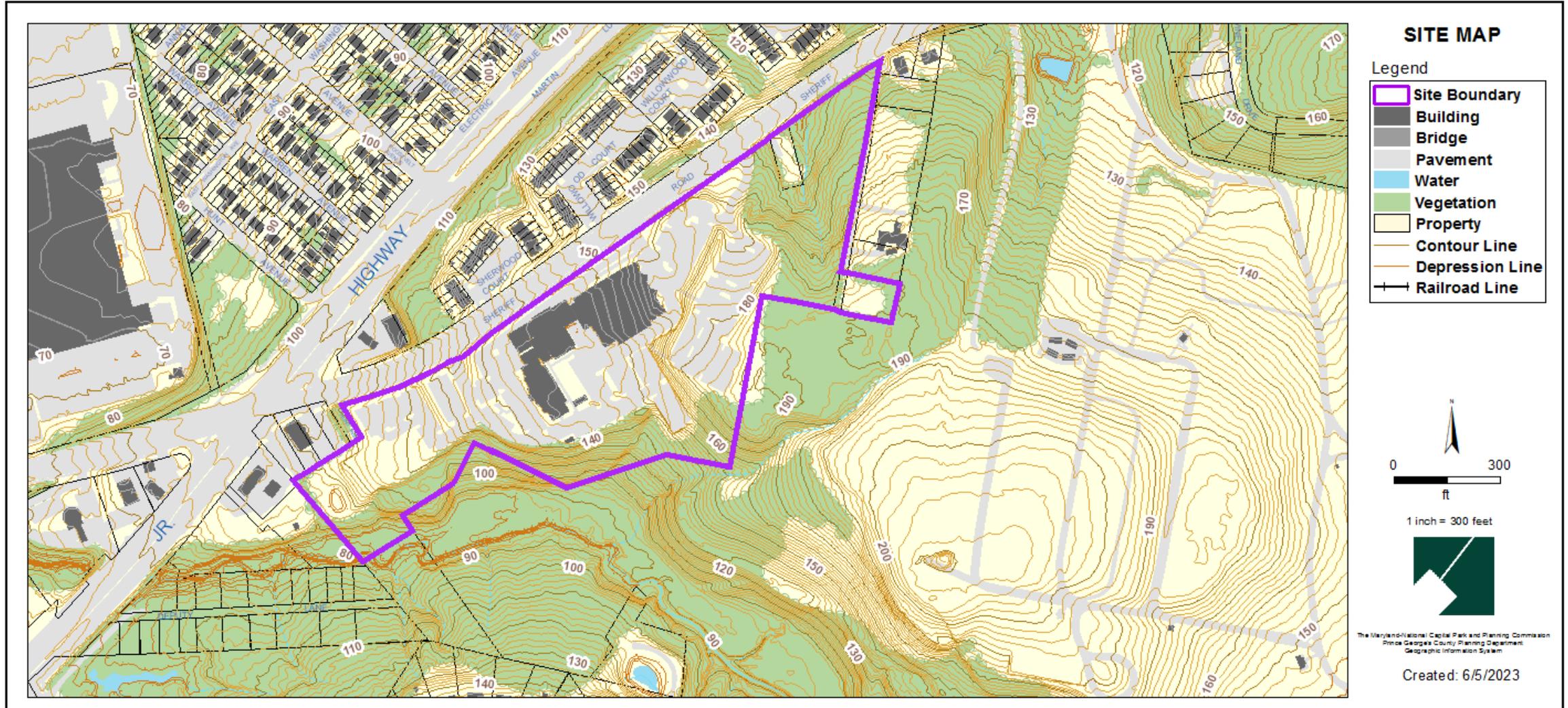
PRIOR ZONING MAP



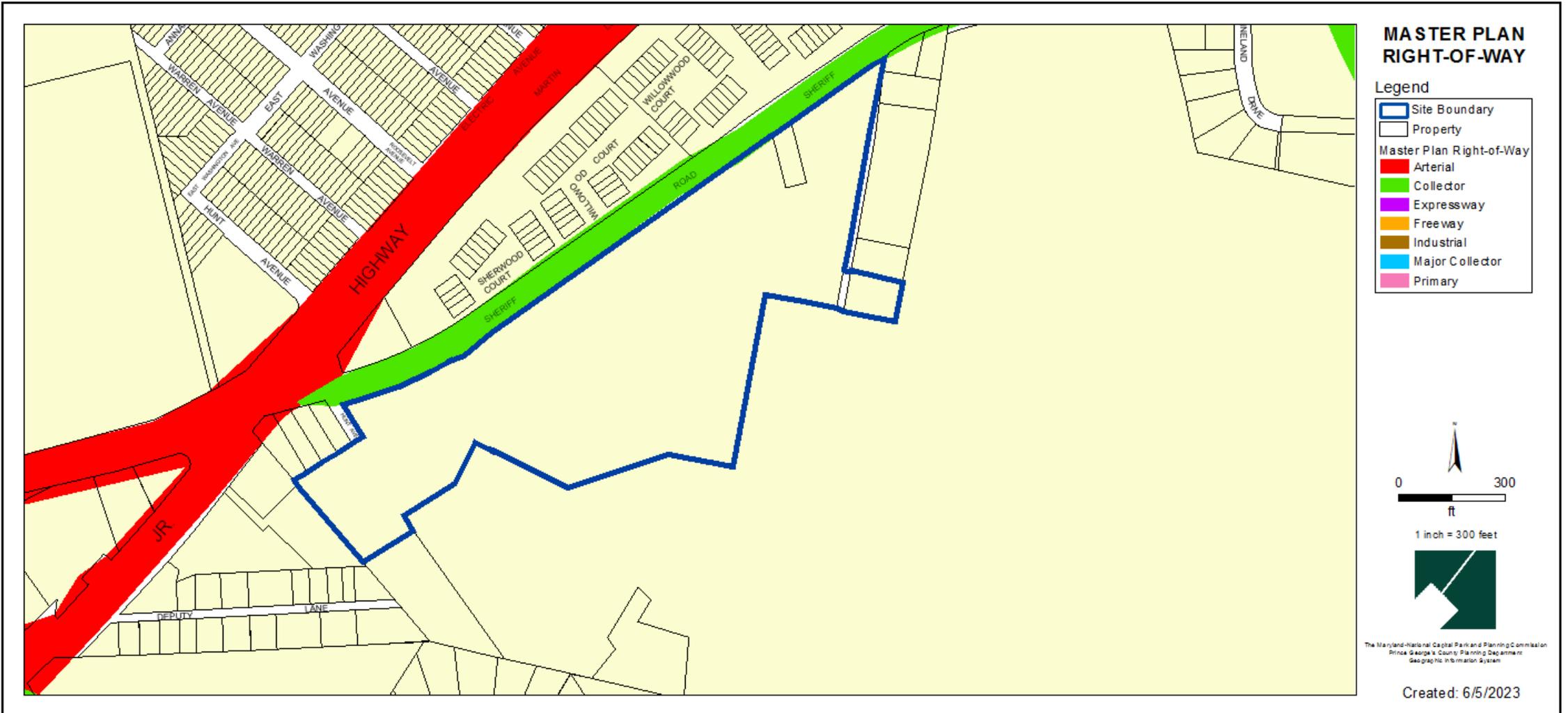
AERIAL MAP



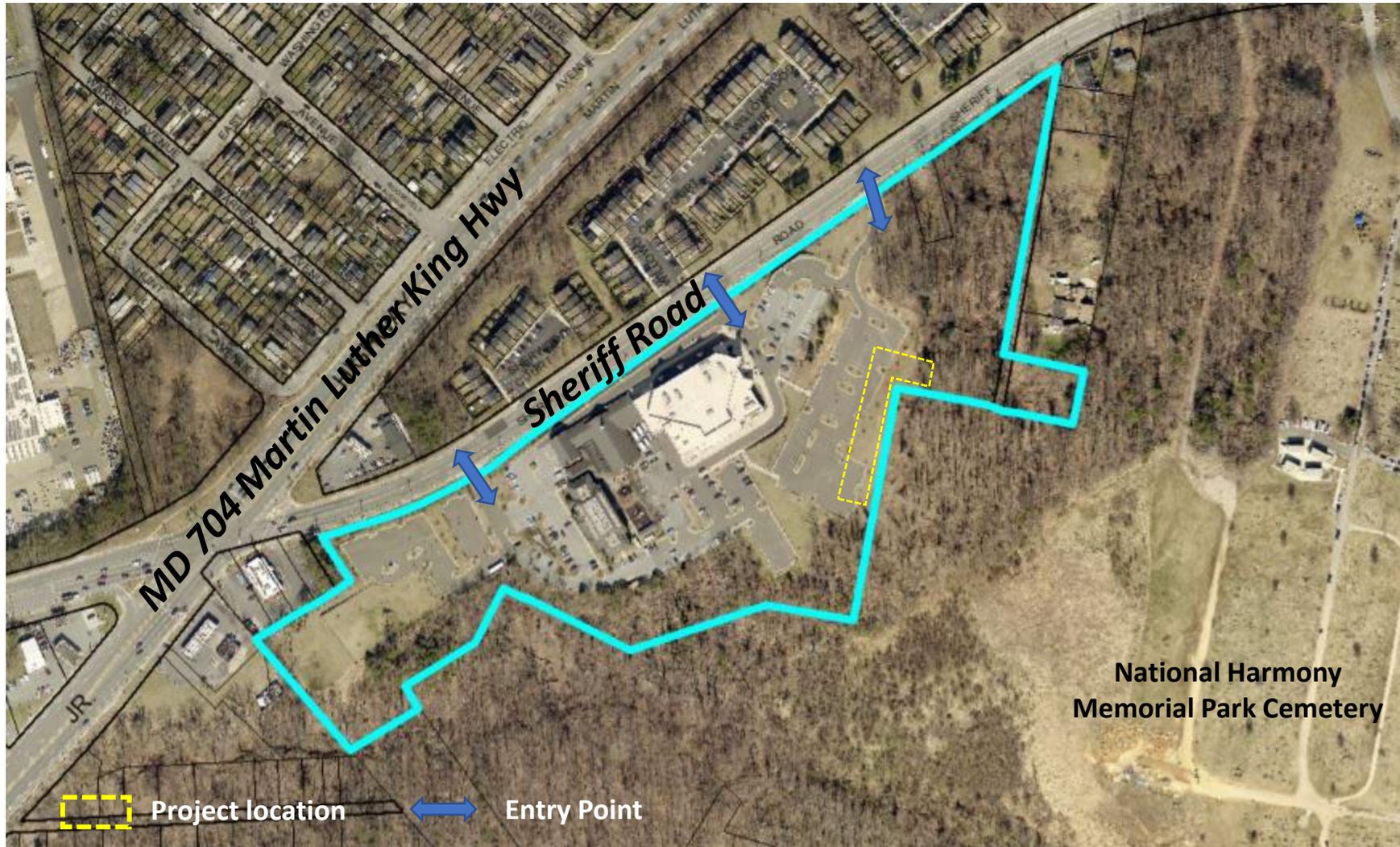
SITE MAP



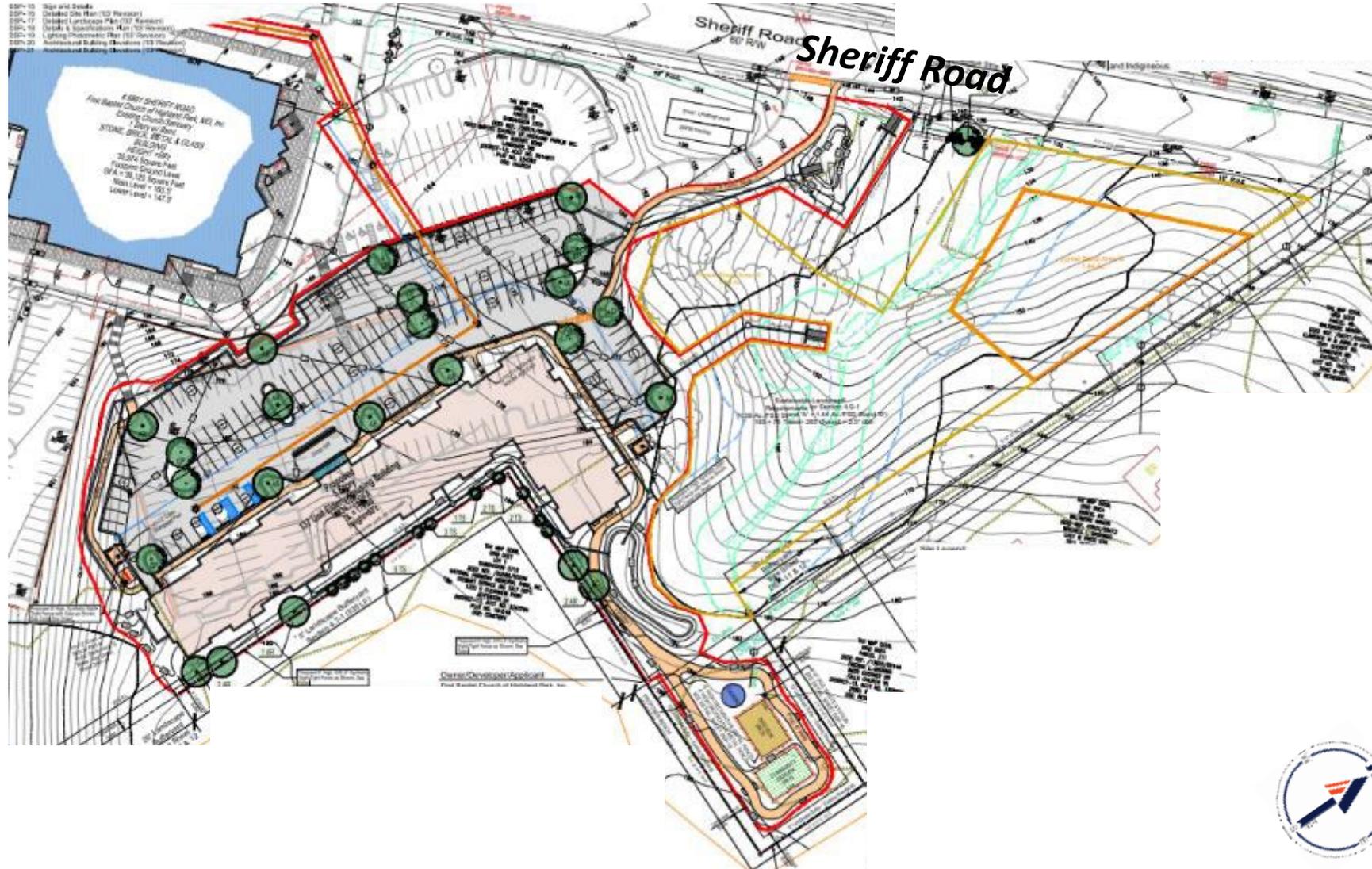
MASTER PLAN RIGHT-OF-WAY MAP



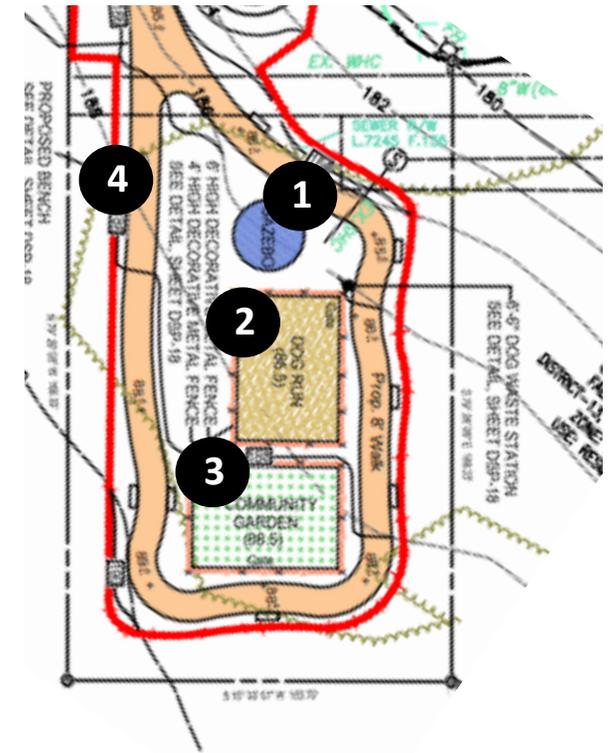
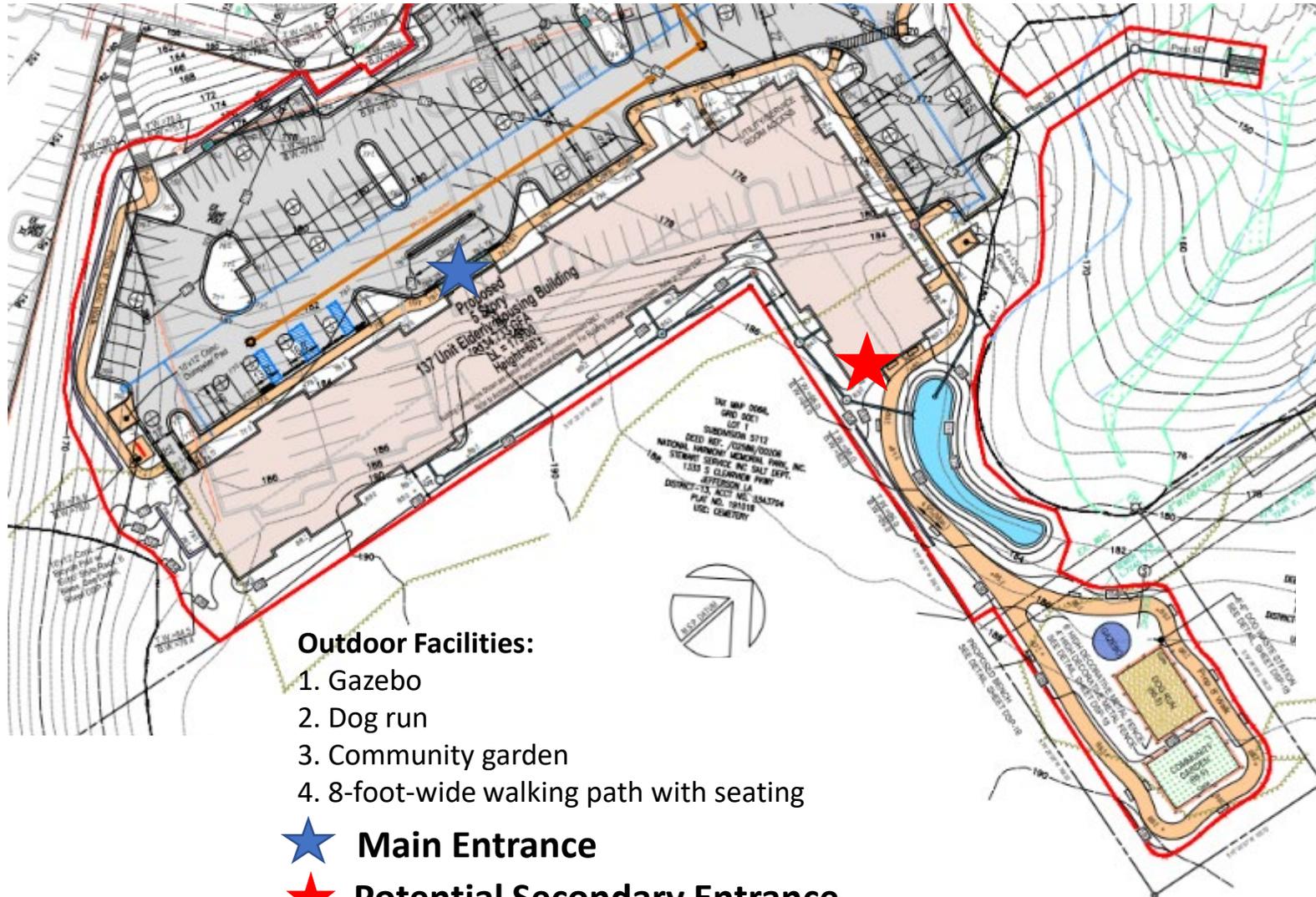
BIRD'S-EYE VIEW WITH APPROXIMATE SITE BOUNDARY OUTLINED



LANDSCAPE PLAN

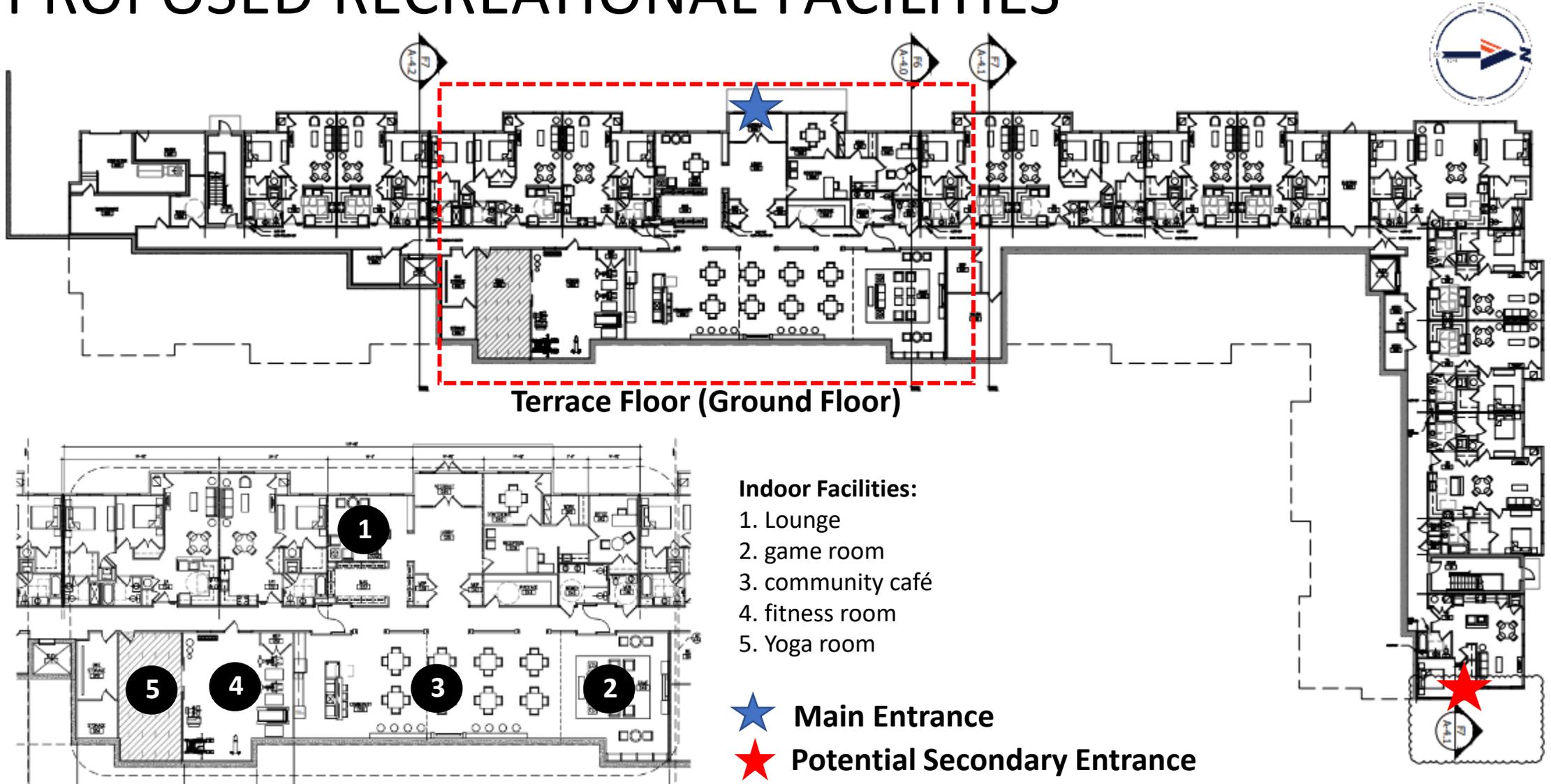


PROPOSED RECREATIONAL FACILITIES



Close view

PROPOSED RECREATIONAL FACILITIES



ARCHITECTURAL ELEVATIONS



West Elevation



Close View:
Main Entrance



ARCHITECTURAL ELEVATIONS

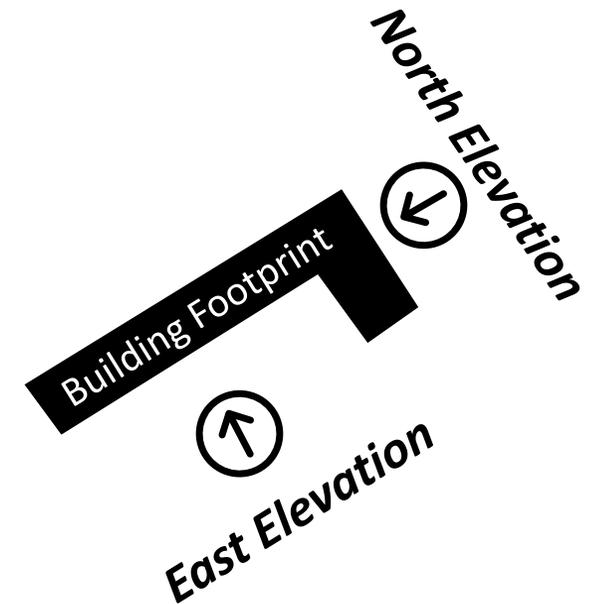


South Elevation

North Elevation



East Elevation



STAFF RECOMMENDATION

APPROVAL with conditions

- DSP-91071-03
- TCP2-016-2023

[Major/Minor] Issues:

- None

Applicant Required Mailings:

- Information Mailing: 10/06/2022
- Acceptance Mailing: 05/02/2023

**AMENDED STATEMENT OF JUSTIFICATION
COMMUNITY HOUSING INITIATIVE
6801 SHERIFF ROAD**

APPLICANT: Community Housing Initiative
1123 Ormond Court
McLean, VA 22101

CORRESPONDENT: Daniel F. Lynch, Esq
McNamee Hosea
6411 Ivy Lane, Suite 200
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax
dlynch@mhlawyers.com

REQUEST: Detailed Site Plan for 137 multi-family dwelling units for the elderly.

DESCRIPTION OF PROPERTY

1. Address – 6801 Sheriff Road, Hyattsville, MD 20785
2. Use – Multi-family dwelling units
3. Incorporated Area - N/A
4. Council District – 5
5. Parcel – D, 61 and 67
6. Total Area –18.69 Acres
7. Tax Map – Map 59/Grid D4 and E4, and Map 61/D1
8. Location – located on the south side of Sheriff Road, approximately 150 feet east of its intersection with MD 704 (Martin Luther King, Jr. Highway)
9. Zoned: RSF-95 (formally R-80 Zone)
11. Owner –First Baptist Church of Highland Park

12. Zoning Map – 202NE06 and 203NE06

APPLICANT’S PROPOSAL

The applicant is proposing to develop the subject property with 138 multi-family dwelling units for the elderly. On March 3, 2021, the Planning Board approved 4-21022 (see PGCPB No. 04-235) for the development of a 137-unit multifamily units for the elderly. The applicant is now moving forward with the detailed site plan review which is consistent with the approved preliminary plan. Since this use requires the approval of a special exception under the new Zoning Ordinance, the applicant is proceeding under the old Zoning Ordinance and the detailed site plan process in accordance with CB-09-2019 which amended the Table of Uses permits apartment housing for the elderly in the R-80 Zone without first obtaining the approval of a special exception and subject to the approval of a detailed site plan. The applicant is filing this application in accordance with this amendment.

PREVIOUS APPROVALS

PPS 4-92017 was approved by the Prince George’s County Planning Board on April 23, 1992 (PGCPB Resolution No. 92-92). This PPS was approved for resubdivision of the site into two outlots and one parcel containing the existing church development. DSP-91071 was approved on September 10, 1992 (PGCPB Resolution PGCPB No. 92-247), for addition of the Church’s day care center. PPS 4-98052 was approved by the Prince George’s County Planning Board on December 3, 1998 (PGCPB Resolution No. 98-310). This PPS was approved for resubdivision of the site into one parcel and one outlot containing the existing church development and associated uses. No development was proposed with this application. The outlot was conveyed to the adjoining National Harmony Memorial Park cemetery. This PPS will be superseded by PPS 4-21022, if approved. None of the conditions associated with this previously approved PPS affect this proposal. DSP-91071-01 was approved on June 19, 2003 (PGCPB Resolution PGCBP No. 03-139), for addition of a 250-student private school, an increase to the day care enrollment and a 1,064-square-foot accessory credit union/bank. DSP-91071-02 was approved on July 28, 2011 (PGCPB Resolution No 11-76), for addition of 28,530 square feet of gym space. On March 3, 2022, the Planning Board approved PPS 4-21022 (PGCPB Resolution No. 2022-30) for the purpose of creating one parcel for development of 138 multifamily dwelling units for the elderly, in addition to 128,112 square feet of existing institutional uses.

SETTING

The subject property is located on the south side of Sheriff Road, approximately 150 feet east of its intersection with MD 704 (Martin Luther King Jr. Boulevard). The property consists of 18.69 acres and is currently comprised of three parcels known as Parcel D, recorded in the Prince George’s County Land Records in Plat Book MMB 234, Page 83, and Parcels 61 and 67, recorded in the Land Records in Liber 40454 at folio 372 and Liber 21285 at folio 421, respectively. The property is within the One-Family Detached Residential (R-80) Zone and is subject to the 2010 *Approved Subregion 4 Master Plan and Endorsed Sectional Map Amendment* (Subregion 4 Master Plan), Subtitles 24 and 27 of the Prince George’s County Code, and other applicable plans as

outlined herein. The site is currently occupied by the First Baptist Church of Highland Park, including a school and day care facility, which are the subject of previous PPS approvals.

APPLICANT’S PROPOSAL

The applicant is proposing to develop the subject property with a 137-unit multi-family residential dwelling for the elderly. The building will be approximately 60 feet in height (5 stories). As noted on the Detailed Site Plan, the property is currently developed with church, private school and a day care center. The applicant is proposing to locate this multi-family building to the southeast of the existing church sanctuary in an area of the property currently developed with a parking area. The building will be serviced 91 parking spaces. Access to the site will be via three existing access driveways from Sheriff Road. The building will be setback over 200 feet from Sheriff Road and 14 to 18 feet from the property to the east.

The existing 4.2 landscape strip will be maintained along the Sheriff Road frontage. The applicant is proposing to install a Type A buffer along the eastern property line where it adjoins National Harmony Memorial Park. Interior parking lot plantings will comply with 4.3-2 of the Landscape Manual.

SITE DEVELOPMENT DATA

Existing Zoning	RSF-95 (former zoning R-80)
Lot Area	18,6920 acres/814,225 square feet
Proposed Number of Units	137 units
Parking Required	
Church: 1 space per 4 seats (1,199 seats)	300 spaces
Day Care Use: 1 space per 8 children (117 Children)	15 spaces
Private School: 1 space per 6 students (250 students)	42 spaces
Apartment Housing for the Elderly 0.66 spaces per unit (137 units)	91 spaces
Total Required	448 spaces
Parking Provided	479 spaces
Green Area Required	50%
Green Area Proposed	490,063 (60.19%)

REQUIRED FINDINGS

As noted, the proposed development is permitted in the R-80 Zone under the former Zoning Ordinance subject to meeting the criteria set for in footnote 134 which provides as follows:

(a) A Special Exception shall not be required, provided:

(A) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;

Comment: This detailed site plan has been filed in order to meet this requirement.

(B) The site includes lots or parcels totaling ten (10) acres in size or more owned by a nonprofit organization on or before July 1, 2019;

Comment: The site is comprised of 18.69 acres located in the R-80 Zone. The property is owned by the First Baptist Church of Highland Park, a nonprofit organization.

(C) The site is adjacent to an historic resource as designated in accordance with Subtitle 29 of this Code and has frontage on a roadway with a functional transportation classification as collector or higher within the applicable Master Plan;

Comment: The site is adjacent to National Harmony Memorial Park (72-045), an historic resource, and has frontage Sheriff Road, which is a Collector (C-405).

(D) Regulations concerning the height of the structure, lot size, lot coverage, frontage, and density shall be in accordance with the R-10 Zone for multifamily dwellings. All other regulations shall be established and shown on the Detailed Site Plan;

Comment: As noted on the DSP set, regulations concerning the height of the structure, lot size, lot coverage, frontage, and density are in accordance with the R-10 Zone for multifamily dwellings.

(E) The owner of the property shall record among the Land Records of Prince George's County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of not less than twenty (20) years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission; and

Comment: Acknowledged.

(b) For purposes of this Section, the terms "elderly family" and "physically handicapped family" shall have the same meanings as defined in Section 27-337(c).

Comment: Acknowledged.

As noted above, the criteria cited above required the approval of a Detailed Site Plan in order to develop multi-family dwelling units for the elderly in the R-80 Zone. The criteria for the approval of a Detailed Site Plan is set forth in Section 27-285 (b) of the Zoning Ordinance and as will be demonstrated below, this DSP complies with that section.

Sec. 27-285 (b) Required findings.

- (1) The Planning Board may approve a Detailed Site Plan if it finds that the plan represents a reasonable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make these findings, the Planning Board may disapprove the Plan.

Comment: This Detailed Site Plan represents a reasonable alternative for satisfying the site design guidelines. The plan does not require unreasonable costs nor does it detract substantially from the utility of the proposed development for its intended use as apartment housing for the elderly. The site design guidelines are found in section 27-274 of the Zoning Ordinance.

Section 27-274 Design Guidelines

(1) General.

- (A) The Plan should promote the purposes of the Detailed Site Plan.

Comment: The purposes of the Detailed Site Plan are found in Section 27-281 (b) & (c).

Section 27-281. Purposes 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.

Comment: This Detailed Site Plan promotes the purposes of Detailed Site Plans. Specifically, this plan helps to fulfill the purposes of the R-80 Zone in which the subject land is located. Apartment housing for the elderly is permitted in the R-80 Zone subject to the approval of a Detailed Site Plan. The plan gives an illustration as to the approximate location and delineation of the building, its parking, streets, green areas, and other similar physical features and land uses proposed for the site.

In addition to the purposes set forth in Section 27-281, Section 27-274 further requires the Applicant to demonstrate the following:

(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.

Comment: This Detailed Site Plan demonstrates conformance with this Design Guideline. The plan shows that a majority of proposed parking spaces associated with the proposed multi-family building will be located adjacent to the building. The applicant is also proposing internal pedestrian connections to Sheriff Road as well as to the other buildings located on the subject property.

(3) Lighting.

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

Comment: This plan complies with the design guidelines outlined in sub-part (3). Adequate lighting will be provided to illuminate entrances and parking areas throughout the site. Lighting Details are shown on the photometric plan.

(4) Views.

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

Comment: This Detailed Site Plan complies with the design guidelines outlined in sub-part (4) and the plan is designed to preserve, create, or emphasize views from the public roads that surround the property. As noted above, the 4.2 landscape strip located along the Sheriff Road frontage will be maintained and the applicant will comply with 4.3-2 relative to the interior planting requirements.

(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.

Comment: The Detailed Site Plan notes that the site will exceed the green space requirements as well as the Tree Canopy Coverage requirements.

(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.

Comment: As indicated above, the applicant is proposing to maintain the 4.2 landscape strip along the Sheriff Road frontage. The Landscape Plan also provides for compliance with Section 4.3-2 of the Landscape Manual. The applicant is not proposing any other 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.

Comment: The site is currently developed and the area of the subject property on which the multi-family housing will be located is currently developed with a parking area. The applicant will therefore be constructing its building in the area of the property previously graded and in so doing, minimize any additional disruption to the existing topography.

(8) Service Areas.

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

Comment: The proposed loading space located on the south side end of the building with direct access via a sidewalk to the front entrance.

(9) Public Spaces.

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

Comment: The applicant is not proposing to provide public space as part of this Detailed Site Plan.

(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.

Comment: This Detailed Site Plan complies with the design guidelines outlined in sub-part (10). As stated earlier, this Detailed Site Plan provides the front, rear and side exterior elevations of the proposed building. This Detailed Site Plan also provides the building materials, such as masonry, glass, fiber cement and vinyl that will be used for the proposed building. The five-story multifamily building is designed in a contemporary style featuring a generally flat roof. Architectural articulation techniques are proposed to break up the mass of the building, including vertical and horizontal divisions and varied roof lines that create visual interest.

In addition to the requirements outlined in Section 27-274, Section 27-285 further requires that the Applicant demonstrate the following:

(2) The Planning Board shall also find that the Detailed Site Plan is in general conformance with the approved Conceptual Site Plan (if one was required);

Comment: No Conceptual Site Plan was required.

(3) The Planning Board may approve a Detailed Site Plan for Infrastructure if it finds that the plan satisfies the site design guidelines as contained in Section 27-274, prevents offsite property damage, and prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge.

Comment: Not applicable.

COMPLIANCE WITH PRIOR APPROVALS

As noted above, the subject property is subject to Preliminary Plans of Subdivision 4-98052 and 4-21022 and Detailed Site Plans DSP-91071, 91071/01 and DSP-91071/02. This DSP complies with the relevant conditions of approval as follows:

4-98052 – This preliminary plan of subdivision was approved by the Planning Board on December 3, 1998, subject to five conditions. Two of the five conditions are relevant to the review of this Detailed Site Plan:

1. The applicant, his heirs, successors and assigns shall dedicate, as necessary, 40 feet from centerline of Sheriff Road for future roadway improvements.

Comment: The DSP shows an existing and proposed right-of-way line 40 feet from the centerline along Sheriff Road.

1. The final plan shall reflect a 10-foot wide trail easement on dry ground along the Cabin Branch. The location of the easement shall be approved by the Transportation Planning Division.

Comment: During the review of DSP-91071, the Board found that the 2009 Countywide Master Plan of Transportation eliminated the trail along a tributary of Cabin Branch in order to avoid placing public trails on private property or privately owned HOA land. Due to the concerns relative to placing public trails on private property and the elimination of the Master Plan trails in the CMPOT, no trail or trail easement is recommended along the tributary of Cabin Branch for the subject property.

PPS 4-21022 was approved by the Planning Board on March 3, 2022. Conditions are relevant to the review of this Detailed Site Plan.

7. At the time of detailed site plan (DSP), the DSP shall show the location of the mitigated safety factor line and the 25-foot building restriction line from the 1.5 safety factor line.
12. Prior to acceptance of a detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall include as part of the DSP submission, the following:
 - a. A standard 5-foot-wide bicycle lane along the property frontage of Sheriff Road, consistent with the Guide for the Development of Bicycle Facilities (American of Association of State Highway and Transportation Officials) unless modified by the operating agency, with written correspondence.

Comment: The DSP shows the location of the 5-foot wide bicycle lane along Sheriff Road with not indicating that it is subject to approval by the operating agency.

- b. A minimum 6-foot-wide sidewalk along the entire frontage of Sheriff Road, unless modified by the operating agency, with written correspondence.

Comment: There is an existing 6-foot sidewalk located along most of the frontage on Sheriff Road and the applicant, subject to approval by DPIE, will add a sidewalk in those areas where it does not exist today.

- c. A minimum 5-foot-wide sidewalk and associated crosswalks from Sheriff Road to the proposed building entrance.

Comment: The DSP set has been revised to show the sidewalk connection.

- d. Short-term and long-term bicycle parking, consistent with the Guide for the Development of Bicycle Facilities American of Association of State Highway and Transportation Officials to accommodate residents and visitors.

Comment: Short-term and long-term bicycle parking is proposed on-site and shown Sheets 16 and 18.

- 13. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Triggers for construction

Comment: Acknowledged.

DSP-91071 – This DSP was approved by the Planning Board on September 10, 1992. None of the conditions associated with that approval are relevant to this review.

DSP-91071/01 was approved by the Planning Board on June 19, 2003. None of the conditions associated with that approval are relevant to this review.

DSP-91071/02 was approved by the Planning Board on July 28, 2011. None of the conditions associated with that approval are relevant to this review.

CONCLUSION

The applicant is proposing to develop the subject property with a multi-family residential building. The applicant believes that the application for Detailed Site Plan meets or exceeds criteria for approval, and therefore, the applicant requests the approval of this application.

Respectfully submitted,

McNAMEE HOSEA

A handwritten signature in blue ink, appearing to read 'D. Lynch', written over a horizontal line.

Daniel F. Lynch



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

Countywide Planning Division
Historic Preservation Section

301-952-3680

May 15, 2023

MEMORANDUM

TO: Emery Huang, Urban Design Section, Development Review Division

VIA: Thomas Gross, Supervisor, Historic Preservation Section, Countywide Planning Division **TWG**

FROM: Jennifer Stabler, Historic Preservation Section, Countywide Planning Division **JAS**
Tyler Smith, Historic Preservation Section, Countywide Planning Division **TAS**
Amelia Chisholm, Historic Preservation Section, Countywide Planning Division **AGC**

SUBJECT: DSP-91071-03 Highland Park Senior Housing (First Baptist Church)

The subject property comprises 18.69 acres and is located on the south side of Sheriff Road, approximately 150 feet east of its intersection with MD 704. The subject property is zoned RSF-95 and located within the 2010 *Approved Subregion 4 Master Plan* area. The subject application proposes an amendment to the detailed site plan for the development of 137 multi-family dwelling units for the elderly.

The subject property is adjacent to Harmony Memorial Park (Historic Resource 72-045). Harmony Memorial Park is located on slightly more than 142 acres of open land in suburban Prince George's County. The eastern half of the site is relatively flat, while the western half has a steep terrain. The designed landscape features small stands of trees, some individual specimens, and large expanses of grass. Sections of Harmony Memorial Park that are named after sections in the old Columbian Harmony Cemetery are identified by small signs at the front and rear of each section. Since the grave markers or monuments apparently were not moved from Columbian Harmony Cemetery with the remains, all the markers were probably fabricated after 1959. The markers are generally of a simple design with minimal ornamentation and inscriptions.

Columbian Harmony Cemetery was established in Washington, DC, in 1829 by the Columbian Harmony Society, a mutual aid organization founded in 1825 by a group of free African Americans. The cemetery has moved three times in the Society's history. The first burial grounds, "Harmoneon", was a one and one-third-acre site in Washington, DC, located on Rhode Island Avenue near Boundary Street (present day Florida Avenue). After an ordinance forced cemeteries to relocate outside city limits, the Society acquired a larger site in 1857 outside city limits but within the District of Columbia corporate boundaries; all remains were moved to the new "Harmony Cemetery" by 1859. In 1957, the Society was approached by developer Louis M. Bell with an offer to relocate Columbian Harmony Cemetery to a site in Landover, in exchange for the Society's real property in the city. After an agreement was reached, approximately 37,000 remains from Columbian Harmony Cemetery,

representing burials from the early eighteenth to mid-twentieth centuries, were transferred to Harmony Memorial Park between May and November 1960.

The 2010 *Approved Subregion 4 Master Plan* contains goals and policies related to Historic Preservation (287-296). However, these are not specific to the subject site or applicable to the proposed development. A search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites indicates the probability of archeological sites within the subject property is low. While the subject property is adjacent to Harmony Memorial Park (72-045), a County designated historic resource, the size of the resource and the location of the parts of the cemetery associated with the Columbian Harmony Cemetery are located away from the developing property. Historic Preservation Section staff determined the subject application will not impact any Historic Sites, historic resources, or known archeological sites. Historic Preservation staff recommends approval of DSP-91071-03, Highland Park Senior Housing, with no conditions.



Prince George's County Planning Department
Community Planning Division

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
www.pgplanning.org

301-952-3972

June 02, 2023

MEMORANDUM

TO: Emery Huang, Planner III, Urban Design Review Section, Development Review Division

Via: David A. Green, MBA, Planner IV, Long-Range Planning Section, Community Planning Division 

FROM: Anusree Nair, Planner II, Neighborhood Revitalization Section, Community Planning Division 

SUBJECT: DSP-91071-03 Highland Park Senior Housing (First Baptist Church)

FINDINGS

Pursuant to Part 3, Division 9, Subdivision 3 of the Prior Zoning Ordinance, Master Plan conformance is not required for this application.

BACKGROUND

Application Type: Detailed Site Plan for property located outside of an overlay zone.

Location: 6801 Sheriff Road, Hyattsville MD 20785

Size: 18.64 acres

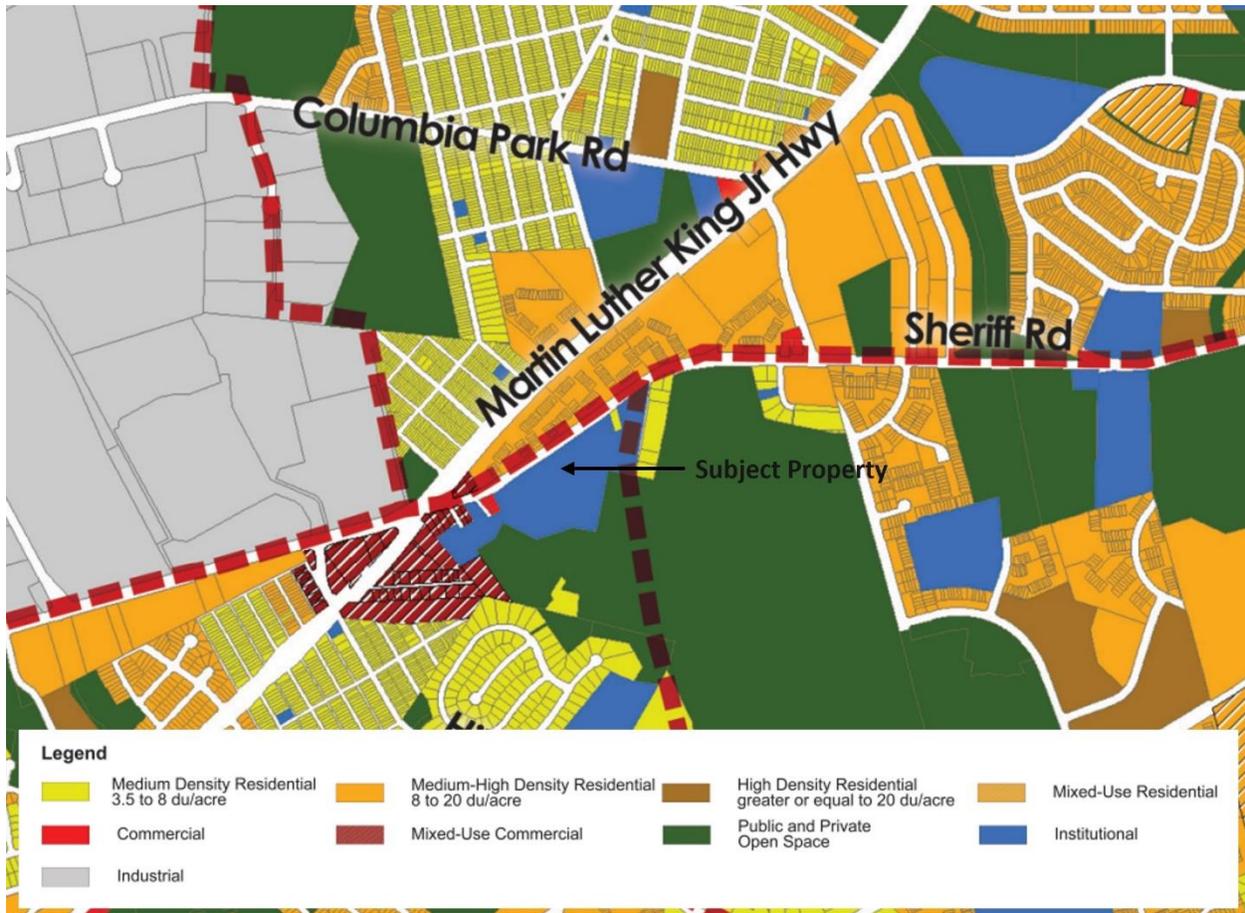
Existing Uses: Institutional – Church (with private school, and daycare center)

Proposal: The applicant proposes to develop a portion of the subject property with 137-unit apartments for the elderly

GENERAL PLAN, MASTER PLAN, AND SMA

General Plan: *Plan Prince George's 2035 Approved General Plan* (Plan 2035) places this application within the Established Communities policy area. Plan 2035 describes Established Communities as areas “appropriate for context-sensitive infill and low-to-medium density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met”. (p. 20. Also refer to Map 1. Prince George's County Growth Policy Map, p. 18.).

Master Plan: *The 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment* recommends institutional future land use on the subject property (Map 4-3: Proposed Land Use Plan, p.62, see below).



Subject Property - (Part of Map 4-3: Proposed Land Use Plan, p.62 of the 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment Proposed Land Use Plan)

In addition, The District Council approved CB-9-2019 which allows the proposed apartments for the elderly in the R-80 zone.

The Master Plan recommends the following (goals, strategies, or policies) to help advance the intent and purpose of the plan.

While the subject property is not located within the Living Area C (Zone 1), the property will be impacted by the following recommended transportation policies, and strategies in Living Area C (Zone 1):

Policy 1- Develop bicycle-friendly roadways to improve connectivity throughout Zone 1

Strategies: Long-Term - Sheriff Road: Install bike lanes from Eastern Avenue to Redskins Road (p.85).

The applicant should work with the Transportation Planning Section to ensure that the above transportation policies are implemented.

Planning Area: 72

Community: Landover & Vicinity

Aviation/MIOZ: The subject property is not located within an Aviation Policy Area or Military Installation Overlay Zone.

SMA/Zoning: *The 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment* retained the subject property into the R-80(One-Family Detached Residential) zone. On November 29, 2021, the District Council approved CR-136-2021, the Countywide Sectional Map Amendment (CMA) which reclassified the subject property from R-80 to RSF-95 (Residential, Single Family-95).

MASTER PLAN CONFORMANCE ISSUES: There are no master plan conformance issues.

OVERLAY ZONE CONFORMANCE ISSUES: There are no overlay zone conformance issues.

ADDITIONAL INFORMATION: None.

cc: Long-Range Agenda Notebook
Frederick Stachura, Planning Supervisor, Neighborhood Revitalization, Community Planning
Division



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Countywide Planning Division
Transportation Planning Section

14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772
TTY: (301) 952-4366
www.mncppc.org/pgco

301-952-3680

June 13, 2023

MEMORANDUM

TO: Emery Huang, Urban Design Review Section, Development Review Division

FROM: Jun (Jim) Yang, Transportation Planning Section, Countywide Planning Division

VIA: *CH* Crystal Hancock, Transportation Planning Section, Countywide Planning Division

SUBJECT: DSP-91071-03 Highland Park Senior Housing

Proposal

The subject Detailed Site Plan (DSP) application proposes the development of 137 multifamily elderly housing units located in the southeast quadrant of MD 704 (Martin Luther King Jr. Highway) and Sheriff Road intersection in Landover, MD. The Transportation Planning Section's review of the DSP was evaluated under Section 27 of the prior zoning ordinance.

Prior Conditions of Approval

The site is subject to the approved Preliminary Plan of Subdivision (PPS) application, 4-21022. The following transportation conditions of the prior PPS application are relevant to this DSP submission:

4-21022:

4. Total development within the subject property shall be limited to uses which generate no more than 389 AM peak-hour trips and 232 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new PPS with a new determination of the adequacy of transportation facilities.

Comment: The subject DSP is consistent with the land use and development program approved in the PPS application, and therefore is within the peak-hour trip cap.

12. Prior to acceptance of a detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall include as part of the DSP submission, the following:
 - a. A standard 5-foot-wide bicycle lane along the property frontage of Sheriff Road, consistent with the Guide for the Development of Bicycle Facilities (American of Association of State Highway and Transportation Officials) unless modified by the operating agency, with written correspondence.

- b. A minimum 6-foot-wide sidewalk along the entire frontage of Sheriff Road, unless modified by the operating agency, with written correspondence.
- c. A minimum 5-foot-wide sidewalk and associated crosswalks from Sheriff Road to the proposed building entrance.
- d. Short-term and long-term bicycle parking, consistent with the Guide for the Development of Bicycle Facilities American of Association of State Highway and Transportation Officials to accommodate residents and visitors.

Comment: Proposed bicycle and pedestrian facilities are shown on the latest DSP submission, which staff finds acceptable.

Master Plan Compliance

Master Plan Right of Way

The subject site is near Sheriff Road (C-405), a four-lane bi-directional roadway which has a right-of-way of 80 feet established with the 2009 *Approved Master Plan of Transportation* (MPOT) but does not have frontage along Sheriff Road. Based on the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* this roadway is at its ultimate build out.

Master Plan Pedestrian and Bike Facilities

This application is subject to the 2009 MPOT. The 2009 MPOT provides policy guidance regarding multimodal transportation. Additionally, the Complete Streets element of the 2009 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 (pg. 9).

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 (pg. 10).

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* (pg. 10).

This development is also subject to the 2010 *Approved Subregion 4 Master Plan*, which has similar compatible policies.

Comment: The above policies support a multimodal community. The latest DSP submission adequately shows pedestrian and bicycle improvements consistent with the 2009 MPOT and the 2010 *Approved Subregion 4 Master Plan* policies and recommendations.

Zoning Ordinance Compliance

Section 27-283 of the Prince George's County Zoning Ordinance (Ordinance) provides guidance for

detailed site plans. This section references the following design guidelines described in Section 27-274(a):

(2) Parking, loading, and circulation

(C) Vehicular and pedestrian circulation on a site should be safe, efficient, and convenient for both pedestrians and drivers. To fulfill this goal, the following guidelines should be observed:

(ix) Pedestrian and vehicular routes should generally be separate and clearly marked;

(x) Crosswalks for pedestrians that span vehicular lanes should be identified by the use of signs, stripes on the pavement, change of paving material, or similar techniques; and

(xi) Barrier-free pathways to accommodate the handicapped should be provided.

(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. To fulfill this goal, the following guidelines should be observed:

(i) The design of light fixtures, benches, trash receptacles, bicycle racks, and other street furniture should be coordinated in order to enhance the visual unity of site.

Comment: The site is adjacent to the First Baptist Church of Highland Park, which was connected to Sheriff Road through multiple driveways. Access to the subject site is provided by two existing driveways, one connects to Sheriff Road while the other connects to the parking lot of the First Baptist Church of Highland Park. The site circulation allows vehicles, bicycles, and pedestrians to enter and exit the site, but a site circulation plan was not submitted.

The site will be served by the required 91 surface parking spaces. A loading zone is also included in this development. Additionally, six bicycle parking spaces will be provided.

Conclusion

Overall, from the standpoint of the Transportation Planning Section, it is determined that this plan is acceptable.

June 2, 2023

MEMORANDUM

TO: Emery Huang, Planner III, Urban Design Section
VIA: Mridula Gupta, Planner IV, Subdivision Section *MG*
FROM: Eddie Diaz-Campbell, Planner II, Subdivision Section *EDC*
SUBJECT: DSP-91071-03; Highland Park Senior Housing Project

This Detailed Site Plan amendment DSP-91071-03 covers 18.69 acres and proposes one parcel known as Parcel E. The site includes three existing parcels known as Parcel 61, recorded in the Prince George's County Land Records in Liber 40454 folio 372; Parcel 67, recorded in Liber 21285 folio 421; and Parcel D, recorded in Plat Book MMB 234 page 83. According to the submitted DSP, the site is currently improved with a 36,120 square-foot church and a 31,134 square-foot private school and daycare. This DSP amendment proposes to construct a multifamily building with 137 dwelling units as apartment housing for the elderly. The site is in the Residential, Single-Family – 95 (RSF-95) Zone, and under the prior zoning, the site was in the One-Family Detached Residential (R-80) Zone. This DSP has been filed for review pursuant to the property's prior zoning and pursuant to the prior Zoning Ordinance. This DSP application was accepted for review on May 3, 2023. Comments were provided at the May 26, 2023, SDRC meeting and revised plans were received on June 1, 2023.

The site is subject to Preliminary Plan of Subdivision (PPS) 4-21022 (PGCPB Resolution No. 2022-30), approved on March 3, 2022. This PPS covers 18.69 acres and approved one parcel for 128,112 square feet of existing institutional uses and development of 138 multifamily dwelling units. The PPS was approved subject to 16 conditions. The development proposed with this DSP is within that approved under the PPS, therefore, a new PPS is not required at this time. Note that the PPS did not approve additional nonresidential gross floor area (GFA) beyond that already existing on the site. Prior to signature approval of this DSP amendment, the difference must be reconciled between the 128,112 square feet of existing GFA identified at the time of PPS and the 67,254 square feet of existing GFA identified on the submitted site plans.

Of the 16 conditions of approval included with 4-21022, the conditions relevant to the review of this proposed DSP are listed below in **bold** text. Staff analysis of the project's conformance to the conditions follows each one in plain text:

- 1. Prior to signature approval of the preliminary plan of subdivision (PPS), the plan shall be revised, as follows:**

- b. Show a 10-foot-wide public utility easement along the property's frontage with Hunt Avenue.**

This DSP should show a 10-foot-wide public utility easement (PUE) along Hunt Avenue in accordance with the signature approved PPS. The PUE is shown on Sheet 5, but not on other sheets where it should be shown, including sheets 4, 7, and 10.

- 2. Development of the site shall be in conformance with the pending Stormwater Management Concept Plan, 16624-2009-02, and any subsequent revisions.**

The applicant submitted an approved Stormwater Management (SWM) Concept Plan (16624-2009-02) and approval letter (16624-2009-03) with the subject DSP. The approved SWM Concept Plan and the DSP should be further reviewed by the Environmental Planning Section for conformance to this condition. It is noted that the purpose of the -03 revision is to change the engineer on record for the project.

- 3. Prior to approval, the final plat shall include:**

- a. Dedication of a 10-foot-wide public utility easement along the public rights-of-way, as delineated on the approved preliminary plan of subdivision.**

The DSP shows PUEs along the adjoining public rights-of-way (Sheriff Road and Hunt Avenue) in accordance with the approved PPS. However, as noted under Condition 1(b) above, consistency is needed between the plan sheets.

- 4. Total development within the subject property shall be limited to uses which generate no more than 389 AM peak-hour trips and 232 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.**

The development proposed under this DSP amendment is within that evaluated under the PPS. However, conformance to this condition should be further reviewed and determined by the Transportation Planning Section.

- 7. At the time of detailed site plan (DSP), the DSP shall show the location of the mitigated safety factor line and the 25-foot building restriction line from the 1.5 safety factor line.**

According to Detailed Site Development Note 30 on the coversheet, there is no mitigated safety factor line or associated 25-foot building restriction line. The note states that no 1.5 factor of safety line is required because the slope does not have a factor of safety less than 1.5. However, conformance to this condition should be further reviewed and determined by the Environmental Planning Section.

- 9. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-021-2021). The following note shall be placed on the final plat of subdivision:**

“This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-021-2021 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George’s County Planning Department.”

- 10. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:**

“This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved.”

The applicant submitted a Type 2 tree conservation plan (TCP2-016-2023) alongside the subject DSP amendment. The above notes will be required on the final plat. The Environmental Planning Section should evaluate the TCP2 for conformance to the approved Type 1 tree conservation plan (TCP1-021-2021).

- 12. Prior to acceptance of a detailed site plan (DSP), the applicant and the applicant’s heirs, successors, and/or assignees shall include as part of the DSP submission, the following:**

- a. A standard 5-foot-wide bicycle lane along the property frontage of Sheriff Road, consistent with the Guide for the Development of Bicycle Facilities (American of Association of State Highway and Transportation Officials) unless modified by the operating agency, with written correspondence.**
- b. A minimum 6-foot-wide sidewalk along the entire frontage of Sheriff Road, unless modified by the operating agency, with written correspondence.**
- c. A minimum 5-foot-wide sidewalk and associated crosswalks from Sheriff Road to the proposed building entrance.**
- d. Short-term and long-term bicycle parking, consistent with the Guide for the Development of Bicycle Facilities American of Association of State Highway and Transportation Officials to accommodate residents and visitors.**

Conformance to this condition should be evaluated by the Transportation Planning Section.

- 13. In accordance with Section 24-135(b) of the Prince George’s County Subdivision Regulations, the applicant and the applicant’s heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.**

14. **The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Triggers for construction shall also be determined at the time of DSP.**

A list of private recreational facilities proposed for this development is shown on the DSP coversheet. The provided facilities include both indoor and outdoor amenities which are appropriate for housing for the elderly. However, the Urban Design Section should evaluate the proposed facilities in accordance with conditions 13 and 14. The facilities are proposed to be constructed prior to issuance of the final certificate of occupancy for the residential development, which is appropriate given that a single multifamily building is proposed.

Additional Plan Comments

1. Approval of a final plat will be required following approval of this DSP amendment before any permits can be approved.
2. Existing Parcel D is subject to four general notes which are listed on the plat recorded in Plat Book MMB 234 page 83. These general notes, however, are not relevant to the proposed development. The final plat recorded following approval of this DSP amendment may have similar notes.
3. Pursuant to Section 24-4503(a)(1) of the Subdivision Regulations, the site received an automatic certificate of adequacy, which is valid for 12 years until April 1, 2034, and subject to the expiration provisions of Section 24-4503(c). PPS 4-21022 is currently valid until March 24, 2024.
4. The proposed parcel is labeled as Parcel E on the site plan. The proposed parcel should have a numbered designation instead of an alphabet to denote that it is a development parcel, in keeping with standard nomenclature.

Recommended Conditions

1. Prior to certification, revise the detailed site plan as follows:
 - a. Show the 10-foot-wide public utility easement along Hunt Avenue on Sheets 4, 7, and 10 in accordance with the approved preliminary plan of subdivision.
 - b. Edit Detailed Site Development Note 5 on the coversheet to provide a breakdown of the existing uses on the site which is consistent with the total 128,112 square feet of institutional development determined to be on site at the time of Preliminary Plan of Subdivision 4-21022.
 - c. Revise the label for proposed Parcel E to proposed Parcel 1.

The referral is provided for the purposes of determining conformance with any underlying subdivision approvals for the subject property and Subtitle 24. The DSP has been found to be in conformance with the applicable preliminary plan of subdivision, if the above comments are addressed. All bearings and distances must be clearly shown on the DSP and must be consistent with the record plat, or permits will be placed on hold until the plans are corrected. There are no other subdivision issues at this time.

June 5, 2023

MEMORANDUM

TO: Emery Huang, Planner III, Urban Design Section, DRD

VIA: Thomas Burke, Supervisor, Environmental Planning Section, CWPD *TB*

FROM: Mary Rea, Planner II, Environmental Planning Section, CWPD *MAR*

SUBJECT: Highland Park Senior Housing (First Baptist Church); DSP-91071-03 and TCP2-016-2023

The Environmental Planning Section (EPS) has reviewed the above-referenced Detailed Site Plan (DSP-91071-03) and Type 2 Tree Conservation Plan (TCP2-016-2023), accepted on May 3, 2023. Comments were provided to the applicant at the Subdivision and Development Review Committee (SDRC) meeting on May 26, 2023. Revised plans and documents were received on June 1, 2023, in response to these comments. The EPS recommends approval of DSP-91071-03 and TCP2-016-2023, with recommended findings and conditions listed at the end of this memorandum.

BACKGROUND

The EPS previously reviewed the following applications and associated plans for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-92017	TCPI-7-92	Planning Board	Approved	4/23/1992	PGCPB No. 92-92
N/A	TCPII-129-91	Staff	Approved	3/20/1992	N/A
DSP-91071	TCPII-129-91	Planning Board	Approved	9/10/1992	PGCPB No. 92-247
4-98052	TCPI-7-92-01	Planning Board	Approved	12/3/1998	PGCPB No. 98-310
DSP-91071-01	TCPII-129-91-01	Planning Board	Approved	6/19/2003	PGCPB No. 03-139
NRI-037-2008	N/A	Staff	Approved	9/15/2008	N/A
DSP-91071-02	TCPII-129-91-02	Planning Board	Approved	7/28/2011	PGCPB No. 11-76
NRI-037-2008-01	N/A	Staff	Approved	5/20/2019	N/A
NRI-037-2008-02	N/A	Staff	Approved	10/5/2021	N/A

4-21022	TCP1-021-2021	Planning Board	Approved	3/3/2022	PGCPB No. 2022-30
DSP-91071-03	TCP2-016-2023	Planning Board	Pending	Pending	Pending

PROPOSED ACTIVITY

The current application is for the construction of a multi-family residential building for the elderly. The current zoning for the site is Residential, Single-Family-95 (RSF-95); however, the applicant has opted to apply the zoning standards to this application that were in effect prior to April 1, 2022, for the One-Family Detached Residential (R-80) Zone.

GRANDFATHERING

The project is subject to the environmental regulations contained in Subtitle 25 and prior Subtitles 24 and 27 that came into effect on September 1, 2010, because the project is subject to Preliminary Plan 4-21022.

PREVIOUSLY APPROVED CONDITIONS

Preliminary Plan of Subdivision 4-21022

Preliminary Plan of Subdivision (PPS 4-21022) was approved by the Planning Board with Prince George’s County Planning Board (PGCPB) Resolution No. 2022-30 on March 3, 2022. The conditions of approval, which are environmental in nature, are shown in **bold** and are addressed below:

5. **Prior to signature approval of the preliminary plan, the TCP1 shall be revised as follows:**
 - a. **Add TCP1-021-2021 to the approval box.**
 - b. **Correct the plan to show the woodlands that have less than 10,000 square-feet and a width of less than 50 feet as woodland retained, but not credited.**
 - c. **Revise the worksheet to reflect the following:**
 - i. **The project is located within a Priority Funding Area.**
 - ii. **Adjust the amount of woodland preserved.**
 - iii. **Add TCP1-021-2021 to the worksheet.**
 - d. **Remove additional notes. Only the Standard Type 1 Tree Conservation Plan Notes need to be shown on the TCP1.**
 - e. **Show the buildings on Parcels 61 and 67 as removed.**
 - f. **Add the following note below the specimen tree table: “This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on (ADD DATE) for the removal of (list specimen trees approved for removal).”**
 - g. **Have the plans signed and dated by the qualified professional who prepared them.**

This condition was addressed at the time of the certification of TCP1-021-2021.

6. **Prior to signature approval of the preliminary plan of subdivision, the applicant and the applicant’s heirs, successors, and/or assignees shall submit a revised geotechnical report.**

A revised geotechnical report was submitted prior to signature approval of the preliminary plan of subdivision.

7. **At the time of detailed site plan (DSP), the DSP shall show the location of the mitigated safety factor line and 25-foot building restriction line from the 1.5 safety factor line.**

The revised geotechnical report provided information showing an improved retaining wall design and stability, which eliminates the need to show the 1.5 safety factor line and the associated 25-foot building restriction line on the DSP.

8. **At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat. the following note shall be placed on the plat:**

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

This condition will be met at the time of the plat review.

9. **Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-021-2021). The following note shall be placed on the Final Plat of Subdivision:**

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-021-2021 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

This condition will be met at the time of the plat review.

10. **Prior to the issuance of permits for this subdivision, a Type 2 Tree Conservation Plan shall be approved. The following note shall be placed on the final plat of subdivision:**

"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."

This condition will be met prior to permit approval, and the note shall be added to the plat.

- 11. Prior to the issuance of any permits, which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.**

This condition will be met at the time of the first permit.

ENVIRONMENTAL REVIEW

Natural Resource Inventory

An approved Natural Resource Inventory (NRI-037-2008-02) was submitted with the application. The site contains a 100-year floodplain, wetlands, streams, and steep slopes that comprise the primary management area (PMA). The NRI indicates the presence of two forest stands labeled as stand A and B, and 19 specimen trees were identified with four trees off-site and 15 on-site. The TCP2 and the DSP show all required information correctly in conformance with the NRI. No additional information is required regarding the NRI.

Woodland Conservation

This project is subject to the 2010 Woodland and Wildlife Habitat Conservation Ordinance (WCO) because the application was subject to a new preliminary plan of subdivision (PPS) and is also subject to the requirements in the Environmental Technical Manual (ETM). A Type 2 Tree Conservation Plan (TCP2-016-2023) was submitted for review that covers the area of this DSP.

Based on the TCP2 submitted with this application, the site's gross area is 18.69 acres, contains 5.53 acres of woodland in the net tract, and 0.28 acre of woodlands in the floodplain resulting in a woodland conservation threshold of 3.68 acres (20 percent). The woodland conservation worksheet proposes the removal of 0.62 acre in the net tract area for a woodland conservation requirement of 3.83 acres. According to the worksheet, the requirement is proposed to be met with 4.68 acres of woodland preservation and 0.44 acre of reforestation.

Technical revisions to the TCP2 are required and included in the recommended conditions listed at the end of this memorandum.

Specimen Trees

Section 25-122(b)(1)(G) requires that "Specimen trees, champion trees, and trees that are part of a historic site or are associated with a historic structure shall be preserved and the design shall either preserve the critical root zone of each tree in its entirety or preserve an appropriate percentage of the critical root zone in keeping with the tree's condition and the species' ability to survive construction as provided in the Technical Manual (ETM)."

In accordance with the approved NRI, 15 specimen trees have been identified on the subject property, and four specimen trees are located off-site. At the time of PPS 4-21022 review, the Planning Board made the finding for approval of the removal of Specimen Trees #1 and #5. No additional trees were requested for removal with DSP-91071-03.

Preservation of Regulated Environmental Features/Primary Management Area

This site contains Regulated Environmental Features (REF) that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5) of the Subdivision Ordinance. The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and associated steep slopes.

Impacts to regulated environmental features (REF) on this DSP are consistent with those previously approved by the Planning Board with PPS 4-21022. Staff finds that the REF has been preserved and/or restored in a natural state to the fullest extent possible in accordance with the requirement of Section 27-285(b)(5).

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS), include Russett-Christiana-Urban land complex (0-5 percent slopes), and Christiana-Downer complex (5-40 percent slopes). According to available information, no Marlboro clay exists onsite; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. According to Section 24-131, Unsafe Land, the Planning Board shall restrict or prohibit land found to be unsafe for development because of natural conditions, such as unstable soils and high-water table.

As part of the DSP review process, a geotechnical report, dated December 13, 2021, from Geotechnical Laboratories, Inc., was submitted with the application. This report was reviewed by the Commission's Geotechnical Engineer along with other requested information. The geotechnical engineer has confirmed that the proposed retaining wall ensures global stability and a safety factor higher than 1.5.

Stormwater Management

An approved stormwater management (SWM) concept letter and plan (#16624-2009-02) was submitted with this application. The approved SWM concept plan shows the use of six bioretention facilities to meet the current requirements of environmental site design (ESD) to the maximum extent practicable (MEP). No further information is required regarding stormwater management with this application.

SUMMARY OF RECOMMENDED FINDINGS AND CONDITIONS

The EPS has completed the review of DSP-91071-03 and TCP2-016-2023, and recommends approval, subject to the following findings and conditions:

Recommended Findings:

1. A variance for the removal of two on-site specimen trees was approved with Preliminary Plan of Subdivision 4-21022.
2. The regulated environmental features (REF) on the subject property were preserved and/or restored to the fullest extent possible based on the limits of disturbance shown on the current type 2 tree conservation plan (TCP2). No additional impacts to REF(s) are proposed with this application.

Recommended Conditions:

1. Prior to signature approval of the detailed site plan, the TCP2 shall be revised as follows:
 - a. Update the worksheet to use the current version.
 - b. Remove previous approvals from the approval block.
 - c. Have the plans signed and dated by the qualified professional who prepared them.
2. Prior to the certification of the TCP2 for this site, documents for the required woodland conservation easements shall be prepared and submitted to the Environmental Planning Section (EPS) for review by the Office of Law, and submitted to the Office of Land Records for recordation. The following note shall be added to the standard TCP2 notes on the plan as follows:

“Woodlands preserved, planted, or regenerated in fulfillment of woodland conservation requirements on-site have been placed in a woodland and wildlife habitat conservation easement recorded in the Prince George’s County Land Records at Liber ____ folio____. Revisions to this TCP2 may require a revision to the recorded easement.”
3. Prior to the issuance of any permits, which impact 100-year floodplain, wetlands, wetland buffers, streams, or waters of the United States, the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

Huang, Te-sheng (Emery)

From: Thompson, Ivy
Sent: Monday, June 5, 2023 1:50 PM
To: Huang, Te-sheng (Emery)
Cc: Holley, Edward; Quattrocchi, Dominic
Subject: DSP-91071-03 First Baptist Church - Highland Park Senior Housing

Good afternoon Emery,

The following comments are provided for DSP-91071-03 Highland Park Senior Housing:

DPR staff has reviewed and evaluated DSP-91071 for conformance with the requirements considered as they pertain to public parks and recreation. This approximately 18.69-acre parcel zoned RSF-95, is located on the south side of Sheriff Road, approximately 150 feet east of MD 704. This application is for the development of 137 Multi-family dwellings for the elderly. As stated within the applicant's Statement of Justification on-site private recreational facilities being provided include an 8 ft wide path and loop that connects to a gazebo, an 86.5 sf fenced dog run, and an 88.5 sf fenced community garden. DPR encourages the provision of programmed activities for Seniors within the residential development. DPR staff is satisfied with the private recreational facilities as proposed.

Thank you for the opportunity to provide comments.

Ivy

Ivy R. Thompson, AICP

*Development Review Coordinator | Land Acquisition/Management & Development Review Section
Park Planning & Development Division*

M-NCPPC, Prince George's County, Department of Parks and Recreation

6600 Kenilworth Avenue, Riverdale, MD 20737

Direct: 301-699-2540 | Mobile: 202-430-2106 | TEAMS: 240-573-2719

Ivy.Thompson@pgparks.org

Stay connected:



June 9, 2023

MEMORANDUM

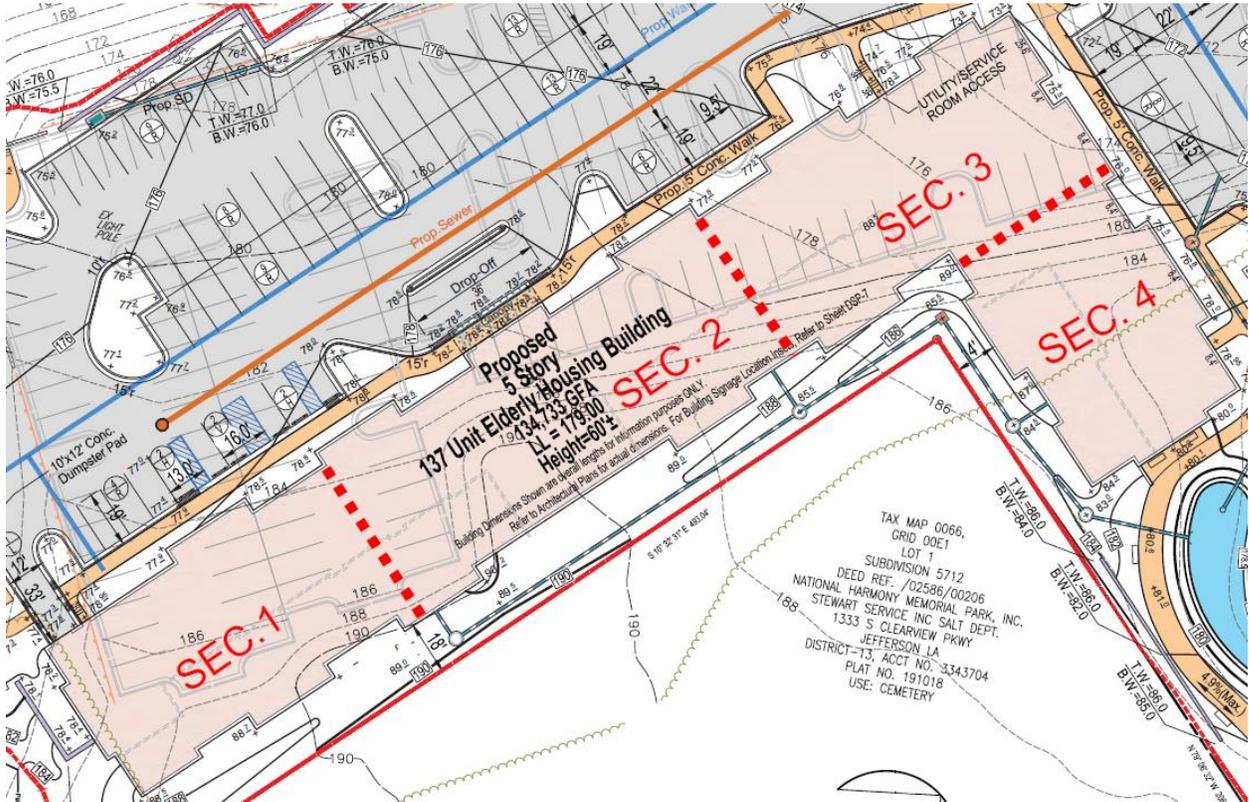
TO: Tesheng (Emery) Huang, Urban Design
FROM: Jason Bartlett, Permit Review Section, Development Review Division
SUBJECT: Referral Comments for DSP-91071-03, Highland Park Senior Housing (First Baptist Church) (PB)

1. The revised SOJ states 138 units, which differs from the 137 approved by the PPS.

APPLICANT'S PROPOSAL

The applicant is proposing to develop the subject property with 138 multi-family dwelling units for the elderly. On March 3, 2021, the Planning Board approved 4-21022 (see PGCPB No. 04-235) for the development of a 137-unit multifamily units for the elderly. The applicant is now moving forward with the detailed site plan review which is consistent with the approved preliminary plan. Since this use requires the approval of a special exception under the new Zoning Ordinance, the applicant is proceeding under the old Zoning Ordinance and the detailed site plan process in accordance with CB-09-2019 which amended the Table of Uses permits apartment housing for the elderly in the R-80 Zone without first obtaining the approval of a special exception and subject to the approval of a detailed site plan. The applicant is filing this application in accordance with this amendment.

2. The 486 Parking Spaces Provided shown on the revised DSP differs from the 479 spaces stated in the SOJ.
3. Reference the condition from the PPS on the plan that requires the rec facilities to be completed and accepted by M-NCPPC prior to the issuance of a Certificate of Occupancy for the 137-unit Elderly Housing Building.
4. The number of units broken down by their types (Studio, 1 BR, 2BR, etc.) must be included in the M-NCPPC approval language for any given MF building permit. As such, if the MF building will be built/permitted in sections, those sections should be reflected in the unit/number-type breakdown provided on the DSP, and shown on the DSP site plan, as exemplified below in red. If the intent is to build the MF building under a single building permit, then the breakdown the applicant has provided on the cover will suffice.



5. Please ensure that all the one-bedroom units called out in the unit breakdown on the cover actually have a separate bedroom, or separate them out as studio units.

***** End comments *****



Angela D. Alsobrooks
County Executive

THE PRINCE GEORGE'S COUNTY GOVERNMENT
Department of Permitting, Inspections and Enforcement
Site/Road Plan Review Division



MEMORANDUM

June 1, 2023

TO: Te-Sheng Huang, Urban Design Section
Development Review Division, M-NCPPC

FROM: Mary C. Giles, P.E., Associate Director *Mary Giles*
Site/Road Plan Review Division, DPIE

Re: First Baptist Church of Highland Park
DSP-91071-03

CR: Sheriff Road (County)
CR: MD 704 (MDSHA)

This is in response to DSP-91071-03 referral. The Department of Permitting, Inspections and Enforcement (DPIE) offers the following:

- The site is located at 6801 Sheriff Road, Hyattsville, on the south side of Sheriff Road at its intersection with Hunt Avenue and MD 704 (Martin Luther King).
- Proposed development of 138 Multifamily units for elderly or handicap families. This is in addition to 128,112 square feet of existing institutional uses: existing church, private school, and day care.
- DSP-91071-03 is consistent with the approved Concept number 16624-2009-03, issued on August 19, 2022.
- DPIE Floodplain Comments
 - FPS 202042 & 201107 govern. A floodplain easement is required.
 - A floodplain study will be required for any missing stream where drainage area is more than 50 acres.
- DPIE Traffic Comments

- The applicant to provide frontage improvements along Sheriff Road frontage per its status as a Collector roadway in the Master Plan. This includes, but is not limited to, extension of sidewalk to eastern terminus of the site, street trees, and street lighting.
 - The Master Plan calls for a bike lane along Sheriff Road. The applicant is to provide a bike lane facility along Sheriff Road frontage.
 - The applicant to provide ADA ramp with detectable warning surface for east side of easternmost driveway (driveway number 3).
- DPIE has no objection to DSP-91071-03.

If you have any questions or require additional information, please contact Mr. Steve Snyder, P.E, the District Engineer for the area, at (301) 883-5710.

MG:SGS:AMG

cc: Steve Snyder, P.E., District Engineer, S/RPRD, DPIE
Applicant: Community housing Initiative, Inc., 1123 Ormond Court, Mclean, VA 22101
Agent: Dan Lynch, McNamee Hosea, 6411 Ivy Lane, suite 200, Greenbelt, MD 20770

1 - Project Manager comments.**Status as of 05/24/2023 11:47 AM****Type: Department Review****State: DSD - Project Manager**

Page: 1

Created by: Garrett Watkins

On: 05/24/2023 11:47 AM

Type: Department Review

State: DSD - Project Manager

Our records and the County GIS show the public R/W separating 6801 Sheriff Rd from 7015 Sheriff Rd. According to the 1966-2098A record drawings, the established grade on centerline number 661118 was approved tentatively by MNCP&PC on August 12, 1966.

The gazebo, community garden, and dog run is located on what is (or was) 7015 Sheriff Rd.

The water and sewer service connections to 7015 Sheriff Rd must be properly abandoned, if they have not been already. The 8" water (1966-2098A) and the 8" sewer (1988-7783A) serving those connections must be in the public R/W or an adequate WSSC easement. Work within a WSSC easement must be approved by WSSC.

The following comments have been selected as relevant to DSP-91071-03 from a list of standard comments.

This site is currently being served by existing and active water connection(s).

Existing water mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.

Show and label easement limits on plan for all existing and proposed water mains.

Water pipelines 12-inch and smaller must have the greater of: a minimum of 15 feet horizontal separation from any building or dwelling or a 1:1 slope from the bottom of the foundation of the existing or proposed building to the bottom edge of the pipeline trench.

Mixed-Use Buildings. Where both residential and commercial units in the same building are served by single water service connection or multiple service connections forming into a single system on property, a minimum of two meters shall be installed, as set forth below, to allow for the separate registering or computations of residential unit and commercial unit water consumptions at the building. For mixed-use properties located in Prince George's County, each residential unit must be metered separately. See 2021 Plumbing & Fuel Gas Code 112.5.8.1

This site is currently being served by existing and active sewer connection(s).

For sewer pipelines 12-inch and smaller in diameter, provide a minimum separation from a building or dwelling the greater of the following: 15 feet horizontal separation or a distance on a 1:1 slope from the bottom of the foundation of the existing or proposed building or dwelling to the bottom edge of the pipeline trench

Existing sewer mains shown on plan should be labeled with correct pipe size, material and WSSC contract number.

Show and label easement limits on plan for all existing and proposed sewer mains.

A single water/sewer service connection for two or more buildings in a single lot/parcel requires a covenant. Should the property be subdivided or sold in the future, individual water/sewer connections for each building will be required.

WSSC easements must be free and clear of other utilities, including storm drain systems, ESD devices, gas, electric, telephone, CATV, etc., with the exception of allowed crossings designed in accordance with the WSSC 2017 Pipeline Design Manual. Landscaping and hardscaping are also not allowed without approval. Under certain conditions (and by special request) the items listed above may be permitted within the WSSC easement. However, this will be evaluated on a case-by-case basis and if allowed, will require execution of a special agreement and/or Hold Harmless Agreement between WSSC and the developer.

Any grading change in pipe loading (including but not limited to proposed fill or excavation), adjustment to manhole rims, fire hydrant relocations, placement of access roads or temporary haul roads, temporary sediment control devices, paving construction or construction related activity of any kind over an existing WSSC water or sewer main or within an existing WSSC right-of-way requires advance approval by WSSC. Any proposed public street grade establishment plan (GEP) with an existing WSSC water or sewer main of any size located within the existing or proposed public street right-of-way requires WSSC approval directly on the original GEP prior to approval of the GEP by the County Department of Public Works and Transportation. Any work (design, inspection, repair, adjustment, relocation or abandonment of existing WSSC facilities) is done at the sole expense of the applicant/builder/developer. Contact WSSC Relocations Section at (301) 206-8672 for review procedures and fee requirements. See WSSC 2017 Pipeline Design Manual, Part Three, Section 5 & Section 11.

Site Utility System reviews are required for projects with proposed water connections greater than 2-inch or sewer connections greater than 4-inch. Contact the WSSC Permit Services Section at (301) 206-8650 for submittal requirements or view our website.

Hydraulic Planning Analysis may be requested from WSSC for pre-review of a proposed site utility system to address adequate flow and/or capacity concerns.

----- 0 Replies -----

2 - WSSC plan review comments.

Status as of 05/24/2023 04:35 PM
Type: Review Complete
State: DSD - Project Manager

Page: 1
Created by: Garrett Watkins
On: 05/24/2023 04:35 PM
Type: Review Complete
State: DSD - Project Manager

DSP-91071-03

First Baptist Church of Highland Park

----- 0 Replies -----

3 - WSSC standard comments for all plans.

Status as of 05/24/2023 04:36 PM
Type: Review Complete
State: DSD - Project Manager

Page: 1

Created by: Garrett Watkins
On: 05/24/2023 04:36 PM
Type: Review Complete
State: DSD - Project Manager

Comment from Permit Services Section.

1. WSSC comments are made exclusively for this plan review based on existing system conditions at this time. We will reevaluate the design and system conditions at the time of application for water/sewer service.
2. Coordination with other buried utilities:
 - a. Refer to WSSC Pipeline Design Manual pages G-1 and G-2 for utility coordination requirements.
 - b. No structures or utilities (manholes, vaults, pipelines, poles, conduits, etc.) are permitted in the WSSC right-of-way unless specifically approved by WSSC.
 - c. Longitudinal occupancy of WSSC rights-of-way (by other utilities) is not permitted.
 - d. Proposed utility crossings of WSSC pipelines or rights-of-way that do not adhere to WSSC's pipeline crossing and clearance standards will be rejected at design plan review. Refer to WSSC Pipeline Design Manual Part Three, Section 3.
 - e. Failure to adhere to WSSC crossing and clearance standards may result in significant impacts to the development plan including, impacts to proposed street, building and utility layouts.
 - f. The applicant must provide a separate Utility Plan to ensure that all existing and proposed site utilities have been properly coordinated with existing and proposed WSSC facilities and rights-of-way.
 - g. Upon completion of the site construction, utilities that are found to be located within WSSC's rights-of-way (or in conflict with WSSC pipelines) must be removed and relocated at the applicants expense.
3. Forest Conservation Easements are not permitted to overlap WSSC existing or proposed easements. Potential impacts to existing Forest Conservation Easements (due to proposed water and/or sewer systems) must be reviewed and approved by County staff.
4. Unless otherwise noted: ALL extensions of WSSC's system require a request for Hydraulic Planning Analysis and need to follow the System Extension Permit (SEP) process. Contact WSSC's Permit Services Section at (301-206-8650) or visit our website at <https://www.wsscwater.com> for requirements. For information regarding connections or Site Utility (on-site) reviews, you may visit or contact WSSC's Permit Services Section at (301) 206-4003.

----- 0 Replies -----

Resident Inquiry Memorandum

Date: Friday, May 19, 2023

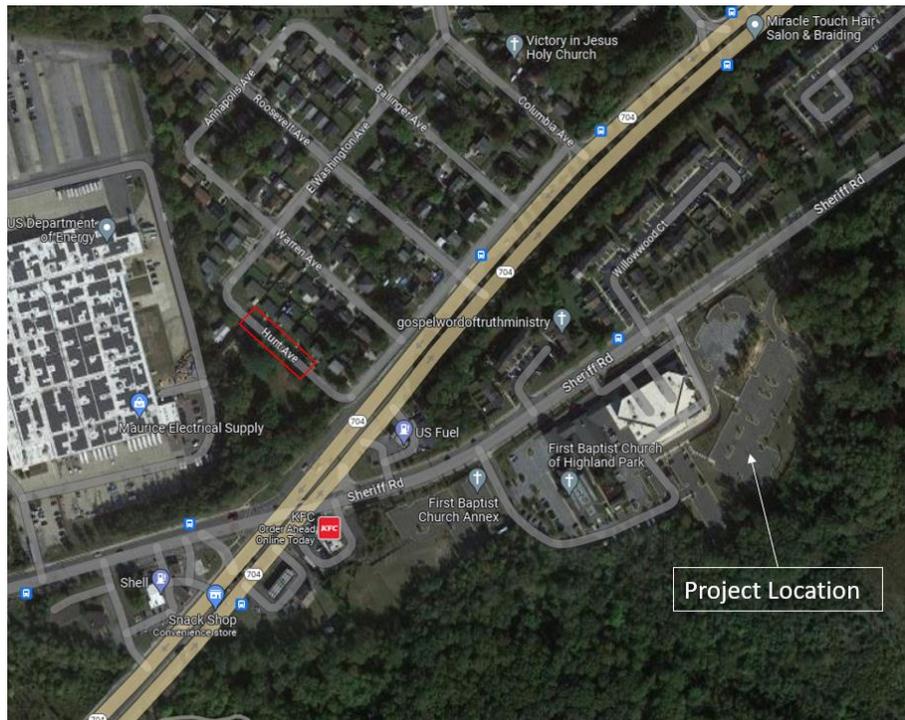
Project Name: DSP-91071-03 Highland Park Senior Housing (First Baptist Church)

Resident's Name: Lisa Brooks

Summary:

Andrew received a phone call from Lisa Brooks who wanted to learn more about DSP-91071-03 Highland Park Senior Housing. Since this project was re-assigned to me, he passed that information to me. On Tuesday, May 16, 2023, I contacted Ms. Brooks. She said that she received a notice regarding that development. She wanted to know more about it from M-NCPPC before contacting the attorney who presents the applicant if needed. She told me that she lives on Hunt Avenue. The reason she purchased that property is because there is an existing open space across the street. She expressed concerns about that open space being used for the development. I indicated that the proposed development will be located on the property on Sherriff Road, which is owned by First Baptist Church of Highland Park, and told her that it will be a senior housing project. After that, she did not have other questions. I left my email address to her in case she would like to contact me regarding other concerns or issues.

Te-Sheng (Emery) Huang



**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2019 Legislative Session**

Bill No. CB-9-2019

Chapter No. 8

Proposed and Presented by Council Member Ivey

Introduced by Council Members Ivey, Harrison, Davis, Streeter and Hawkins

Co-Sponsors _____

Date of Introduction May 14, 2019

ZONING BILL

1 AN ORDINANCE concerning

2 R-80 Zone

3 For the purpose of amending the Zoning Ordinance to permit 'Apartment housing for elderly and
4 handicapped families' uses within the R-80 (One-Family Detached Residential) Zones of Prince
5 George's County, under certain specified circumstances.

6 BY repealing and reenacting with amendments:

7 Section 27-441(b),

8 The Zoning Ordinance of Prince George's County, Maryland,

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2015 Edition, 2018 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Section 27-441(b) Zoning Ordinance of
16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
17 be and the same is hereby repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 5. RESIDENTIAL ZONES.**

20 **DIVISION 3. USES PERMITTED.**

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
(7) RESIDENTIAL/LODGING:									
* * * * *	*	*	*	*	*	*	*	*	*
Apartment housing for the elderly and handicapped families in a building other than a surplus public school building (with provisions for increased density and reduced lot size in Multifamily Zones)	X	X	X	X	SE ⁶³	SE ¹³⁴	SE	X	X
* * * * *	*	*	*	*	*	*	*	*	*

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(7) RESIDENTIAL/LODGING:								
* * * * *	*	*	*	*	*	*	*	*
Apartment housing for the elderly and handicapped families in a building other than a surplus public school building (with provisions for increased density and reduced lot size in Multifamily Zones)	SE	X	X	SE ⁸¹	SE ¹¹⁷	X	SE	SE
* * * * *	*	*	*	*	*	*	*	*

* * * * *

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(a) A Special Exception shall not be required, provided:

- (A) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
- (B) The site includes lots or parcels totaling ten (10) acres in size or more owned by a nonprofit organization on or before July 1, 2019;
- (C) The site is adjacent to an historic resource as designated in accordance with Subtitle 29 of this Code and has frontage on a roadway with a functional transportation classification as collector or higher within the applicable Master Plan;
- (D) Regulations concerning the height of the structure, lot size, lot coverage, frontage, and density shall be in accordance with the R-10 Zone for multifamily dwellings. All other regulations shall be established and shown on the Detailed Site Plan;
- (E) The owner of the property shall record among the Land Records of Prince George's County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of not less than twenty (20) years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission; and

(b) For purposes of this Section, the terms "elderly family" and "physically handicapped family" shall have the same meanings as defined in Section 27-337(c).

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

Adopted this 18th day of June, 2019.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Todd M. Turner
Chair

ATTEST:

Donna J. Brown
Acting Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board is charged with the approval of Detailed Site Plans pursuant to Part 3, Division 9 of the Zoning Ordinance of the Prince George's County Code; and

WHEREAS, in consideration of evidence presented at a public hearing on September 10, 1992, regarding Detailed Site Plan SP-91071 for First Baptist Church of Highland Park, the Planning Board finds:

1. The subject plan is in conformance with Section 27-445.3 of the Zoning Ordinance which regulates development of a day care in the R-80 Zone as demonstrated by the following site development data:

Zone	R-80
Proposed Use	Church & Day Care
Total Site Area	10.6 acres

Parking

Church: 800 seats at 1 space per 4 seats

Required:	200 spaces
Provided:	300 spaces

Day Care: 100 students at 1 space per 6 students

Required:	17 spaces
Provided:	35 spaces

Loading: 1 space 12' x 33' required and provided

Play Area Tabulation:

Day Care (100 children)

Required: 75 square feet of play area per child for no less than 50 percent of the licensed capacity.
 $100 \times .50 = 50 \times 75 \text{ square feet} = 3,750 \text{ square feet}$

Play Area Proposed: 5,200 square feet

Outdoor Play Hours: 9:00 a.m. - 6:00 p.m.

2. The subject plan is not in conformance with Section 4.7 of the Landscape Manual. An application of Alternative Compliance AC-92064 was submitted as part of this Detailed Site Plan. Alternative Compliance was requested for Section 4.7, Buffering Incompatible Uses. The existing church building and driveway are located adjacent to a single-family detached dwelling. The Alternative Compliance Committee recommended approval of the application subject to modifications.

The church/day care is a medium impact and is adjacent to a single-family detached dwelling along a portion of the western property line. A Type "C" bufferyard is required with a 40-foot building setback and a 30-foot landscape buffer.

The applicant proposes using additional plant material in other locations on the site. There is a six-foot board fence located between the subject property and the adjacent dwelling. An existing driveway and a current Sunday school for the church are located within the required bufferyard. The Sunday school building was a single-family home and is compatible with the adjacent structure. The six-foot board fence effectively screens the driveway and parking lot.

The granting of Alternative Compliance for the required bufferyard is justified because the applicant is providing additional interior green in the parking compound over and above that which is required (8 percent is required - the applicant is providing 12). The applicant is also providing additional landscaping along the southern property line.

3. The subject application was referred to all applicable agencies and divisions and no significant issues were identified. However, the Permit Review Section did recommend a number of minor amendments to the site plan.
4. The subject Detailed Site Plan is in conformance with Preliminary Plat 4-92017 (PGCPB Resolution 92-92) which was approved for the site on April 23, 1992.
5. This site has a previously approved Type II Tree Conservation Plan (TCP11/129/91) which was submitted in conjunction with Grading Permit #7244-92-CGU. This proposal is consistent with TCP11/129/91 and TCPI/7/92.

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File No. AC-92064
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6. The Detailed Site Plan represents a reasonable alternative for satisfying the Site Design Guidelines without requiring unreasonable costs and without detracting from the utility of the existing development for its intended use, specifically the provision of a fenced-in, shaded play area.

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 Alternative Compliance AC-92064 and further APPROVED the Detailed Site Plan for the above-described land, subject to the following conditions:

1. Prior to certificate approval, the plan shall be revised to address the following comments of the Permit Review Section:
 - a. The church must provide its tax exempt identification number.
 - b. Lot coverage calculations must be provided.
 - c. The maximum building height is 40 feet. The plan indicates the proposed education building will be 41 feet in height. Change to the height as required by the Zoning Ordinance
 - d. The calculations for the play area requirement must be provided in the notes.
 - e. Parking for a day care center is 1 space required for every 8 children. One space for four seats (800 seats) is required for the church. Therefore, 212.5 or 213 parking spaces are required for both uses. This note must be corrected.
 - f. A minimum of 22 feet of access must be provided to all parking areas in order to accommodate two-way traffic. The drive aisle adjacent to the existing Sunday school must be designated as one way.
 - g. Parking spaces cannot be used for any other purposes. One 12 foot by 33 foot separate loading space must be provided (parking spaces cannot double as a loading area).
 - h. Parking must be provided and the use included in the parking schedule of the existing Sunday school building or add a note to indicate that the building is to be torn down when the new Sunday school building is completed.

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- i. The landscape plan does not match the site plan. The plans must show the same information.
- j. The dumpster and transformer pad shown behind the church conflicts with the parking layout shown on the landscape plan. The plans must show the same information.
- k. Outdoor play area operation must be limited. This note must be added onto the site plan.
- l. There are 335 parking spaces on the site plan. The site notes indicate that a total of 342 spaces are provided. The correct total should be indicated.
- m. Labeling the proposed building as "Education Building" gives the impression that this may be used as a private school. The word education should be replaced with "day care/Sunday School" building (for purposes of clarity).
- n. The mix of evergreens shown on the Detailed Site Plan in the buffer area shall be changed to a 1/3-2/3 mix of evergreens to add variety. A more appropriate variety of evergreen should be submitted for the red cedars that are shown.
- o. The size of the plants should be revised to meet the minimum standards required by the Landscape Manual.
- p. Trees and shrubbery should be added to the play area for the day care to provide separation from the parking lot and to add shade.

* * * * *

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 Brown, seconded by Commissioner Sydnor, with Commissioners Brown, Sydnor and

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McNeill voting in favor of the motion, with Commissioner Rhoads temporarily absent, and with Commissioner Stone absent, at its regular meeting held on Thursday, September 10, 1992, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 1st day of October 1992.

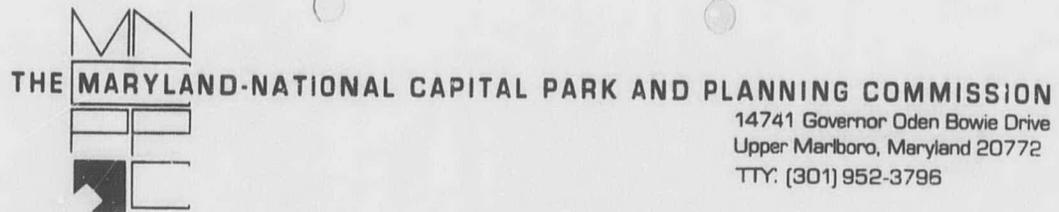
LeRoy J. Hedgepeth
Acting Executive Director

By *Frances J. Guertin*
Frances J. Guertin
Planning Board Administrator

LJH:FJG:DB:aj

PREPARED AS TO LEGAL SUFFICIENCY

GARLAND R. STILLWELL
M-HCPPC LEGAL DEPT.
DATE: 9/21/92



PGCPB No. 03-139

File No. DSP-91071-01

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 June 19, 2003, regarding Detailed Site Plan DSP-91071-01 for First Baptist Church of Highland Park, the Planning Board finds:

- The Detailed Site Plan is proposing to add a private school for 250 students, add 17 children to an existing day care facility, and add a 1,064-square-foot credit union building as an accessory use to the church. A small, 364-square-foot addition to the church for an office and food storage unit is also included. The site consists of 17.90 acres in the R-80 and C-M Zones and is located on the southeast side of Sheriff Road, north of the intersection of Martin Luther King Highway. The portion of the property that is zoned C-M consists of an existing stormwater management pond.

2. Site Development Data

Zone(s)	EXISTING DSP-91071 R-80 & C-M	PROPOSED DSP-91071/01 R-80 & C-M
Use(s)	800-seat church & 100-student day care	800-seat church, 117-children day care, 250-student private school, credit union building.
Acreage	10.6	17.90
Lots	N/A	17, 18, 21, 22
Parcels	N/A	"C"
Square Footage/GFA	N/A	N/A
Dwelling Units:	N/A	N/A
Attached		
Detached		
Multifamily		

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Other Development Data

Enrollment	
Private School	250 students
Day Care	117 children
Parking (required)	337 spaces
Church (800 seats @ 1 space / 4 seats)	200 spaces
Private School (250 students @ 1 space / 6 students)	42 spaces
Day Care (117 children @ 1 space / 8 children)	15 spaces
Accessory Building (1,064 SF @ 1 space / 250 SF)	5 spaces
Sunday School (300 seats @ 1 space / 4 seats)	75 spaces
Parking (provided)	340 spaces
Standard Spaces	327 spaces
Handicapped Spaces	9 spaces
Van Spaces	4 spaces
Loading space (required)	1 space
Loading space (provided)	1 space
Play area required for day care (117 children x 1/2 x 75 SF)	4,388 SF
Play area provided	4,800 SF
Play area required for private school (250 students x 100 SF)	25,000 SF
Play area provided	26,100 SF

3. The Detailed Site Plan is in conformance to the provisions of the Zoning Ordinance for a private school and day care facility in the R-80 Zone and is in general conformance to the requirements of the *Landscape Manual*. The bufferyard along Lot 16, Huntsville, should be revised to be a "B" bufferyard. Details for a proposed brick dumpster enclosure should be provided. The use of *Arborvitae* as a shrub is not recommended and should be changed to *Glossy Abelia* or other acceptable shrub.

The application also includes the addition of a 1,064-square-foot credit union building on the subject property as an accessory use to the church. The applicant's attorney, by letter dated December 6, 2002 (Bruce-Watson to Hamer), indicates that "First Baptist conducts as part of its outreach programs the Crown Ministry that is aimed at assisting its congregation in financial matters." The applicant's attorney also indicates that "the credit union building will be subordinate in nature and accessory to the overall church development, pursuant to Section 27-107.01 of the Zoning Ordinance."

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4. The State Highway Administration has found the site plan for a private school and day care will not severely impact the state road network.
5. There are no master plan issues raised with this application.
6. The Permit Review Section had numerous comments, which have been addressed in the Recommendation section of this report.
7. In a memorandum dated June 9, 2003, the Transportation Planning Section offered the following comments:

The Transportation Planning Section has reviewed the detailed site plan revision application referenced above. The subject property consists of 17.90 acres of land in the R-80 and C-M Zones. The property is on the south side of Sheriff Road to the east of its intersection with MD 704. The property has an approved site plan for the 800-seat church and a 100-student day care facility. The applicant proposes to add a 1,064-square-foot office building and a 250-student private school. Also, it appears that the day care facility would be slightly expanded to accommodate 117 students.

The underlying preliminary plan is application 4-98052. While that preliminary plan has no condition which caps development on the site, Finding 7 of the resolution approving the preliminary plan states that no new trips are proposed. Record plat 188-027 also includes a note stating that "No building permits shall be issued for this site which would increase the number of vehicular trips generated during the AM or PM peak hours." Furthermore, other materials included in the preliminary plan file indicate that there was no effort made to inform staff of any expansion of the uses so that traffic impacts could be properly assessed. A memorandum dated August 20, 1998, and included in the preliminary plan file indicated that additional development would be limited to cemetery facilities only.

In response to the above-cited concerns, the applicant has provided a traffic impact study dated March 2003. The findings and recommendations outlined below are based upon a review of these materials and analyses conducted by the staff of the Transportation Planning Section, consistent with the *Guidelines for the Analysis of the Traffic Impact of Development Proposals*. Comments from the county Department of Public Works and Transportation (DPW&T) and the State Highway Administration (SHA) are attached. The purpose of the traffic study is not to make an adequacy finding associated with this detailed site plan, but to provide information and justification to clarify the adequacy finding made at preliminary plan and to remove the plat note. *This memorandum supercedes the previous Transportation Planning Section memorandum dated December 30, 2002.*

Growth Policy – Service Level Standards

The subject property is located within the Developed Tier, as defined in the Adopted General Plan for Prince George's County. As such, the subject property is evaluated according to the

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following standards:

Links and signalized intersections: Level-of-Service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

Unsignalized intersections: The Highway Capacity Manual procedure for unsignalized intersections is not a true test of adequacy but rather an indicator that further operational studies need to be conducted. Vehicle delay in any movement exceeding 50.0 seconds is deemed to be an unacceptable operating condition at unsignalized intersections. In response to such a finding, the Planning Board has generally recommended that the applicant provide a traffic signal warrant study and install the signal (or other less costly warranted traffic controls) if deemed warranted by the appropriate operating agency.

Staff Analysis of Traffic Impacts

The transportation staff is basing its findings on the traffic impacts at two off-site intersections along with the site access:

MD 704/Sheriff Road
 Sheriff Road/site entrance
 Sheriff Road/Belle Haven Drive

There are actually three site entrances. The analysis will report the results for the central entrance, which is operationally the worst of the three. Existing traffic conditions are summarized below:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
MD 704 and Sheriff Road	1,432	1,181	D	C
Sheriff Road and site entrance	15.3*	16.5*	-	-
Sheriff Road and Belle Haven Drive	676	902	A	A

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.

In response to concerns raised by the Department of Public Works and Transportation during scoping, the traffic study reviewed safety in the area. Accident rates were computed at the MD 704/Sheriff and Sheriff/Belle Haven intersections as well as the link of Sheriff Road adjacent to the subject property. The traffic study states that accident rates exceeding 2.0

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accidents per million are excessive and warrant further study, and neither operating agency contested that assessment. Each of the three locations described above (two intersections and one link) had accident rates less than 1.0 accident per million. Therefore, the traffic study, in addition to concluding that there were no nearby capacity deficiencies, also concluded that there were no apparent safety issues.

The traffic study considered several approved developments in the general vicinity of the subject property. It applied annual growth rates of 2.0 percent per year along MD 704 and 1.0 percent per year along Sheriff Road to represent the impacts of through traffic. The study also assumes a minor widening at the MD 704/Sheriff Road intersection, which is included in the state Consolidated Transportation Program, which is fully funded for construction within the next five years. Background conditions are summarized below:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume		Level of Service	
	(AM & PM)		(LOS, AM & PM)	
MD 704 and Sheriff Road	1,330	1,233	D	C
Sheriff Road and site entrance	15.9*	17.5*	--	--
Sheriff Road and Belle Haven Drive	701	952	A	A

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.

The site is proposed for development with a 250-student private school and an expansion of the day care facility by 17 students. Using trip generation rates in the Institute of Transportation Engineers' *Trip Generation Manual*, the proposed uses would generate 244 AM and 65 PM peak hour vehicle trips. The traffic study assumes a pass-by rate of 65 percent for both the school and the day care uses. While the use of this rate for day care is reasonable, it does not seem reasonable that 65 percent of school trips are already on the road. Although it can be argued that potential private school students would be on the road to attend public school anyway, it is not apparent that they would be on Sheriff Road. There are two nearby public elementary schools, however, and the traffic study should have used a lower rate of pass-by traffic—perhaps 25 percent—for the private school traffic. As a result, the proposed uses would generate 177 AM (105 in and 72 out) and 54 PM (22 in and 32 out) peak hour new vehicle trips (exclusive of pass-by trips, or trips already on the road).

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Given these assumptions for site trip generation, the following results under total traffic are obtained:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume		Level of Service	
	(AM & PM)		(LOS, AM & PM)	
MD 704 and Sheriff Road	1,345	1,272	D	C
Sheriff Road and site entrance	24.9*	18.8*	--	--
Sheriff Road and Belle Haven Drive	743	974	A	A

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the guidelines, an average vehicle delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are outside of the normal range of the procedure, and should be interpreted as a severe inadequacy.

Based on the staff's review of transportation adequacy issues in the area, the intersections would operate acceptably in both peak hours with the development proposed under the pending detailed site plan.

SHA and DPW&T both reviewed the traffic study, and SHA did not identify any outstanding issues with the analyses or the findings. DPW&T raised issues regarding pedestrian concerns and access concerns; however, as these issues are specific to the frontage of the site, they can be discussed and resolved with DPW&T at the time of permit and do not affect questions of off-site transportation adequacy.

As indicated in the previous memorandum on this plan, no issues regarding access or on-site circulation were identified.

Resolution PGCPB No. 98-310 approving the underlying preliminary plan 4-98052 includes Finding 7, which reads in part:

"The development generates 20 AM and 43 PM peak hour vehicle trips as determined using *The Guidelines for the Analysis of the Traffic Impact of Development Proposals (Guidelines)*. No new trips are proposed..."

This finding is ambiguous, as it suggests that the preliminary plan was proposing new development that would have a trip generation associated with it, and also states that no new trips were being proposed under the subdivision. The purpose of the traffic study review with the current plan has been to clear that ambiguity. Also, the underlying record plat includes a note (Note 3) that prohibits the property from adding trip generating uses, and the traffic analysis justifies clearing Note 3 on the record plat. Given the findings provided in this memorandum, either a plat of correction to remove Note 3 shall be approved, or a new preliminary plan of

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subdivision shall be approved prior to the issuance of any building permits.

Transportation Staff Conclusions

Based on the preceding findings, the Transportation Planning Section concludes that the submitted detailed site plan is acceptable, provided that either the record plat is corrected or a revised preliminary plan is approved prior to building permit.

8. The subject application has an approved Stormwater Management Concept approval (No. 42858-2002-00).
9. The Environmental Planning Section, in a memorandum dated May 23, 2003 (Metzger to Wagner), offered the following comments:

Background

The Environmental Planning Section previously reviewed the referenced submittal in conjunction with grading and building permits in 1991/92 respectively and their associated DSP-91071 and TCPII/129/91. Preliminary Plan 4-98052 and TCPI/7/92 were subsequently approved in 1999. The subject property is currently developed with existing church-related buildings and is located within the R-80 Zone. The total area of the proposal is 17.90 acres.

Site Description

The subject property is located on the south side of Sheriff Road, approximately 600 feet east of its intersection with Martin Luther King, Jr. Highway. This site is located in the Lower Beaverdam Creek of the Anacostia River Basin. The site is relatively flat, characterized with terrain sloping toward the southwest of the site, and drains into unnamed tributaries of the Beaverdam Creek. The predominant soil type on the site is Sandy & Clayey, which generally exhibits moderate limitations to development due to high shrink swell potential. The hydrologic soil group is B, which has a moderate rate of water transmission (0-15.30in/hr). Based on information obtained from the Maryland Department of Natural Resources Natural Heritage Program publication titled "Ecologically Significant Areas in Anne Arundel and Prince George's Counties," December 1997, there are no rare, threatened or endangered species found to occur in the vicinity of this site. There are no floodplains, streams, Waters of the U.S., or wetlands associated with the site. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. Noise impacts are not a concern at this time due to the proposed use. The site is in the Developed Tier as delineated on the adopted *General Plan*.

Environmental Review

Notes: as revisions are made to the submitted plans, the revision box on each sheet shall be used to describe in detail the revisions made, when and by whom. In the case of Forest Stand

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Delineations and Tree Conservation Plans, the sheets shall also be signed and dated by the qualified professional preparing the plans.

This site is subject to the provisions of the Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area and contains more than 10,000 square feet of woodland. A portion of this site is subject to a previously approved Type II Tree Conservation Plan (TCPII/129/91), which was last revised on February 2, 1993.

Lots 17 and 18 received a Standard Letter of Exemption dated September 12, 2002, from the Environmental Planning Section, Countywide Planning Division. These lots are exempt from the requirements of the Woodland Conservation Ordinance because they contain less than 10,000 square feet of woodlands and do not have a previously approved Tree Conservation Plan.

A revised TCPII was submitted which was found to require revisions and additional information prior to approval. The plan needs to reflect the correct acreage of each zone to determine the woodland conservation requirements.

10. The Subdivision Section by email (DelBalzo to Wagner), offered the following comments:

"Plat Note 3, found on Plat VJ 188 @ 27, recorded in 1999, reads:

"No building permits shall be issued for this site which would increase the number of vehicular trips generated during the AM or PM hours."

"We have searched our files and are not able to find a finding or condition that generated that note. Therefore, the Subdivision Section would recommend that, if approved, the DSP would carry the following condition:

"Prior to the issuance of any building permits, either a plat of correction to remove Note 3 shall be approved, or a new preliminary plan of subdivision shall be approved, as determined by the Planning Board."

11. The plan will, if revised in accordance with the conditions of approval, represent a reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development from 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 Type II Tree Conservation Plan (TCPII/129/91-01) and further APPROVED Detailed Site Plan DSP-91071/01 for the above-described land, subject to the following conditions:

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1. Prior to certificate approval of the Detailed Site Plan, TCPII/129/91-01 shall be revised to show the following:
 - a. Clearly delineate the boundaries of the application as one lot with a total area of 17.33 acres, in conformance with the application form.
 - b. Revise the "Gross Tract" to reflect consistency with the application form, site plan and tree conservation plan.
 - c. Show all existing tree lines correctly and adjust the worksheet accordingly.
 - d. Revise the "match line" portions of the plan to be at the same scale as the plan on sheet T-2.
 - e. Revise the worksheet to reflect the correct acreage of woodland cleared to read 3.6 acres.
 - f. Remove all inappropriately drawn or shown existing tree lines from the plan.
 - g. Add to the plan and legend symbols to clarify all areas on the plan including areas cleared, reforested, preserved and preserved but not counted.
 - h. Remove existing tree lines along the property boundaries to the west and south as shown on sheet T-1.
 - i. Show the correct existing tree line on the extreme northwest portion of the site to exclude the existing building on sheet T-1.
 - j. Correct the work sheet to reflect the floodplain area as totally wooded to read 0.3 acre.
 - k. Revise the work sheet to reflect both R-80 and C-M Zones in separate columns.
 - l. Revise the woodland conservation worksheet to reflect all changes to the plan and add it to the plan.
 - m. Revise the revision block to reflect all changes to the plan, when the revisions were made and by whom.
 - n. Add a planting schedule for each reforestation area.
 - o. Provide a vicinity map on all the plans submitted.
 - p. Have the plan signed and dated by the qualified professional who prepared the plan.
2. Prior to the issuance of any building permits, either a plat of correction to remove Note 3 shall be

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approved, or a new preliminary plan of subdivision shall be approved.

- 3. Prior to certification, the following revisions shall be made:
 - a. The bufferyard along Lot 16, Huntsville shall be revised to be a "B" bufferyard.
 - b. Details for a proposed brick dumpster enclosure shall be provided.
 - c. The use of Arborvitae as a shrub shall be changed to Glossy Abelia or other acceptable shrub.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council of Prince George's County within thirty (30) days following the final notice of the Planning Board's decision.

* * * * *

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Eley, seconded by Commissioner Lowe, with Commissioners Eley, Lowe, Vaughns, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 19, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of July 2003.

Trudye Morgan Johnson
Executive Director

Frances J. Guertin
By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk

APPROVED AS TO LEGAL SUFFICIENCY.

George Johnson
M-NCPPA Legal Department

Date 7/1/03

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 July 28, 2011 regarding Detailed Site Plan DSP-91071/02 for First Baptist Church of Highland Park, the Planning Board finds:

1. **Request:** The subject application is for approval of 81,896-square-foot additions to an existing 46,216-square-foot church, school and daycare building complex with additional parking to serve a church with 1,199 seats. The companion application, Departure from Sign Design Standards DSDS-668, requests a departure from Section 27-617(a) of the Zoning Ordinance to allow for a departure to the maximum allowed area and height of the free-standing sign. Subsequent to the public hearing on the DSP, the applicant revised the free-standing sign design to comply with Section 27-617(a) of the Zoning Ordinance; therefore, they requested to withdraw DSDS-668 in a letter dated August 3, 2011.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-80	R-80
Total Site Area	18.12 acres	18.06 acres
Parcels/Lots	Parcel C; Lots 17, 18, 21 and 22; Part of vacated Hunt Ave. and Park Ave.	Parcel D; 0.06 Acres Dedicated to Sheriff Road
Uses	800-seat church, 117-children day care, 250-student private school, credit union building	1,199-seat church, 117-children day care, 250-student private school, gymnasium
Total Building Gross Floor Area	46,216 sq. ft.	128,112 sq. ft.
Gross Floor Area Breakdown		
Wyatt Annex	2,485 sq. ft.	2,485 sq. ft.
Education Building	30,466 sq. ft.	30,466 sq. ft.
Sanctuary	12,303 sq. ft.	66,631 sq. ft.
Ancillary Ministry	962 sq. ft.	0 sq. ft.
Gymnasium	0 sq. ft.	28,530 sq. ft.
Lot Coverage (60% maximum)	28.7% (5.21 acres)	38.5% (6.96 acres)

Other Development Data:

Parking Required	357 spaces
Church – 1,199 seats @ 1 space per 4 seats	300 spaces
Daycare Center – 117 Children @ 1 space per 8 children	15 spaces
Private School – 250 students @ 1 space per 6 students	42 spaces
Parking Provided	496 spaces
Standard Spaces	473 spaces
Compact Spaces	2 spaces
ADA Spaces	17 spaces
Van Accessible ADA Spaces	4 spaces
Loading Spaces Required	2 spaces
Loading Spaces Provided	2 spaces
Play Area Required for Daycare	4,388 square feet
117 children x 0.5 x 75 square feet	
Play Area Provided for Daycare	4,800 square feet
Play Area Required for Private School	25,000 square feet
250 students x 100 square feet	
Play Area Provided for Daycare	25,144 square feet

3. **Location:** The subject property is located at 6801 Sheriff Road in Landover. The property is located on the southeast side of Sheriff Road, approximately 214 feet east of its intersection with Martin Luther King Jr. Highway (MD 704).
4. **Surrounding Uses:** The subject site is irregular and jagged in shape and is surrounded by the right-of-way for Sheriff Road to the north, and across it by R-T-zoned property developed with townhomes, part of the Palmerwood subdivision; M-U-I-zoned lots developed with a fast food restaurant, a Kentucky Fried Chicken, to the northwest; M-U-I-zoned lots developed with a gas station and a telecommunications pole to the west; R-80-zoned property developed as the National Harmony Memorial Park public cemetery to the south and east; R-80-zoned properties developed with single-family detached dwellings to the east; and a R-80-zoned parcel developed with an animal shelter that is notched into the northeastern corner of the site along Sheriff Road.
5. **Previous Approvals:** The existing church on-site was originally developed in the 1950s and 1960s. The subject site has a previously approved Preliminary Plan of Subdivision, 4-92017, which was approved for one parcel and two outlots on April 23, 1992. Subsequently, on

September 10, 1992 the Planning Board approved the original DSP-91071 (PGCPB Resolution No. 92-247) for an 800-seat church and a 100-student day care, subject to one condition. On December 3, 1998, the Planning Board approved a new Preliminary Plan of Subdivision, 4-98052, (PGCPB Resolution No. 98-310) for one outlot and one parcel on the subject site, subject to five conditions. On June 19, 2003, the Planning Board approved DSP-91071-01 (PGCPB Resolution No. 03-139), subject to three conditions, for a revision to the site plan to allow a private school for 250 students, to add 17 children to the existing daycare center and to add a 1,064-square-foot credit union building as an accessory use. On October 22, 2009, a Vacation Petition, V-09005, was approved by the Planning Board to allow the vacation of part of Hunt Avenue and part of Park Avenue, with the reversion of ownership to the First Baptist Church of Highland Park. The 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment* rezoned the C-M zoned portion of the subject property to the R-80 Zone and retained the R-80 Zone for the remainder of the property. The site also has an approved Stormwater Management Concept #16624-2009, which was approved on February 14, 2011.

6. **Design Features:** The subject property has an irregular, jagged, linear shape that runs for approximately 1,700 feet along the southeast side of Sheriff Road, just east, and uphill, from its intersection with Martin Luther King Jr. Highway. The site has many steep slopes that range from high elevations in the southeast, to a midpoint in the front of the site along Sheriff Road, to low elevations around the environmental features in the southwest. The property has been developed and expanded at various times over the years to include a 12, 303-square-foot, 30-foot-high, 800-seat brick sanctuary with a 2,485-square-foot, 30-foot-high annex located in the north central portion of the site, within approximately 30 feet of the right-of-way for Sheriff Road. Most recently, the 30, 466-square-foot, two-story, 40-foot-high, brick school and day care building was added just southwest of the existing sanctuary building. The site has three existing access driveways off of Sheriff Road, one west of the sanctuary, one near the northeast corner of the sanctuary and one further east. Various parking lots surround the buildings in the central portion of the site. The existing, chain-link-fence-enclosed day care play area is located immediately to the east of the school building and the play area for the school is located at the east end of the site, past a 962-square-foot building used for ancillary church uses.

The proposed development is to be completed in two phases. The first phase includes the construction of the 66,631-square-foot, 1,199-seat, two-story, 59-foot-high sanctuary building to the east of the existing sanctuary building, new parking lots to the southeast and west and reconfigured parking lots to the east and south, the removal of the ancillary church use building, an improved, six-foot-high, black-vinyl-coated chain link fence enclosed outdoor play area for the school at the west end of the site, landscaping and lighting. The second phase includes only the demolition of the existing sanctuary building and the construction of the 28,530-square-foot, 38-foot-high, gymnasium building in its stead. The two access drives at the east end of the site will be moved further to the east to accommodate the new sanctuary building and parking areas. The far eastern and southern parts of the site will remain undeveloped with existing woodlands.

The proposed sanctuary will be a large, contemporary style building with a mostly flat roof and will be finished in multi-styled bands of brick and exterior insulation finishing system (EIFS) in

various shades of red and off-white. The main entrance will face onto the parking area to the east end of the site and will consist of a large, central, pointed wall of windows, including stained glass. The building will also have multiple other entrances on the north, south and west sides to allow full access. The northern elevation of the building, facing Sheriff Road, will include one building entrance, multiple large, aluminum-framed windows, including three, evenly-spaced, pointed window walls, and a portion of black, asphalt-shingled, hipped roof. The south and west elevations of the building, which face the parking lots and proposed gymnasium respectively, will continue the same façade materials, but include only a few windows and doors.

The proposed second phase gymnasium will continue much of the same styling and materials as the proposed sanctuary building, including the flat roof, multi-styled bands of brick and EIFS in various shades of red and off-white, and the large, pointed features done either with a wall of windows or defined with bricks and EIFS. The main entrance will be on the north side, facing Sheriff Road, but it will also be connected internally to the school and proposed sanctuary. For both the proposed gymnasium and the proposed sanctuary, no plantings have been provided immediately around the building, specifically on the north and east sides, where some decorative-type plantings, including ornamental trees, shrubs, perennials and annuals, would help to mitigate the scale of the building and provide a friendlier pedestrian environment on the adjacent sidewalks. Therefore, a condition has been included in this approval requiring the addition of decorative plantings in these areas to the DSP.

The only new signage proposed with this DSP is a freestanding sign with an inset digital message screen. There are multiple, proposed, tall retaining walls throughout the site to accommodate the steep grade. These will be constructed from a tan modular block and are mostly located near the rear of the site away from highly visible areas.

Loading spaces and trash dumpsters are provided at the rear of the gymnasium and school buildings. Stormwater management will be accommodated in existing and proposed underground facilities throughout the site and a small above-ground pond at the far western end of the site.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject detailed site plan is in compliance with Section 27-441, Uses Permitted in Residential Zones, and Section 27-429, R-80 Zone (One-Family Detached Residential) of the Zoning Ordinance. Churches are a permitted use on lots that are larger than two acres in size. The site plan is also in conformance with the requirements of Section 27-445.03 regarding day care centers in residential zones and the requirements of Section 27-443 regarding private schools in residential zones.
 - a. The proposal is in conformance with the requirements of Section 27-442 regarding regulations in the R-80 Zone, including Section 27-442(f) as revised by CB-14-2011, which restricts church uses to a maximum building height of 80 feet. The proposed church sanctuary will be 59 feet high.

- b. The proposal was reviewed for conformance to the requirements of Section 27-617 regarding institutional signage as follows:

Sec. 27-617. Institutional - Other than Temporary.

(a) In any zone (except Comprehensive Design and Mixed Use Zones) where a church; library; school; hospital; fire station; community center; day care center for children; service, fraternal, or civic organizations; or other similar institution is allowed, a sign may be erected. Institutional signs shall meet the following design standards:

- (1) Maximum area for each sign - 48 square feet.**
- (2) Maximum height - 8 feet above finished grade at base of sign.**
- (3) Minimum setback - 15 feet from adjoining land in any Residential Zone (or land proposed to be used for residential purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone).**
- (4) Type allowed - freestanding or attached to a building.**
- (5) Maximum number - 1 per street the property fronts on (must face street frontage).**

The applicant originally proposed the installation of a 150.84-square-foot, 16.92-foot-high freestanding sign for identification of the church. This required departures of 102.84 square feet from subsection (1), to permit a sign larger than the allowed 48 square feet, and a departure of 8.92 feet from subsection (2), to permit a sign taller than the allowed eight feet. Subsequent to the public hearing for the DSP, the applicant revised the sign to meet the zoning requirements, and therefore withdrew the companion Departure from Sign Design Standards, DSDS-668 in a letter dated August 3, 2011.

Additionally, there is a second freestanding sign, advertising the private school, located near the existing western driveway entrance. The site is only allowed one permanent freestanding sign, so this additional sign should be labeled as to be removed and a condition requiring such has been included in this approval.

8. **Conformance to Preliminary Plan of Subdivision 4-98052:** The Preliminary Plan of Subdivision 4-98052 was approved on December 3, 1998 by the Planning Board, subject to five conditions, and a final plat of subdivision for the property was recorded in the Prince George's County Land Records on September 12, 2003 and is evidenced in Plat Book REP 197@70. The following conditions of the preliminary plan of subdivision approval are applicable to the review of this DSP:

1. **The applicant, his heirs, successors and/or assigns shall dedicate, as necessary, 40 feet from the center line of Sheriff Road for future roadway improvements.**

The submitted DSP shows an existing and proposed right-of-way line 40 feet from the centerline along its frontage of Sheriff Road.

3. **The final plat shall reflect a 10-foot wide trail easement on dry ground along the Cabin Branch. The location of the easement shall be approved by the Transportation Planning Division.**

The Planning Board accepted the following analysis of this condition:

This condition was placed in order to implement a trail proposal included in the 1993 *Approved Master Plan and Sectional Map Amendment for Landover and Vicinity*. This proposed trail followed a tributary of Cabin Branch, but was not designated as a park trail corridor. The easement was necessary to provide public access along a privately maintained corridor. However, the more recent 2009 *Approved Countywide Master Plan of Transportation (CMPOT)* eliminated this recommendation (and many others like it) in order to avoid placing public trails on private property or privately owned HOA land. Due to the concerns about placing public use easements in certain private property environments and the elimination of the master plan trail proposal in this location, no trail or trail easement is recommended along the tributary of Cabin Branch for the subject application.

9. **Conformance to Detailed Site Plans DSP-91071 and DSP-91071-01:**
 - a. **Detailed Site Plan DSP-91071:** The Planning Board approved DSP-91071 on September 10, 1992 with one condition, which warrants the following discussion:
 1. **Prior to certificate approval, the plan shall be revised to address the following comments of the Permit Review Section:**
 - a. **The church must provide its tax exempt identification number.**

The submitted DSP does not include the church's tax exempt identification number and should be revised to include it. Therefore, a condition has been included in this approval requiring this addition to the DSP.
 - b. **Lot coverage calculations must be provided.**

The submitted DSP provides the total lot coverage, but does not provide the calculations. Therefore, a condition has been included in this approval requiring the addition of a breakdown of the proposed lot coverage to the DSP.

- c. **The maximum building height is 40 feet. The plan indicates the proposed education building will be 41 feet in height. Change to the height as required by the Zoning Ordinance**

The submitted DSP indicates that the existing education building is 40 feet high.

- d. **The calculations for the play area requirement must be provided in the notes.**

The submitted DSP provides the calculations for the outdoor play area for the daycare and private school; however, the play area provided for the school as listed on the cover sheet does not match that on the plan sheet. Therefore, a condition has been included in this approval requiring the correction of this discrepancy.

- e. **Parking for a day care center is 1 space required for every 8 children. One space for four seats (800 seats) is required for the church. Therefore, 212.5 or 213 parking spaces are required for both uses. This note must be corrected.**

The submitted DSP provides parking for each of the site's proposed and existing uses at the required ratios.

- f. **A minimum of 22 feet of access must be provided to all parking areas in order to accommodate two-way traffic. The drive aisle adjacent to the existing Sunday school must be designated as one way.**

The submitted DSP provides sufficient driveway widths and the one-way drive aisle has been designated as such.

- g. **Parking spaces cannot be used for any other purposes. One 12 foot by 33 foot separate loading space must be provided (parking spaces cannot double as a loading area).**

The submitted DSP proposes two separate 12-foot by 33-foot loading-only spaces.

- h. **Parking must be provided and the use included in the parking schedule of the existing Sunday school building or add a note to indicate that the building is to be torn down when the new Sunday school building is completed.**

The submitted DSP provides parking for each of the site's proposed and existing uses at the required ratios.

- i. The landscape plan does not match the site plan. The plans must show the same information.**

The submitted DSP and landscape plan show the same information.

- j. The dumpster and transformer pad shown behind the church conflicts with the parking layout shown on the landscape plan. The plans must show the same information.**

The submitted DSP and landscape plan show the same information.

- k. Outdoor play area operation must be limited. This note must be added onto the site plan.**

The submitted DSP does not provide a note regarding the operation times of the outdoor play areas. Therefore, a condition has been included in this approval requiring this addition to the DSP.

- l. There are 335 parking spaces on the site plan. The site notes indicate that a total of 342 spaces are provided. The correct total should be indicated.**

The submitted DSP provides a total of 496 parking spaces.

- m. Labeling the proposed building as "Education Building" gives the impression that this may be used as a private school. The word education should be replaced with "day care/Sunday School" building (for purposes of clarity).**

The submitted DSP labels the school building as such.

- n. The mix of evergreens shown on the Detailed Site Plan in the buffer area shall be changed to a 1/3-2/3 mix of evergreens to add variety. A more appropriate variety of evergreen should be submitted for the red cedars that are shown.**

The submitted DSP provides buffers where needed with a mix of plant types and species.

- o. The size of the plants should be revised to meet the minimum standards required by the Landscape Manual.**

The submitted DSP proposes all plants at the minimum standard size required by the 2010 *Prince George's County Landscape Manual*.

- p. Trees and shrubbery should be added to the play area for the day care to provide separation from the parking lot and to add shade.**

The submitted landscape certification form indicates that the previously proposed shrubs between the day care play area and parking lot are missing and are to be replaced. To ensure this happens, a condition has been included in this approval requiring the DSP to show all of the previously approved landscaping that needs to be removed and replaced or replanted.

- b. Detailed Site Plan DSP-91071-01:** The Planning Board approved DSP-91071-01 on June 19, 2003, PGCPB Resolution No. 92-247, subject to three conditions, which warrant the following discussion:

- 2. Prior to the issuance of any building permits, either a plat of correction to remove Note 3 shall be approved, or a new preliminary plan of subdivision shall be approved.**

A plat of correction to remove Note 3 as discussed was approved and recorded as the current record plat for the property, REP 197-70.

- 3. Prior to certification, the following revisions shall be made:**

- a. The bufferyard along Lot 16, Huntville shall be revised to be a "B" bufferyard.**

The submitted DSP shows the bufferyard along Lot 16 as a Type "B" bufferyard as required.

- b. Details for a proposed brick dumpster enclosure shall be provided.**

The submitted DSP provided a detail for a dumpster enclosure for the new dumpster location; however, it did not indicate the material of the enclosure. Therefore, a condition has been included in this approval requiring this to be shown as a brick enclosure.

- c. The use of Arborvitae as a shrub shall be changed to Glossy Abelia or other acceptable shrub.**

The submitted DSP does not use arborvitae as a shrub.

10. **Prince George's County Landscape Manual:** Landscaping, screening, and buffering of development in the R-80 Zone should be provided as set forth in the 2010 *Prince George's County Landscape Manual*. The site plan is subject to Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements of the 2010 *Prince George's County Landscape Manual*.

- a. The subject site is bordered by two public rights-of-way, Sheriff Road and Hunt Avenue, which is a small, platted, undeveloped right-of-way that the applicant intends to have vacated in the future. However, for now, a Section 4.2, Landscape Strip Along Streets, is required along both of these frontages. The landscape plan provides the appropriate schedules for both rights-of-way; however, some of them are completed incorrectly or do not correspond to what is labeled and shown on the landscape plan itself. These schedules and the landscape plan, specifically for Landscape Strips 4, 5, 6, 8, and 13, should be revised to be complete and correct. A condition requiring this has been included in this approval.

Additionally, the applicant has requested alternative compliance to Section 4.2 for portions of the frontage along Sheriff Road and Hunt Avenue. The findings of the Alternative Compliance Committee, as adopted by the Planning Board, are as follows:

REQUEST 1: Section 4.2 Landscape Strips along Streets, along Sheriff Road.

REQUIRED: 4.2 Landscape Strips along Streets, along Sheriff Road, Plant Schedule 3

Length of Landscaped Strips	±440 feet
Width of Landscaped Strips	10 feet
Shade Trees	13
Shrubs	126

PROVIDED: 4.2 Landscape Strips along Streets, along Sheriff Road, Plant Schedule 3

Length of Landscaped Strips	±440 feet
Width of Landscaped Strips	10+ feet
Shade Trees	13
Shrubs	90
Perennial Herbaceous Plants	674

Justification:

A 440-linear-foot segment along Sheriff Road is not in full compliance with Section 4.2 of the 2010 *Prince George's County Landscape Manual*. A portion of the required landscape strip proposes perennial herbaceous plant material, *Pennisetum alopecuroides* 'Hameln' and *Sedum telepium* 'Autumn Joy', as a substitute for some of the required shrubs in this

segment of the landscape strip. The applicant also proposes to provide two of the required shade trees within a planting area in front of the proposed sanctuary, which is set back approximately 50-feet from the property line and right-of-way. This distribution of the plant material will allow more visibility to the proposed sign along the site's frontage and will provide additional enhancement to the front of the building. The Alternative Compliance Committee, the Planning Director and the Planning Board have no objection to the proposed layout along the frontage, and determined that the proposal will be an equally effective alternative to Section 4.2 of the 2010 *Prince George's County Landscape Manual*.

In review of the Section 4.2 Alternative Compliance request, the Committee noted that there are evergreen trees proposed within the landscape strips along Sheriff Road. Evergreen trees are not a recommended street tree as they can limit visual surveillance onto sites. The proposed evergreen trees were not included as a part of the Alternative Compliance request; however, the Planning Board found that the applicant should replace the proposed evergreen trees in the landscape strips along streets with an equivalent amount of shade trees, at a 2:1 ratio, or an equal number of ornamental trees, where there are notable site constraints. The 4.2 schedules should be revised accordingly to indicate the change.

REQUEST 2: Section 4.2 Landscape Strips along Streets, along Sheriff Road.

REQUIRED: 4.2 Landscape Strips along Streets, along Sheriff Road, Plant Schedule

Length of Landscaped Strips	±191 feet
Width of Landscaped Strips	10 feet
Shade Trees	6
Shrubs	55

PROVIDED: 4.2 Landscape Strips along Streets, along Sheriff Road, Plant Schedule

Length of Landscaped Strips	±191 feet
Width of Landscaped Strips	10 feet
Shade Trees	2
Shrubs	100

Justification:

A 191-linear-foot segment along Sheriff Road is not in full compliance with Section 4.2 of the *Prince George's County Landscape Manual*. There are two site constraints. The first is a 30-foot-wide Washington Suburban Sanitary Commission (WSSC) right-of-way that abuts Sheriff Road and intrudes into the landscape strip. The applicant does not propose any plant materials within the WSSC right-of-way. The second is a retaining wall that is required to create a level area for a sidewalk, within the right-of-way. Due to the location

of the retaining wall and the space limitations of the planting area, the applicant proposes to substitute shrubs for the required shade trees in this location. The retaining wall is 6-feet above grade and will be visible from Sheriff Road. The proposed shrubs in front of the retaining wall will soften and enhance views of the retaining wall from the public street. The applicant should correct Plant Schedule No. 4 on the submitted landscape plan to indicate that 100 shrubs are provided.

The Alternative Compliance Committee notes that the plant materials provided in this portion of the landscape strip will be comparable to those required under normal compliance with the 2010 *Prince George's County Landscape Manual*. The Alternative Compliance Committee, the Planning Director and the Planning Board determined that the proposal will be equally effective as an alternative to Section 4.2 of the 2010 *Prince George's County Landscape Manual*.

REQUEST 3: Section 4.2 Landscape Strips along Streets, along Hunt Avenue.

REQUIRED: 4.2 Landscape Strips along Streets, along Hunt Avenue, Plant Schedule 13

Length of Landscaped Strips	±149 feet
Width of Landscaped Strips	10 feet
Shade Trees	5
Shrubs	42

PROVIDED: 4.2 Landscape Strips along Streets, along Hunt Avenue, Plant Schedule 13

Length of Landscaped Strips	±149 feet
Width of Landscaped Strips	10 feet
Shade Trees	0
Ornamental Trees	9
Shrubs	48

Justification:

Alternative Compliance is required for the proposed plant substitutions along the Hunt Avenue 40-foot right-of-way. Hunt Avenue is an undeveloped and unutilized right-of-way (Paper Street) northwest of the site and adjacent to a storm water pond access drive/easement and underground utilities. The applicant is proposing the substitution of ornamental trees for the required shade trees within the proposed 10-foot-wide landscape strip to reduce disturbance that large tree growth may have on the adjacent utility and storm water access drive/easement. In the applicant's proposal, nine ornamental trees are substituted for the required shade trees, which demonstrate an acceptable substitution rate of 2 ornamentals for 1 shade tree. The Alternative Compliance Committee, the Planning Director and the Planning Board determined that the proposed plant substitutions will be

an equally effective alternative to Section 4.2 of the 2010 *Prince George's County Landscape Manual*.

Decision:

The Planning Board approved of Alternative Compliance for Requests 1, 2, and 3, Section 4.2, Landscape Strips along Streets, along Sheriff Road and Hunt Avenue of the 2010 *Prince George's County Landscape Manual* subject to two conditions, which have been included in this approval.

- b. Section 4.3(c)(1), Parking Lot Perimeter Landscape Strip Requirements, requires a landscape strip in any zone when a parking lot is adjacent to a property line. The subject detailed site plan does not propose any parking lots adjacent to any property lines, except rights-of-way, so there are no requirements for this section.

Section 4.3(c)(2), Parking Interior Planting Requirements, requires a certain percentage of the parking lot, according to the size of the lot, to be interior planting area and to be planted with one shade tree for each 300 square feet of interior landscaped area provided. The DSP has multiple existing and proposed parking areas, all of which are subject to this section due to the fact that the proposed building expansion results in the creation of additional impervious area. The applicant has requested alternative compliance to this section for multiple parking areas. The findings of the Alternative Compliance Committee as adopted by the Planning Board are as follows:

REQUEST 4: Section 4.3(c)(2), Parking Lot Interior Planting Requirements

Surface parking on the subject site is proposed within six separate parking areas of which two are existing lots that will remain with minimal disturbance, two are new, and two are existing lots that will be modified substantially. Parking Lots 1, 2, and 3, are the subject of this alternative compliance request.

Parking Lot #1 – 40, 867 Square feet:

REQUIRED: 4.3(c)(2), Parking Lot Interior Planting Requirements, Parking Lot #1.

Interior Planting Area Required	3,269 sq. ft. or 8%
Number of Shade Trees Required	22

PROVIDED: 4.3(c)(2), Parking Lot Interior Planting Requirements, Parking Lot #1.

Interior Planting Area Provided	6,539 sq. ft. or 8%
Shade Trees Provided within the Interior Planting Area	14
Trees Provided within the Interior Planting Area and Parking Lot Perimeter*	25

**includes shades and ornamental trees*

Justification:

The applicant has filed this request for Alternative Compliance from Section 4.3(c)(2), Parking Lot Interior Planting Requirements, to reduce the required number of shade trees for Parking Lot #1. Parking Lot #1 is an existing overflow parking area, located in the western portion of the site, which will be modified substantially by the applicant's proposal.

In this lot, the applicant is providing twice the amount of generally required interior green area. The number of shade trees required in a particular lot is based upon the amount of interior green *provided*. The Alternative Compliance Committee notes that if the applicant were to provide less interior green area, then the shade tree requirement would be less and would be met by the applicant's proposal. The shade tree requirement is 22 shade trees based on the interior green area provided, and the applicant's proposal demonstrates that only 14 shade trees are provided. While all of the required shade trees are not provided interior to the parking lot, there are 11 additional shade trees and ornamental trees proposed at the perimeter of the lot that meet the objectives of Section 4.3 by providing shade and visual relief within parking facilities, and minimizing the heat island effect created by large expanses of pavement. When the Alternative Compliance Committee, the Planning Director and the Planning Board gives consideration to those trees planted at the perimeter of Parking Lot #1, they find that the proposed alternative landscape design will be an equally effective alternative to Section 4.3(c)(2) of the 2010 *Prince George's County Landscape Manual*.

Parking Lot #2 – 40,945 square feet:

REQUIRED: 4.3(c)(2), Parking Lot Interior Planting Requirements, Parking Lot #2.

Interior Planting Area Required	3,276 sq. ft. or 8%
Number of Shade Trees Required	18

PROVIDED: 4.3(c)(2), Parking Lot Interior Planting Requirements, Parking Lot #2.

Interior Planting Area Provided	5,241 sq. ft. or 12.8%
Shade Trees Provided within the Interior	1
Trees Provided within the Interior Planting Area and Parking Lot Perimeter*	21

**includes shades and ornamental trees*

Justification:

The applicant has filed this request for Alternative Compliance from Section 4.3(c)(2), Parking Lot Interior Planting Requirements, to reduce the required number of shade trees for the Parking Lot #2. Parking Lot #2 is an existing lot, located west of the existing school building that will not be modified substantially by the applicant's proposal.

The largest portion of the interior green area provided in the applicant's proposal is an existing memorial garden. This garden has a social function for the church community and it is planted and maintained by church members. The Alternative Compliance Committee recognizes that it may be inappropriate to disturb the memorial garden by the planting of additional shade trees to meet the interior planting requirement. The existing ornamental trees provided within the memorial garden beautify the parking area and further the goals of Section 4.3.

Overall, eleven ornamental trees are provided within interior green areas, and there are additional shade and ornamental trees proposed at the perimeter of the lot, including between the school building and Parking Lot #2. The Alternative Compliance Committee, the Planning Director and the Planning Board find that the proposed alternative landscape design will be an equally effective alternative to Section 4.3(c)(2) of the 2010 *Prince George's County Landscape Manual*.

Parking Lot #3 – 37,382 square feet:

REQUIRED: 4.3(c)(2), Parking Lot Interior Planting Requirements, Parking Lot #3.

Interior Planting Area Required	2,991 sq. ft. or 8%
Number of Shade Trees Required	14

PROVIDED: 4.3(c)(2), Parking Lot Interior Planting Requirements, Parking Lot #3.

Interior Planting Area Provided	4,000 sq. ft. or 10.7%
Shade Trees Provided within the Interior Planting	5
Trees Provided within the Interior Planting Area and Parking Lot Perimeter*	19

**includes shades and ornamental trees*

Justification:

The applicant has filed this request for Alternative Compliance from Section 4.3(c)(2), Parking Lot Interior Planting Requirements, to reduce the required number of shade trees for Parking Lot #3. Parking Lot #3 is an existing lot, located southeast of the existing school building and existing sanctuary that will not be modified substantially by the applicant's proposal.

Instead of removing areas of existing asphalt to meet the Section 4.3 requirement the applicant proposes to plant seven additional shade trees and three ornamental trees to supplement the 9 existing plant materials that exist at the perimeter of Parking Lot #3. Those additional shade and ornamental trees at the perimeter of Parking Lot #3 meet the objectives of Section 4.3 of the 2010 *Prince George's County Landscape Manual* by providing shade and visual relief within parking facilities, and minimizing the heat island effect created by large expanses of pavement. When the Alternative Compliance Committee, the Planning Director and the Planning Board gives consideration to those trees planted at the perimeter of Parking Lot #3, they find that the proposed alternative landscape design will be an equally effective alternative to Section 4.3(c)(2) of the 2010 *Prince George's County Landscape Manual*.

Decision:

The Planning Board approved Alternative Compliance for Section 4.3(c)(2), Parking Lot Interior Planting Requirements, for Parking Lots 1, 2, and 3, of the 2010 *Prince George's County Landscape Manual*.

- c. Section 4.4, Screening Requirements, requires that all dumpsters and loading spaces be screened from all adjacent public roads. The two required loading spaces and the proposed

dumpster are located behind and to the south of the proposed gymnasium and are completely screened from Sheriff Road by the proposed buildings.

- d. Section 4.7, Buffering Incompatible Uses, requires a buffer between adjacent incompatible land uses. A church and school are defined as medium impact uses; therefore, the subject property would require Section 4.7 bufferyards where it is adjacent to an animal shelter, a high-impact use, in the northeast; single-family detached homes in the east; a cemetery, a low-impact use, in the south; a vacant, M-U-I-zoned parcel in the west; and a fast-food restaurant in the northwest. The landscape plan provides the appropriate schedules; however, some of them are completed incorrectly or do not correspond to what is labeled and shown on the landscape plan itself. These schedules and the landscape plan, specifically for Bufferyards 7, 9, 10, 11 and 12, should be revised to be complete and correct. A condition requiring this has been included in this approval.
- e. Section 4.9, Sustainable Landscaping Requirements, requires certain percentages of native plants be provided on-site, along with no invasive plants, and no plants being planted on slopes steeper than three-to-one. The landscape plan provided the appropriate schedule; however, it was completed incorrectly and should be revised to reflect the correct number of provided and required plants. The proposed plant list includes many native plants, and it appears the requirements have been met, so the schedule just needs to be revised. A condition requiring this has been included in this approval.

11. **Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance:** The subject DSP proposes to construct a new sanctuary, gymnasium and additional parking on an existing developed site with a previously approved Detailed Site Plan DSP-91071 and Type II Tree Conservation Plan TCPII/129/91. Because of the substantial change to the previously approved limits of disturbance (LOD), the site is now subject to the requirements of both the Woodland and Wildlife Habitat Conservation Ordinance and the Tree Canopy Coverage Ordinance.

- a. **Subtitle 25 Division 2: Woodland and Wildlife Habitat Conservation Ordinance—** This project is subject to the Woodland and Wildlife Habitat Conservation Ordinance because, although it has a previously approved tree conservation plan that was approved under the 1989 woodland conservation requirements, the proposed limits of disturbance with this application have significantly changed. A revised Type 2 Tree Conservation Plan, TCP2-129-91-02, reflecting the current woodland conservation requirements, has been submitted.

The site has a woodland conservation requirement of 5.17 acres. The TCP2 proposes to meet the requirement with 4.93 acres of on-site woodland preservation and 0.36 acres of on-site woodland reforestation, which will exceed the requirement. The entire woodland conservation requirement will be met on-site. Woodland preservation is focused in the priority areas of the site, adjacent to the stream valley areas. The Planning Board reviewed

various technical issues regarding labeling and linework that need to be revised on the TCP2 prior to certification and these conditions have been included in the this approval.

Additionally, the site contains 21 specimen trees numbered T29 through T46. The plan proposes to remove six specimen trees (T30 and T41-46). The removal of specimen trees T41, T42, T43, T44, T45 and T46 were approved to be removed with the previously approved TCP2. These trees can be removed without the submittal of a variance because they were approved for removal prior to the enactment of the current regulations that require a variance for the removal of specimen trees. The current regulations require the preservation of specimen trees (Section 25-122(b)(1)(G)) unless a variance has been approved.

Specimen tree T30 is subject to the current regulation that requires a variance for the removal of specimen trees because it was not shown to be removed on the previously approved TCP2. It appears that the removal of this tree is necessary for a proposed vehicular entrance into the site.

A variance application for the removal of specimen tree 30 has been submitted. Section 25-119(d)(1) contains six required findings to be made before a variance from the Woodland and Wildlife Habitat Conservation Ordinance can be granted. An evaluation of this variance request with respect to the required findings is provided as follows:

(A) Special conditions peculiar to the property have caused the unwarranted hardship

The site is located on Sherriff Road, a designated arterial roadway that receives high volumes of traffic that necessitates a safe sight distance to exit the site. According to the applicant's justification, the proposed access point at this location is appropriate in order to provide adequate and safe sight distance for entry and exit to the site. The entrance will also improve on-site circulation for vehicles entering and leaving the site due to the additional parking area proposed in this design. The entrance cannot be relocated farther east because it is adjacent to the PMA. If moved farther west, the entrance would be too close to an existing entrance and may create an unsafe traffic condition. If the site is developed without this proposed entrance, it would create an unwarranted hardship and possible unsafe circulation on the traffic in this area.

(B) Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

If other properties encounter protected trees in similar locations on a site where vehicular access is necessary for the safety and welfare of vehicular circulation, the same considerations would be provided during the review of the required variance application.

(C) Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

If other properties encountered protected trees in similar conditions and locations on a site, the same considerations would be provided during the review of the required variance application.

(D) The request is not based on conditions or circumstances which are the result of actions by the applicant

The request is not based on conditions or circumstances which are the result of actions by the applicant because the entrance has not been built.

(E) The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

The request to remove the specimen tree does not arise from any condition on a neighboring property.

(F) Granting of the variance will not adversely affect water quality

Granting the variance to remove the specimen tree will not directly affect water quality because new stormwater management features are proposed for this site, which currently does not have any.

The Planning Board found that the required findings of Section 25-119(d) have been adequately addressed for the removal of specimen tree 30.

- b. **Subtitle 25 Division 3: Tree Canopy Coverage Ordinance**—Section 25-128 of the Prince George’s County Code requires a minimum percentage of tree canopy coverage (TCC) on properties that require a grading permit. Properties zoned R-80 are required to provide a minimum of 15 percent of the gross tract area in tree canopy. The overall development has a gross tract area of 18.12 acres and, as such, tree canopy coverage of 2.72 acres is required. This requirement will be met and exceeded with the proposed woodland conservation of 5.29 acres. A TCC worksheet has been provided on the landscape plan; however, the gross tract area and TCC required is incorrect and, therefore, a condition requiring this to be corrected has been included in this approval.

12. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to concerned agencies and divisions. The referral comments are summarized as follows:

- a. **Historic Preservation**—The subject project has no effect on Historic Sites, Resources or Districts.

- b. **Community Planning**—The application is not inconsistent with the 2002 *Prince George's County Approve General Plan Development Pattern* policies for the Developed Tier and conforms to the institutional land use recommendations of the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment*.
- c. **Transportation Planning**—The Planning Board reviewed the analysis of the detailed site plan application as follows:

The subject property consists of 18.12 acres of land in the R-80 and C-M zones. The property is on the south side of Sheriff Road to the east of its intersection with Martin Luther King Jr. Highway (MD 704). The property has an approved site plan for the 800-seat church sanctuary building, a 117-student day care facility, a 250-student private school for grades K-8, and approximately 1,064 square-foot related office building. The submitted plan proposes the construction of a new sanctuary, which would increase the size of the existing church on the site from 800 seats to 1,200 seats. The plan includes the demolition of the existing sanctuary building, and replacing it with a new gymnasium with indoor track, game room, youth activity room, children's play room and a small café to be used only by the existing school and daycare students with approved enrollment caps of 250 and 117, respectively. The plan also shows modification and expansion of the existing 304 parking spaces into a 501 surface parking space compound, or 156 spaces more than the required number of parking spaces for the proposed uses.

The underlying approved Preliminary Plan of Subdivision 4-98052. The preliminary plan has no condition which caps development on the site, but Finding 7 of that resolution states that no new trips are proposed. Additionally, other materials included in the preliminary plan file indicate that there was no effort made to evaluate any possible expansion of the uses on the site so that traffic impacts could be properly assessed. In response to the above-cited concerns and as part of the evaluation of Detailed Site Plan DSP-91071-01, the applicant submitted a prepared traffic impact study dated March 2003. The purpose of this review was not to make an adequacy finding associated with this detailed site plan, but to provide justification for the extent of any future expansion of the uses and to clarify the adequacy findings made at the time of the preliminary plan. To this end and by using appropriate trip generation rates and pass-by rate for both the school and the day care uses, the Planning Board approval (PGCPB Resolution No. 03-139) for Detailed Site Plan DSP-91071-01 includes discussions on the total projected new weekday peak-hour vehicle trips for the site as 177 AM (105 in and 72 out) and 54 PM (22 in and 32 out), without limiting the amount of future development levels or mandating any specific weekday or weekend peak hour trip caps.

To adequately compare the potential trip generation of the proposed uses with the levels discussed above, the attached new trip generation report (dated June 27, 2011) was prepared and submitted in support of the proposed plan. While the submitted theoretical analysis report shows potential increases in new weekday trips, stated earlier, by 14 AM and 9 PM trips during the weekday peak hours, the report concluded that there is no basis to assume that these increases in new weekday trips would be realized since the gym is intended as an ancillary use to existing uses, and the church's administrative staff (the key weekday trip generator) is already in place. To further justify this assertion, the applicant has indicated there are no plans, nor any need, to increase the number of church's administrative staff in response to the proposed increase in sanctuary seating.

The site access is limited to Sheriff Road. Currently there are three access driveways serving the site, and all are acceptable.

Based on the preceding analysis, the Planning Board found that the submitted detailed site plan is acceptable and meets the criteria of site plan approval, from the standpoint of transportation, as noted in Subtitle 27.

- d. **Subdivision**—The Planning Board reviewed a brief summary of the property, previous preliminary plan of subdivision approval, and the need for a minor plat of subdivision to consolidate the various properties shown on the DSP. This has been included as a condition in this approval.
- e. **Trails**—The Planning Board found that from the standpoint of non-motorized transportation, this plan is acceptable, fulfills the intent of applicable master plans and functional plans, fulfills prior conditions of approval, and meets the findings required for a detailed site plan as described in Section 27-285 of the Zoning Ordinance with the addition of conditions as included in this approval.
- f. **Permit Review Section**—The Permit Review comments are either not applicable at this time, have been addressed through revisions to the plans, or are addressed through conditions of approval of this detailed site plan.
- g. **Public Facilities**—The Planning Board found that the required fire, rescue, and police facilities have been determined to be adequate, but that there is no requirement for adequacy at the time of detailed site plan.
- h. **Environmental Planning**—The Planning Board reviewed a comprehensive review of the DSP's conformance with the requirements of the Woodland and Wildlife Habitat Conservation Ordinance, the Tree Canopy Coverage Ordinance, the Natural Resources Inventory, and the approved stormwater management concept.

- i. **Fire/EMS Department**—The Prince George’s County Fire/EMS Department did not provide comments on the subject application.
 - j. **Department of Public Works and Transportation (DPW&T)**—In a memorandum dated May 26, 2011, DPW&T stated that they had no objection to this DSP and provided a standard response on issues such as frontage improvements, soils, storm drainage systems, and utilities in order to be in accordance with the requirements of DPW&T. Those issues will be enforced by DPW&T at the time of the issuance of permits. DPW&T also indicated that the subject DSP is consistent with approved Stormwater Management Concept Plan 16624-2009, dated February 14, 2011. In a separate letter dated September 29, 2010, DPW&T indicated that they had no objection to the placement of the proposed sign within the public utility easement (PUE), provided that all of the utility companies that are a party to the PUE agreement are also in agreement.
 - k. **Maryland State Highway Administration (SHA)**—SHA did not provide comments on the subject application.
 - l. **Washington Suburban Sanitary Commission (WSSC)**—In an e-mail dated April 27, 2010, WSSC indicated that they had no issue with the proposed sign location within the public utility easement (PUE). They did not provide any other comments on the plan.
 - m. **Verizon**—In an e-mail dated April 28, 2010, Verizon indicated that they had no objection to the proposed freestanding sign being located within the public utility easement (PUE) as long as three four-inch ducts were provided under the footing of the sign, which the applicant has provided.
 - n. **Potomac Electric Power Company (PEPCO)**—In a letter dated September 24, 2010, PEPCO indicated that they had no objection to the proposed freestanding sign location within the public utility easement (PUE) with the understanding that PEPCO may remove part of or the entire sign in the event of new construction and/or the need to perform maintenance of the electric system in close proximity to the sign.
 - o. **American Telephone & Telegraph (AT&T)**—In a letter dated April 9, 2010, AT&T indicated that they had no facilities in the area of the proposed project that would conflict with the location of the proposed freestanding sign.
 - p. **Washington Gas**—In a letter dated April 16, 2010, Washington Gas indicated that they had no objection to the proposed freestanding sign location as it does not conflict with the gas service.
13. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of

the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

14. Per Section 27-285(b) (4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan is as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

The site is not subject to the environmental regulations of Subtitle 27 that became effective on September 1, 2010, because the site has a previously approved Detailed Site Plan; hence, the finding of "fullest extent possible" per 27-285(b)(4) is not required for the subject site.

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 Type 2 Tree Conservation Plan (TCP2-129-91-02) and APPROVED Alternative Compliance No. AC-92064/01, and further APPROVED Detailed Site Plan DSP-91071/02 for the above-described land, including a Variance from Section 25-122(b)(1)G subject to the following conditions:

1. Prior to signature approval of the detailed site plan, the following information shall be provided, notes added, or revisions made:
 - a. Add the church's tax exempt identification number to the General Notes.
 - b. Provide the breakdown and calculations for the proposed lot coverage.
 - c. Revise the DSP to correct any discrepancies among labels and notes for the play area provided for the school.
 - d. Revise the DSP to note the limited hours of operation of the outdoor play area.
 - e. Revise the DSP to show all of the previously approved landscaping that needs to be removed and replaced or replanted per the landscape certification plan.
 - f. Label the freestanding sign advertising the private school, located near the existing western driveway entrance, as to be removed.
 - g. The dumpster enclosure detail shall indicate that the enclosure will be made of brick or clad with brick veneer.

- h. Provide the six-foot, eight-inch-wide decorative sidewalk along the subject site's entire frontage of Sheriff Road, unless modified by the Department of Public Works and Transportation (DPW&T).
- i. Revise the plans to show shared-lane markings for bicycles shall be provided along the subject site's entire frontage of Sheriff Road, unless modified by DPW&T. All pavement markings shall be consistent with the Federal Highway Administration's 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD), Section 9C.07, unless modified by DPW&T or other applicable regulatory authority.
- j. In conjunction with the shared-lane markings, the applicant shall provide a minimum of two "Bicycles May Use Full Lane" signs (R4-11, MUTCD) along Sheriff Road, consistent with the Federal Highway Administration's 2009 Edition of the Manual on Uniform Traffic Control Devices (MUTCD), Section 9B.06, unless modified by DPW&T or other applicable regulatory authority.
- k. Provide an additional sidewalk connection with marked crosswalk from Sheriff Road to the walkway around the proposed sanctuary at the site's ingress/egress point opposite of Willowood Court.
- l. Provide a marked crosswalk with ADA curb cuts and ramps from the sidewalk connection off Sheriff Road (reflected on the submitted plans) across the one-way drive aisle to the sidewalk in front of the sanctuary and gymnasium.
- m. Provide marked crosswalks across the drive aisle to the sidewalk around the sanctuary from the two walkways/stairs from the upper parking lot.
- n. Revise the site plan to demonstrate the height and dimensions for the proposed sanctuary and gymnasium buildings.
- o. Revise the tree canopy coverage worksheet to reflect the correct gross tract area and tree canopy coverage required.
- p. The TCP2 shall be revised as follows
 - (1) Remove the symbol for "woodland cleared" from the legend.
 - (2) Remove the existing Washington Suburban Sanitary Commission (WSSC) area (clearing area E) from the limit of disturbance (LOD) and show it to be preserved, counted as cleared. The area of woodland in this area shall remain counted as cleared.
 - (3) Have the plans signed and dated by the qualified professional who prepared them.

- q. Revise the landscape plan to show decorative-type plantings, including ornamental trees, shrubs, perennials and annuals, immediately adjacent to the north and east sides of the proposed sanctuary and the north side of the proposed gymnasium, where space allows outside of minimum sidewalk widths.
 - r. Revise the Section 4.2 schedules and landscape strips, specifically for Landscape Strips 4, 5, 6, 8, and 13, to be complete and correct.
 - s. Revise the Section 4.7 schedules and bufferyards, specifically for Bufferyards 7, 9, 10, 11 and 12, to be complete and correct.
 - t. Revise the Section 4.9, Sustainable Landscaping Requirements, schedule to reflect the correct number of provided and required plants in relation to the plant lists for each category.
 - u. Either obtain approval for a departure from sign design standards from Section 27-617(a) of the Zoning Ordinance for the proposed freestanding sign, or revise the proposed sign to conform with the Zoning Ordinance provisions.
 - v. The evergreen trees proposed in the Section 4.2, landscape strips along Sheriff Road, shall be replaced with the equivalent value of shade trees or ornamental trees.
 - w. Planting Schedule No. 4 shall be revised to indicate that 100 shrubs are provided, in lieu of the required shade trees, in the area closest to the proposed retaining wall.
 - x. Revise the DSP to reflect the landscaping and schedules as shown on the approved Alternative Compliance plan.
2. Prior to the Maryland-National Park and Planning Commission (M-NCPPC) approval of building permits, a minor plat of subdivision pursuant to Section 24-108(a)(3) of the Subdivision Regulations, shall be required to consolidate Parcel C, Lots 17, 18, 21, 22 and part of Hunter Avenue and Park Avenue vacated by Vacation Petition V-09005 and as reflected on the approved detailed site plan (DSP).

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 Cavitt, with Commissioners Washington, Cavitt, Squire and Bailey voting in favor of the motion, and with Commissioner Hewlett abstaining at its regular meeting held on Thursday, July 28, 2011, in Upper Marlboro, Maryland.

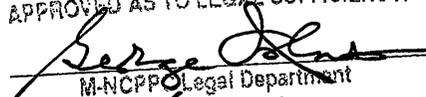
Adopted by the Prince George's County Planning Board this 15th day of September 2011.

Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:JK:arj

APPROVED AS TO LEGAL SUFFICIENCY.


M-NCPPD Legal Department

Date 9/13/11

RESOLUTION

WHEREAS, First Baptist Church of Highland Park is the owner of a 18.69-acre parcel of land known as Parcel D, recorded in the Prince George's County Land Records in Plat Book MMB 234, page 83; and Parcels 61 and 67, recorded in the Land Records in Liber 40454 at folio 372 and Liber 21285 at folio 421, respectively, said property being in the 13th Election District of Prince George's County, Maryland, and being zoned One-Family Detached Residential (R-80); and

WHEREAS, on December 28, 2021, Community Housing Initiative, Inc. filed an application for approval of a Preliminary Plan of Subdivision for 1 parcel; and

WHEREAS, the application for approval of the aforesaid Preliminary Plan of Subdivision, also known as Preliminary Plan 4-21022 for First Baptist Church of Highland Park was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on March 3, 2022, for its review and action in accordance with the Land Use Article of the Annotated Code of Maryland and the Regulations for the Subdivision of Land, Subtitle 24, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on March 3, 2022, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the provisions of Subtitle 24, Prince George's County Code, the Prince George's County Planning Board APPROVED Type 1 Tree Conservation Plan TCP1-021-2021, and APPROVED a Variance from Section 25-122(b)(1)(G) to allow removal of two specimen trees, and further APPROVED Preliminary Plan of Subdivision 4-21022 for 1 parcel with the following conditions:

1. Prior to signature approval, the preliminary plan of subdivision shall be revised, as follows:
 - a. Remove the business center from General Note 14.
 - b. Show a 10-foot-wide public utility easement along the property's frontage with Hunt Avenue.
 - c. Remove the term "or handicapped families" from General Notes 11 and 12.
2. Development of the site shall be in conformance with the pending Stormwater Management Concept Plan, 16624-2009-02, and any subsequent revisions.

3. Prior to approval, the final plat shall include:
 - a. Dedication of a 10-foot-wide public utility easement along the public rights-of-way, as delineated on the approved preliminary plan of subdivision.
4. Total development within the subject property shall be limited to uses which generate no more than 389 AM peak-hour trips and 232 PM peak-hour trips. Any development generating an impact greater than that identified herein above shall require a new preliminary plan of subdivision with a new determination of the adequacy of transportation facilities.
5. Prior to signature approval of the preliminary plan of subdivision, the Type 1 tree conservation plan (TCP1) shall be revised, as follows:
 - a. Add TCP1-021-2021 to the approval box.
 - b. Correct the plan to show the woodlands that have less than 10,000 square feet and a width of less than 50 feet as woodland retained but not credited.
 - c. Revise the worksheet to reflect the following:
 - (1) That the project is located within a priority funding area.
 - (2) Adjust the amount of woodland preserved.
 - (3) Add TCP1-021-2021 to the worksheet.
 - d. Remove additional notes, only the Standard Type 1 Tree Conservation Plan Notes need to be shown on the TCP1.
 - e. Show the buildings on Parcels 61 and 67 as removed.
 - f. Add the following note below the specimen tree table: "This plan is in accordance with the following variance from the strict requirements of Subtitle 25 approved by the Planning Board on March 3, 2022 for the removal of (list specimen trees approved for removal)."
 - g. Have the plans signed and dated by the qualified professional who prepared them.
6. Prior to signature approval of the preliminary plan of subdivision, the applicant and the applicant's heirs, successors, and/or assignees shall submit a revised geotechnical report.
7. At the time of detailed site plan (DSP), the DSP shall show the location of the mitigated safety factor line and the 25-foot building restriction line from the 1.5 safety factor line.

8. At time of final plat, a conservation easement shall be described by bearings and distances. The conservation easement shall contain the delineated primary management area, except for any approved impacts, and shall be reviewed by the Environmental Planning Section, prior to approval of the final plat. The following note shall be placed on the plat:

"Conservation easements described on this plat are areas where the installation of structures and roads and the removal of vegetation are prohibited without prior written consent from the M-NCPPC Planning Director or designee. The removal of hazardous trees, limbs, branches, or trunks is allowed."

9. Development of this subdivision shall be in conformance with an approved Type 1 Tree Conservation Plan (TCP1-021-2021). The following note shall be placed on the final plat of subdivision:

"This development is subject to restrictions shown on the approved Type 1 Tree Conservation Plan (TCP1-021-2021 or most recent revision), or as modified by the Type 2 Tree Conservation Plan and precludes any disturbance or installation of any structure within specific areas. Failure to comply will mean a violation of an approved Tree Conservation Plan and will make the owner subject to mitigation under the Woodland and Wildlife Habitat Conservation Ordinance. This property is subject to the notification provisions of CB-60-2005. Copies of all approved Tree Conservation Plans for the subject property are available in the offices of the Maryland-National Capital Park and Planning Commission, Prince George's County Planning Department."

10. Prior to issuance of permits for this subdivision, a Type 2 tree conservation plan shall be approved. The following note shall be placed on the final plat of subdivision:

"This plat is subject to the recordation of a Woodland Conservation Easement pursuant to Section 25-122(d)(1)(B) with the Liber and folio reflected on the Type 2 Tree Conservation Plan, when approved."

11. Prior to issuance of any permits which impact 100-year floodplain, wetlands, wetland buffers, streams or waters of the U.S., the applicant shall submit copies of all federal and state wetland permits, evidence that approval conditions have been complied with, and associated mitigation plans.

12. Prior to acceptance of a detailed site plan (DSP), the applicant and the applicant's heirs, successors, and/or assignees shall include as part of the DSP submission, the following:

- a. A standard 5-foot-wide bicycle lane along the property frontage of Sheriff Road, consistent with the Guide for the Development of Bicycle Facilities (American of Association of State Highway and Transportation Officials) unless modified by the operating agency, with written correspondence.

- b. A minimum 6-foot-wide sidewalk along the entire frontage of Sheriff Road, unless modified by the operating agency, with written correspondence.
 - c. A minimum 5-foot-wide sidewalk and associated crosswalks from Sheriff Road to the proposed building entrance.
 - d. Short-term and long-term bicycle parking, consistent with the Guide for the Development of Bicycle Facilities American of Association of State Highway and Transportation Officials to accommodate residents and visitors.
13. In accordance with Section 24-135(b) of the Prince George's County Subdivision Regulations, the applicant and the applicant's heirs, successors, and/or assignees shall provide adequate on-site recreational facilities.
 14. The on-site recreational facilities shall be reviewed by the Urban Design Section of the Development Review Division of the Prince George's County Planning Department, for adequacy and proper siting, in accordance with the Prince George's County Park and Recreation Facilities Guidelines, with the review of the detailed site plan (DSP). Triggers for construction shall also be determined at the time of DSP.
 15. Prior to submission of the final plat of subdivision, the applicant, and the applicant's heirs, successors, and/or assignees shall submit three original executed recreational facilities agreements (RFAs) to the Development Review Division (DRD) of the Prince George's County Planning Department for construction of on-site recreational facilities, for approval. Upon approval by DRD, the RFA shall be recorded among the Prince George's County Land Records and the Liber and folio of the RFA shall be noted on the final plat, prior to plat recordation.
 16. Prior to approval of building permits for residential development, the applicant and the applicant's heirs, successors, and/or assignees shall submit a performance bond, letter of credit, or other suitable financial guarantee for construction of recreational facilities.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. The subdivision, as modified with conditions, meets the legal requirements of Subtitles 24 and 27 of the Prince George's County Code and the Land Use Article of the Annotated Code of Maryland.
2. **Overview**—The subject property is located on the south side of Sheriff Road, approximately 150 feet east of its intersection with MD 704 (Martin Luther King Jr. Boulevard). The property consists of 18.69 acres and is currently comprised of three parcels known as Parcel D, recorded in the Prince George's County Land Records in Plat Book MMB 234, Page 83, and Parcels 61 and 67, recorded in the Land Records in Liber 40454 at folio 372 and Liber 21285 at folio 421, respectively. The property is within the One-Family Detached Residential (R-80) Zone and is subject to the 2004 *Approved Subregion 4 Master Plan and Endorsed Sectional Map Amendment*

(Subregion 4 Master Plan and SMA), Subtitles 24 and 27 of the Prince George’s County Code, and other applicable plans as outlined herein. This preliminary plan of subdivision (PPS) includes one parcel for development of 138 multifamily dwelling units for the elderly, in addition to 128,112 square feet of existing institutional uses. Subtitle 27 permits the proposed use for elderly or handicap families, however the applicant is proposing the use for elderly residents, as such the analysis herein is based on exclusively elderly use. The site is currently occupied by the First Baptist Church of Highland Park, including a school and day care facility, which are the subject of previous PPS approvals. The addition of residential development exceeds the prior entitlements for the site and is subject to a new PPS approval.

The applicant also filed a variance request to Section 25-122(b)(1)(G) of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance (WCO), to allow removal of two specimen trees. This request is discussed further in the Environmental finding of this resolution.

3. **Setting**—The property is located on Tax Map 59 in Grids D4 and E4, Tax Map 61 in Grid D1, and is within Planning Area 72. The abutting properties to the south and east are located in the R-80 Zone and are developed with a cemetery and single-family residential uses. The properties flanking the site to the west are located in the Mixed Use-Infill (M-U-I) Zone and Development District Overlay (D-D-O) Zone and are developed with an eating and drinking establishment with drive-through service, a gas station, and a monopole. The properties beyond Sheriff Road to the north are located in the M-U-I/D-D-O Zones and the Townhouse Zone and are developed with a gas station and single-family attached dwellings, respectively.

FINDINGS AND REASONS FOR STAFF RECOMMENDATION

4. **Development Data Summary**—The following information relates to the subject PPS application and the approved development.

	EXISTING	APPROVED
Zone	R-80	R-80
Use(s)	Institutional	Institutional and Residential
Acreage	18.69	18.69
Lots	0	0
Parcels	3	1
Dwelling Units	N/A	138
Gross Floor Area	128,112	128,112

Pursuant to Section 24-119(d)(2) of the Subdivision Regulations, this case was heard at the Subdivision and Development Review Committee meeting on January 7, 2022.

5. **Previous Approvals**—PPS 4-92017 was approved by the Prince George’s County Planning Board on April 23, 1992 (PGCPB Resolution No. 92-92). This PPS was approved for resubdivision of the site into two outlots and one parcel containing the existing church development.

DSP-91071 was approved on September 10, 1992 (PGCPB Resolution PGCPB No. 92-247), for addition of the Church’s day care center.

PPS 4-98052 was approved by the Prince George’s County Planning Board on December 3, 1998 (PGCPB Resolution No. 98-310). This PPS was approved for resubdivision of the site into one parcel and one outlot containing the existing church development and associated uses. No development was proposed with this application. The outlot was conveyed to the adjoining National Harmony Memorial Park cemetery. The prior PPS 4-98052 is superseded by PPS 4-21022. None of the conditions associated with this previously approved PPS affect the current PPS 4-21022 approval.

DSP-91071-01 was approved on June 19, 2003 (PGCPB Resolution No. 03-139), for addition of a 250-student private school, an increase to the day care enrollment and a 1,064-square-foot accessory credit union/bank.

DSP-91071-02 was approved on July 28, 2011 (PGCPB Resolution No 11-76), for addition of 28,530 square feet of gym space.

6. **Community Planning**—The 2014 *Plan Prince George’s 2035 Approved General Plan* (Plan 2035) and conformance with the master plan are evaluated, as follows:

Plan 2035

This site is located within the Established Communities growth policy area. Plan 2035 describes Established Communities as areas appropriate for context-sensitive infill and low- to medium-density development and recommends maintaining and enhancing existing public services, facilities, and infrastructure to ensure that the needs of residents are met (page 20).

Master Plan Conformance

The Subregion 4 Master Plan recommends institutional future land use on the subject property. Multifamily dwellings for the elderly are permitted in the R-80 Zone in accordance with Prince George’s County Council Bill CB-9-2019, which amended Section 27-441(b) of the Prince George’s County Zoning Ordinance and requires density be in accordance with the Multifamily High Density Residential (R-10) Zone. The maximum density in the R-10 Zone is 48 dwelling units per acre. This PPS includes 7.4 dwelling units per acre, based on the total acreage of the property.

Sectional Map Amendment/Zoning

The Subregion 4 SMA retained the subject property in the R-80 Zone.

Pursuant to Section 24-121(a)(5) of the Subdivision Regulations, this PPS conforms to the Subregion 4 Master Plan's recommended land use and density standards, as evaluated in this finding.

7. **Stormwater Management**—An approved Stormwater Management (SWM) Concept Letter, 16624-2009-02, and plan was submitted with this application. The approved SWM concept plan shows the use of six micro-bioretenention facilities to meet the current requirements of environmental site design (ESD) to the maximum extent practicable (MEP). The approved SWM concept plan and the Type 1 tree conservation plan (TCP1) submitted as part of this PPS application show the same site layout. In accordance with Section 24-130 of the Subdivision Regulations, development of the site shall conform with the approved SWM concept plan and any subsequent revisions, to ensure no on-site or downstream flooding occurs.
8. **Parks and Recreation**—This PPS was reviewed for conformance with the Subdivision Regulations, the *Formula 2040: Functional Master Plan for Parks Recreation and Open Space*, (Formula 2040) and the Subregion 4 Master Plan, pertaining to public parks and recreational facilities.

The subject property is not abutting any existing Maryland-National Capital Park and Planning Commission (M-NCPPC)-owned parkland. However, there are several existing parks in the immediate vicinity. Columbia Park is located immediately north of MD 704 and Palmer Park is 0.25 mile east along MD 704, both of which are currently undeveloped. Nearby parks that are developed include Kentlands Community Center, 1.0 mile to the north, and Cedar Heights Community Center, 1.0 mile to the west.

Mandatory dedication of parkland is required, pursuant to Section 24-134(a) of the Subdivision Regulations. Based on the density proposed with this application, 1.4 acres of dedicated parkland would be required. Pursuant to Section 24-135 of the Subdivision Regulations, the Planning Board may approve a fee-in lieu of parkland dedication or on-site recreational facilities as an alternative to the dedication of land. In addition, as per Section 24-135(b), recreational facilities may be approved, provided the following are met:

1. **Such facilities will be superior, or equivalent, to those that would have been provided under the provisions of mandatory dedication.**
2. **The facilities will be properly developed and maintained to the benefit of future residents.**

The applicant proposed on-site recreational facilities to meet the mandatory dedication requirements. On a conceptual basis, their proposal indicates the provision of community rooms, fitness rooms, a library, movie theater, and business center. The conceptual recreational facilities are found to be acceptable, however, the proposed business center should not count toward meeting the requirements, as this is not considered a recreational facility.

The goals as recommended by Formula 2040 are as follows:

1. **Connect Prince George’s County residents to quality parks, trails, recreation facilities and programs, and schools. Connect patrons of DPR (socially and physically) to their neighborhoods and communities.**
2. **Contribute to the Prince George’s County economy and the financial sustainability of the community.**
3. **Improve health (physical, mental, environmental, and cultural) of Prince George’s County residents and promote a wellness ethic for the community as a whole by integrating fitness and wellness into facilities, programs, and events.**

The site has frontage along Sheriff Road, which contains a master-planned bike lane and sidewalk, which is discussed further in the Transportation section of this resolution. The applicant shall provide indoor and outdoor facilities for both passive and active recreation. These facilities will satisfy the above goals of providing connection to local parks, enhancing public infrastructure in the County, and improving the health of residents by ensuring the availability of recreational facilities.

The Parks and Recreation policies, as recommended in the Subregion 4 Master Plan call for:

1. **Creating new parks and improve upon existing neighborhood and community parks.**
2. **Provide parks and recreation facilities that meet the changing needs and interests of the community.**

The applicant shall provide variation in the on-site recreational facilities to meet the needs of the community. The applicant shall explore opportunities for on-site recreation, both active and passive and indoor and outdoor, to fit the demographics of the proposed residents. Possible suggestions include outdoor sitting areas or a sensory garden. The details of such provided facilities shall be provided with the detailed site plan (DSP) for this project. These facilities will satisfy the above recommendations.

The applicant’s proposal to provide on-site recreational facilities will meet the requirements of Section 24-135(b).

9. **Bicycle and Pedestrian**—This PPS was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the Subregion 4 Master Plan to provide the appropriate pedestrian and bicycle transportation facilities.

Existing Conditions, Sidewalks and Bike Infrastructure

The site is along Sheriff Road, which includes an existing 6-foot-wide sidewalk along a portion of the property's frontage.

Review of Master Plan Compliance

This development case is subject to the MPOT. The subject property fronts on the recommended master-planned bicycle lane along Sheriff Road.

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 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*.

This development is also subject to the Subregion 4 Master Plan, which includes the following recommendations for pedestrian and bicyclist facilities:

A five-foot-wide bicycle lane along Sheriff Road.

The Subregion 4 Master Plan also includes policies for pedestrian and bicycle facilities:

Policy 1: Incorporate appropriate pedestrian-oriented and TOD features in the centers

Policy 2: Provide sidewalks and neighborhood trail connections within existing communities to improve pedestrian safety, allow for safe routes to Metro stations and schools, and provide for increased non-motorized connectivity between neighborhoods.

Policy 3: Develop bicycle friendly roadways in conformance with the latest standards and guidelines, including the 1999 AASHTO *Guide for the Development of Bicycle Facilities*.

The existing 6-foot-wide sidewalk along Sheriff Road shall be extended along the entire site frontage and include associated crosswalks and Americans with Disabilities Act curb ramps, unless modified by the operating agency. The applicant shall provide a minimum 5-foot-wide sidewalk and crosswalk connection from Sheriff Road to the proposed elderly living facility, and connections from the proposed building to the existing uses on-site. The applicant shall provide a

bicycle lane along the property frontage of Sheriff Road, per the MPOT and Subregion 4 Master Plan, unless modified by the operating agency. In addition, short- and long-term bicycle parking is required to accommodate multimodal use for future residents. Pedestrian and bicycle facilities are not required to be shown on the PPS; however, these facilities should be included on the DSP.

Based on the preceding findings, the pedestrian and bicycle transportation facilities will serve the proposed subdivision, meet the findings required by Subtitle 24 of the County Code, and conform to the Subregion 4 Master Plan and the MPOT.

10. **Transportation**—Transportation findings related to adequacy are made with this application, along with any determinations regarding dedication, access, and general subdivision layout. The proposed development is projected to generate fewer than 50 new peak-hour trips, therefore a traffic impact study was not required.

Analysis of Traffic Impacts

The subject property is currently unimproved and is located within Transportation Service Area 1, as defined in Plan 2035. As such, the subject property is evaluated according to the following standards:

Links and Signalized Intersections: Level-of-service (LOS) E, with signalized intersections operating at a critical lane volume (CLV) of 1,600 or better.

Unsignalized Intersections: The procedure for unsignalized intersections is not a true test of adequacy, but rather an indicator that further operational studies need to be conducted.

For two-way, stop-controlled intersections, a three-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) the maximum approach volume on the minor streets is computed if delay exceeds 50 seconds, (c) if delay exceeds 50 seconds and at least one approach volume exceeds 100, the CLV is computed.

For all-way stop-controlled intersections a two-part process is employed: (a) vehicle delay is computed in all movements using the *Highway Capacity Manual* (Transportation Research Board) procedure; (b) if delay exceeds 50 seconds, the CLV is computed.

The proposed elderly living building is located on the property of an existing church that includes a day care and private school. The trip generated for those uses are included within the established trip cap for this application. The table below summarizes trip generation in each peak hour that is used in reviewing traffic and developing a trip cap for the site:

Trip Generation Summary: 4-21022 First Baptist of Highland Church								
Land Use	Use Quantity	Units	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
Senior (Elderly) Living	138	units	7	11	18	14	8	22
Church	128,112	square feet	30	19	49	24	25	49
Day care Center	117	children	49	45	94	46	50	96
Private School	250	students	125	103	228	30	35	65
Total Trip Cap Recommendation			389			232		

The traffic generated by the proposed PPS would impact the following intersections, interchanges, and links in the transportation system:

- Sheriff Rd/MD 704 (signalized)
- Sheriff Rd/Belle Haven Dr (signalized)
- Sheriff Rd/West Access (unsignalized)
- Sheriff Rd/Middle Access (unsignalized)
- Sheriff Rd/East Access (unsignalized)

The following critical intersections, interchanges, and links identified above, when analyzed with existing traffic and existing lane configurations, operate as follows:

EXISTING TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
Sheriff Rd/MD 704	1,016	1,215	B	C
Sheriff Rd/Belle Haven Dr	348	420	A	A
Sheriff Rd/West Access*	9.1*	9.4*	-	-
Sheriff Rd/Middle Access*	9.1*	9.4*	-	-
Sheriff Rd/East Access*	9.0*	9.3*	-	-

*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.

There are no critical intersections identified above that are programmed for improvements with 100 percent construction funding within the next six years in the current Maryland Department of Transportation "Consolidated Transportation Program" or the Prince George's County "Capital Improvement Program."

The traffic study identified one background development whose impact would affect one of the study intersections. A second analysis was done to evaluate the impact of the background developments. The analysis revealed the following results:

BACKGROUND TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	Sheriff Rd/MD 704	1,041	1,234	B
Sheriff Rd/Belle Haven Dr	348	420	A	A
Sheriff Rd/West Access*	9.1*	9.4*	-	-
Sheriff Rd/Middle Access*	9.1*	9.4*	-	-
Sheriff Rd/East Access*	9.0*	9.3*	-	-
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

The following critical intersections identified above, when analyzed with total future traffic as developed using the "Transportation Review Guidelines, Part 1" (Guidelines) including the site trip generation as described above, operate as follows:

TOTAL TRAFFIC CONDITIONS				
Intersection	Critical Lane Volume (AM & PM)		Level of Service (LOS, AM & PM)	
	Sheriff Rd/MD 704	1,046	1,240	B
Sheriff Rd/Belle Haven Dr	348	434	A	A
Sheriff Rd/West Access*	9.2*	9.6*	-	-
Sheriff Rd/Middle Access*	9.1*	9.0*	-	-
Sheriff Rd/East Access*	9.0*	9.4*	-	-
*In analyzing unsignalized intersections, average vehicle delay for various movements through the intersection is measured in seconds of vehicle delay. The numbers shown indicate the greatest average delay for any movement within the intersection. According to the Guidelines, delay exceeding 50.0 seconds indicates inadequate traffic operations. Values shown as "+999" suggest that the parameters are beyond the normal range of the procedure and should be interpreted as a severe inadequacy.				

MPOT, Subregion 4 Master Plan, and Site Access

The subject site is along the master plan, 80-foot right-of-way of Sheriff Road, and is shown correctly on the PPS. There are no new access points to the site proposed and there is no additional right-of-way being sought with this application. The Subregion 4 Master Plan recommends Sheriff Road to maintain the current width of four lanes.

Based on the preceding findings, adequate transportation facilities will exist to serve the subdivision, as required, in accordance with Section 24-124.

11. **Schools**—This PPS was reviewed for impact on school facilities, in accordance with Section 24-122.02 of the Subdivision Regulations, and Council Resolutions CR-23-2001 and CR-38-2002, *Amended Adequate Public Facilities Regulations for Schools*. The proposal includes 138 elderly dwelling units, which will be reserved for residents above the age of 62 years. Per Section 24-122.02(b)(2), elderly housing operated in accordance with State and Federal Fair Housing law is exempt from the adequacy of the school facilities test. Thus, the 138 proposed dwelling units are exempt from the adequacy of school facilities test.
12. **Public Facilities**—In accordance with Section 24-122.01, police, water and sewerage, and fire and rescue facilities are found to be adequate to serve the subject site, as outlined in a memorandum from the Special Projects Section, dated January 25, 2022 (Perry to Heath) and incorporated by reference herein.
13. **Public Utility Easement**—Section 24-122(a) requires that when utility easements are required by a public company, the subdivider shall include the following statement in the dedication documents recorded on the final plat:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at folio 748.”

The standard requirement for public utility easements (PUEs) is 10 feet wide along both sides of all public rights-of-way. The subject site fronts on the public rights-of-way of Sheriff Road and Hunt Avenue, a 40-foot-wide undeveloped right-of-way. The required PUE along Sheriff Road is delineated on the PPS. However, there is no PUE shown along Hunt Avenue. The PPS shall be revised to show this PUE.

14. **Historic**—The subject property is adjacent to Harmony Memorial Park cemetery. Harmony Memorial Park is located on slightly more than 142-acres of open land in suburban Prince George’s County. The eastern half of the site is relatively flat, while the western half has a steep terrain. The designed landscape features small stands of trees, some individual specimens, and large expanses of grass. Sections of Harmony Memorial Park that are named after sections in the old Harmony cemetery are identified by small signs at the front and rear of each section. Since the grave markers or monuments apparently were not moved from Columbian Harmony Cemetery with the remains, all the markers were probably fabricated after 1959. The markers are generally of a simple design, with minimal ornamentation and inscriptions.

Columbian Harmony Cemetery was established in Washington, DC, in 1829 by the Columbian Harmony Society, a mutual aid organization founded in 1825 by a group of free African Americans. The cemetery has moved three times in the Society’s history, before arriving at its current location in 1957. The first burial grounds, “Harmoneon” was a 1.3-acre site in Washington City located on Rhode Island Avenue near Boundary Street (present day Florida Avenue). After an ordinance forced cemeteries to relocate outside city limits, the Society acquired a larger site in 1857 outside city limits but within the District of Columbia corporate boundaries; and all remains were moved to the new “Harmony Cemetery” by 1859. In 1957, the

Society was approached by developer Louis M. Bell with an offer to relocate Columbian Harmony Cemetery to a site in Landover, Prince George’s County, Maryland, in exchange for the Society’s real property in the city. After an agreement was reached, approximately 37,000 remains from Columbian Harmony Cemetery, representing burials from the early eighteenth to mid-twentieth centuries, were transferred to Harmony Memorial Park between May and November 1960.

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. While the subject property is adjacent to Harmony Memorial Park, a County-designated historic resource, the size of the resource and the location of the parts of the cemetery associated with the Columbian Harmony Cemetery are located away from the developing property. The subject application will not impact any historic sites, historic resources, or known archeological sites.

15. **Environmental**—The following applications and associated plans have been reviewed for the subject site:

Review Case #	Associated Tree Conservation Plan #	Authority	Status	Action Date	Resolution Number
4-92017	TCPI-7-92	Planning Board	Approved	4/23/1992	PGCPB No. 92-92
N/A	TCPII-129-91	Staff	Approved	3/20/1992	N/A
DSP-91071	TCPII-129-91	Planning Board	Approved	9/10/1992	PGCPB No. 92-247
4-98052	TCPI-7-92-01	Planning Board	Approved	12/3/1998	PGCPB No. 98-310
DSP-91071-01	TCPII-129-91-01	Planning Board	Approved	6/19/2003	PGCPB No. 03-139
NRI-037-2008	N/A	Staff	Approved	9/15/2008	N/A
DSP-91071-02	TCPII-129-91-02	Planning Board	Approved	7/28/2011	PGCPB No. 11-76
NRI-037-2008-01	N/A	Staff	Approved	5/20/2019	N/A
NRI-037-2008-02	N/A	Staff	Approved	10/5/2021	N/A
4-21022	TCP1-021-2021	Planning Board	Approved	3/3/2022	2022-30

Proposed Activity

The applicant requested approval of a PPS and TCP1-021-2021 for one parcel for development of 138 multifamily units for the elderly and handicapped.

Grandfathering

This project is not grandfathered with respect to the environmental regulations contained in Subtitles 24, 25, and 27 that came into effect on September 1, 2010, because the application is for a new PPS. This project is subject to the WCO and the Environmental Technical Manual (ETM).

Site Description

A review of available information, and as shown on the approved Natural Resources Inventory (NRI) indicates that 100-year floodplain, wetlands, streams, and steep slopes are found to occur

on the property. The site does not contain any wetlands of special state concern. The site is located in the Lower Beaverdam Creek watershed of the Anacostia River Basin. The Maryland Department of Natural Resources Natural Heritage Program determined that rare, threatened, and endangered species are not found to occur on-site. According to the *Countywide Green Infrastructure Plan*, of the *Approved Prince George's Resource Conservation Plan: A Countywide Functional Master Plan* (Green Infrastructure Plan), the site contains both regulated and evaluation areas.

General Plan

The site is located within the Established Communities of the Growth Policy Map and Environmental Strategy Area 1 (formerly the Developed Tier) of the Regulated Environmental Protection Areas Map, as designated by Plan 2035.

CONFORMANCE WITH APPLICABLE PLANS

Subregion 4 Master Plan

The site contains both regulated and evaluation areas within the Green Infrastructure Plan. The text in **BOLD** is the text from the Subregion 4 Master Plan and the plain text provides comments on plan conformance.

Policy 1: Protect, preserve, and enhance the identified green infrastructure network within Subregion 4.

The site contains regulated and evaluation areas in the Green Infrastructure Plan that are comprised of streams, wetland, and floodplain. A majority of the evaluation area is within the woodland conservation preservation area proposed for the site. The applicant is proposing to enhance several of the regulated areas through afforestation.

Policy 2: Minimize the impacts of development on the green infrastructure network and SCA's.

The site contains regulated and evaluation areas of Green Infrastructure Plan that is comprised of streams, wetland, and floodplain. There are eight impacts to the primary management area (PMA). Seven of the impacts are existing from previous development on-site. One new impact to the PMA will be for a stormwater outfall. The applicant is proposing to enhance several of the regulated areas through afforestation. No special conservation areas have been identified on-site.

Policy 3: Restore and enhance water quality in areas that have been degraded and preserve water quality in areas not degraded.

This project has an approved SWM concept plan from the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE), Case 16624-2009-02, which has six conditions of approval that relate to water quality and quantity

requirements for final design. DPIE will further review the site for conformance with state and local stormwater design.

Policy 4: Improve the base information needed for the county to undertake and support stream restoration and mitigation projects.

The site has an approved NRI that details existing conditions of the site. There is a PMA comprised of streams, floodplain, and wetlands and their associated buffers. These buffers will function as a wildlife habitat corridor connection, as recommended by the Subregion 4 Master Plan, and meet the intent of the Green Infrastructure Plan. No stream restoration or mitigation is proposed as part of this application.

Policy 5: Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment projects.

As stated above, the project has an approved SWM concept plan and will be further reviewed by DPIE for conformance to state and local stormwater design.

Policy 6: Assure that adequate stream buffers are maintained and enhanced and utilized design measures to protect water quality.

The site has an approved NRI that details existing conditions of the site. There is a PMA comprised of streams, floodplain, and wetlands and their associated buffers. The stream buffer will be maintained, except for a stormwater outfall that was approved by DPIE in SWM Concept Plan 16624-2009-02. DPIE will further review the site for conformance with state and local stormwater design.

Policy 7: Reduce air pollution to support public health and wellness by placing a high priority on transit-oriented development and transportation demand management (TDM) projects and programs.

Air quality is a regional issue that is currently being addressed by the Council of Governments.

Policy 9: Implement environmental sensitive building techniques that reduce overall energy consumption.

The development applications for the subject property, which require architectural approval, should incorporate green building techniques and the use of environmentally sensitive building techniques to reduce overall energy consumption. The use of green building techniques and energy conservation techniques is encouraged and should be implemented to the greatest extent possible.

Policy 10: Implement land use policies that encourage infill and support TOD and walkable neighborhoods.

This site is not within a transit-oriented development. Bicycle and pedestrian requirements are provided in the findings above within this resolution.

Policy 12: Ensure that the Chesapeake Bay Critical Area is protected to the maximum extent possible through the implementation of water quality and other related measures.

The subject property is not located in the Chesapeake Bay Critical Area.

Policy 13: Preserve, restore, and enhance the existing tree canopy.

Policy 14: Improve the county's capacity to support increases in the tree canopy.

Subtitle 25, Division 3, of the County Code requires the site to provide 10 percent tree canopy coverage. Compliance with the Tree Canopy Coverage Ordinance must be addressed at time of DSP review and shown on the landscape plan.

Conformance with Countywide Green Infrastructure Plan

According to the Green Infrastructure Plan, there are regulated and evaluation areas on the subject property. Approximately 25 percent of the site is located in the regulated area, due to the presence of floodplain associated with the channelized streams on the south and east of the site. Approximately 33 percent of the site is located in the evaluation area with the remainder of the site outside of the Green Infrastructure Plan. The conceptual design, as reflected on the PPS and the TCP1, meets the goals of the Green Infrastructure Plan and focuses development outside of the most sensitive areas of the site.

ENVIRONMENTAL REVIEW

Natural Resources Inventory Plan/Existing Features

Approved NRI-037-2008-02 was submitted with the application. The site contains 100-year floodplain, wetlands, streams, and steep slopes that comprise the PMA. The NRI indicates the presence of two forest stands labeled as Stand A and B, and 19 specimen trees were identified, 4 trees are considered off-site with 15 on-site. The TCP1 and the PPS show all required information correctly, in conformance with the NRI. No additional information is required regarding the NRI.

Woodland Conservation

This site is subject to the provisions of the WCO because the application is for a new PPS. This project is subject to the WCO and the ETM. TCP1-021-2021 has been submitted with the subject application and requires minor revisions to be found in conformance with the WCO.

The woodland conservation threshold for this 18.12-acre property is 20 percent of the net tract area or 3.56 acres. The total woodland conservation requirement based on the amount of clearing proposed is 5.29 acres. This requirement is proposed to be satisfied with 4.94 acres of on-site preservation, 0.29 acre of on-site afforestation, and 0.30 acre is proposed to be met with off-site woodland conservation credits. Woodland preservation is focused in the priority areas of the site, adjacent to the stream valley areas.

The approved NRI identifies a total of 19 specimen trees; 4 trees are considered off-site, with 15 on-site. Two on-site specimen trees are proposed to be removed as part of this application.

Technical revisions to the TCP1 are required and included in the conditions listed at the beginning of this resolution.

Specimen Trees

Tree conservation plans are required to meet all of the requirements of Subtitle 25, Division 2 of the County Code, which includes the preservation of specimen trees, Section 25-122(b)(1)(G). Every effort should be made to preserve the trees in place, considering the different species' ability to withstand construction disturbance (refer to the Construction Tolerance Chart in the ETM for guidance on each species' ability to tolerate root zone disturbances).

If after careful consideration has been given to the preservation of the specimen trees, there remains a need to remove any of the specimen trees, a variance to Section 25-122(b)(1)(G) is required. Applicants can request a variance to the provisions of Division 2 of Subtitle 25, provided all of the required findings in Section 25-119(d) of the WCO can be met. An application for a variance must be accompanied by a letter of justification stating the reasons for the request and how the request meets each of the required findings. A Subtitle 25 Variance Application and a statement of justification (SOJ) in support of a variance, dated June 15, 2021, were submitted.

The approved NRI identifies a total of 19 specimen trees; 4 trees are considered off-site with 15 on-site. The following analysis is the review of the request to remove two specimen trees located on-site. Off-site specimen trees are not subject to the variance requirement.

The SOJ requested the proposed removal of 2 of the existing 15 specimen trees located on-site. Specifically, the applicant seeks to remove Specimen Trees 1 and 5. The TCP1 shows the location of the trees proposed for removal. Specimen Trees 1 and 5 are not anticipated to survive, due to the proposed grading and installation of utilities for development of this site. Grading near Specimen Tree 1 will impact 45 percent of the critical root zone (CRZ) and grading near Specimen Tree 5 will impact 34 percent of the CRZ. Although Specimen Tree 5 CRZ impact is just over 30 percent, the condition of the tree is poor and therefore approved for removal.

Removal of the two specimen trees requested by the applicant is approved, based on the findings below, in accordance with Section 25-119(d).

A. Special conditions peculiar to the property have caused the unwarranted hardship

In relation to other properties in the area, special conditions peculiar to the subject property would cause an unwarranted hardship if the applicant were required to retain Specimen Trees 1 and 5. Those “special conditions” relate to the specimen trees, themselves, such as their size, condition, species, and on-site location.

The property is 18.69 acres and contains approximately 4.55 acres of PMA comprised of streams, wetlands, floodplain, and associated buffers. These existing conditions are peculiar to the property.

The proposed use, an apartment building for the elderly or handicapped, is a significant and reasonable use for the subject site, and it cannot be accomplished elsewhere on the site without the requested variance. Development cannot occur on the portions of the site containing PMA, which limits the site area available for development. Requiring the applicant to retain the two specimen trees on the site would further limit the area of the site available for development to the extent that it would cause the applicant an unwarranted hardship.

B. Enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas

Enforcement of the requirement that all specimen trees be preserved along with an appropriate percentage of their CRZ would deprive the applicant of rights commonly enjoyed by others in similar areas. All variance applications for removal of specimen trees are evaluated in accordance with the requirements of Subtitle 25 and the ETM for site specific conditions. Specimen trees grow to such a large size because they have been left undisturbed on a site for sufficient time to grow; however, the species, size, construction tolerance, and location on a site are all somewhat unique for each site.

Based on the location and species of the specimen trees proposed for removal, retaining the trees and avoiding disturbance to the CRZ would have a considerable impact on the development potential of the subject property, a right which would be enjoyed by others in similar areas, as the applicant would be severely limited in necessary grading and installation of utilities.

C. Granting the variance will not confer on the applicant a special privilege that would be denied to other applicants

If other constrained properties encounter trees in similar locations on a site, the same considerations would be provided during the review of the required variance application.

D. The request is not based on conditions or circumstances which are the result of actions by the applicant

The variance request is based upon existing site conditions or circumstances, including the location of the specimen trees, and are not the result of actions by the applicant.

E. The request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property

There are no existing conditions on the neighboring properties or existing building uses that have any impact on the location or size of the specimen trees. The trees have grown to specimen tree size based on natural conditions and have not been impacted by any neighboring land or building uses.

F. Granting of the variance will not adversely affect water quality

The project is subject to SWM regulations as implemented locally by DPIE. The project is subject to ESD to the MEP. Erosion and sediment control requirements are reviewed and approved by the Soil Conservation District. Both SWM and erosion and sediment control requirements are to be met in conformance with state and local laws to ensure that the quality of water leaving the site meets the State's standards, which are set to ensure that no degradation occurs. The removal of two specimen trees will not directly affect water quality.

The required findings of Section 25-119(d) have been adequately addressed for the removal of Specimen Trees 1 and 5.

Soils

The predominant soils found to occur on-site, according to the U.S. Department of Agriculture, Natural Resource Conservation Service, Web Soil Survey, include Russett-Christiana-Urban land complex (0–5 percent slopes), and Christiana-Downer complex (5–40 percent slopes). According to available information, no Marlboro clay exists onsite; however, Christiana complexes are mapped on this property. Christiana complexes are considered unsafe soils that exhibit shrink/swell characteristics during rain events, which make it unstable for structures. According to Section 24-131, Unsafe Land, of the Subdivision Regulations, the Planning Board shall restrict or prohibit land found to be unsafe for development because of natural conditions, such as unstable soils and high-water table.

As part of the PPS review process, a geotechnical report dated December 13, 2021, from Geotechnical Laboratories, Inc. was submitted with the application. This report was reviewed by the Commission's geotechnical engineer. The existing retaining wall on-site will need to be strengthened. The applicant's engineer shall perform a global stability analysis with final

configurations such as location, height, dimensions, materials of the reinforcement, etc., of the retaining wall. The geotechnical engineer shall confirm if the retaining wall ensures the global stability and a safety factor higher than 1.5. This shall be reviewed at the time of DSP.

Regulated Environmental Features/Primary Management Area

This site contains regulated environmental features that are required to be preserved and/or restored to the fullest extent possible under Section 24-130(b)(5). The on-site regulated environmental features include streams, stream buffers, wetlands, wetland buffers, 100-year floodplain, and associated steep slopes.

Section 24-130(b)(5) states: “Where a property is located outside the Chesapeake Bay Critical Areas Overlay Zones the preliminary plan and all plans associated with the subject application shall demonstrate the preservation and/or restoration of REF in a natural state to the fullest extent possible consistent with the guidance provided by the ETM established by Subtitle 25. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated feature. All Regulated Environmental Features shall be placed in a conservation easement and depicted on the final plat.”

Impacts to the regulated environmental features should be limited to those that are necessary for development of the property. Necessary impacts are those that are directly attributable to infrastructure required for the reasonable use and orderly and efficient development of the subject property or are those that are required by County Code for reasons of health, safety, or welfare. Necessary impacts include, but are not limited to, adequate sanitary sewerage lines and water lines, road crossings for required street connections, and outfalls for SWM facilities. Road crossings of streams and/or wetlands may be appropriate if placed at the location of an existing crossing or at the point of least impact to the regulated environmental features. SWM outfalls may also be considered necessary impacts if the site has been designed to place the outfall at a point of least impact. The types of impacts that can be avoided include those for site grading, building placement, parking, SWM facilities (not including outfalls), and road crossings where reasonable alternatives exist. The cumulative impacts for development of a property should be the fewest necessary and sufficient to reasonably develop the site, in conformance with the County Code.

Statement of Justification

The PPS proposed impacts to the PMA. A statement of justification (SOJ), dated October 7, 2021, was received on December 28, 2021, for the proposed impacts. There are eight separate impacts to the PMA, seven of these impacts are existing from previous development on-site, and one impact is associated with this proposed development.

The current letter of justification and associated exhibit reflect eight proposed impacts to regulated environmental features associated with the proposed development totaling approximately 0.44 acre. All proposed impacts are permanent.

Analysis of Impacts

Based on the SOJ, the applicant requested one new impact and seven existing impacts, as described below:

Impact 1–Stormwater outfall

This is a new impact for a proposed stormwater outfall. The total impact to the PMA will be 0.04 acre. The stormwater outfall meets best management practices for discharging water back into the stream while limiting erosion at the discharge points. The stormwater outfall is required by County Code.

Impacts 2 and 8–Utilities

These impacts are existing for the installation of utilities on-site and in association with a 10-foot-wide PUE located along the Sheriff Road frontage. The total impact to the PMA is approximately 0.05 acre.

Impacts 3, 4, and 6–Grading

These impacts are existing for grading that occurred with the existing development on-site. The total impact to the PMA is approximately 0.09 acre.

Impacts 5 and 7–Grading and stormdrain installation

These impacts are existing for grading and stormdrain installation that occurred with the existing development. The total impact to the PMA is approximately 0.26 acre.

After evaluating the applicant’s SOJ for proposed impacts to regulated environmental features, the proposed impacts are approved. Impacts 2–8 are existing and occurred during development of the existing structures on-site. Impact 1 for the installation of a stormwater outfall is the only new impact.

The proposed PMA impacts are considered necessary to the orderly development of the subject property and surrounding infrastructure. These impacts cannot be avoided because they are required by other provisions of the County and State codes. The plan shows the preservation and enhancement of the PMA to the fullest extent practicable.

16. **Urban Design**—Conformance with Zoning Ordinance (Subtitle 27) is evaluated, as follows:

The multifamily dwellings for the elderly are permitted in the R-80 Zone, subject to Footnote 134 and requires a DSP approval for the use. Conformance with the regulations in Footnote 134 is required for the proposed development at the time of DSP, as follows:

Footnote 134:

- a. **A special Exception shall not be required, provided:**
 - A. **A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;**

- B. The site includes lots or parcels totaling (10) acres in size or more owned by a nonprofit organization on or before July 1, 2019;**
- C. The site is adjacent to an historic resource as designated in accordance with Subtitle 29 of this Code and has frontage on a roadway with a function transportation classification as a collector or higher within the applicable Master Plan;**
- D. Regulations concerning the height of the structure, lot size, lot coverage, frontage, and density shall be in accordance with the R-10 Zone for multifamily dwellings. All other regulations shall be established and shown on the Detailed Site Plan;**
- E. The owner of the property shall record among the Land Records of Prince George’s County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or handicapped families for a fixed term of no less than twenty (20) years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission; and**
 - b. For purposes of this Section, the terms “elderly family” and “physically handicapped family” shall have the same meanings as defined in Section 27-337(c). Council Bill (CB)-9-2019.**

Conformance with the 2010 Prince George’s County Landscape Manual

This development is subject to the requirements of the 2010 *Prince George’s County Landscape Manual*. Specifically, the site is subject to Section 4.1, Residential Requirements; Section 4.3, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscape Requirements. The layout shown with the TCPI indicates that the building’s placement may not have adequate distance from the existing residential parcels east of the site. Conformance with the applicable landscape requirements will be determined at the time of DSP review.

Conformance with the Tree Canopy Coverage Ordinance

Subtitle 25, Division 3, the Tree Canopy Coverage Ordinance, requires a minimum percentage of tree canopy coverage (TCC) on projects that require building and grading permits that propose 5,000 square feet or greater of gross floor area or disturbance. The property is in the R-80 Zone and will require 15 percent of gross tract area to be in TCC. Conformance with this requirement will be evaluated at the time of DSP.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

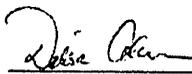
This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo, and Hewlett voting in favor of the motion at its regular meeting held on Thursday, March 3, 2022, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 24th day of March 2022.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

EMH:JJ:AH:rpg


Approved for Legal Sufficiency
M-NCPPC Office of General
Counsel

Dated 3/16/22

Additional Back-up

For

DSP-91071-03

Highland Park Senior Housing
(First Baptist Church)

APPLICANT’S REVISED FINDINGS AND CONDITIONS

FINDINGS, page 9

~~The current site plan shows that, for senior residents who would like to use the outdoor recreational facilities, they need to exit the building from the main entrance and then walk on the walking path around to the back of the building. To activate the outdoor recreational area and increase its use, it is important to create a connection between the indoor and outdoor spaces. To better facilitate the senior residents who live in the building to access these facilities, more direct access is critically important. A condition has been included requiring the applicant to create a secondary building entrance to make the outdoor recreational area more accessible to senior residents who live in the building. An additional condition regarding the design of this entrance to be articulated with architectural features, such as a canopy, is also included herein.~~

CONDITIONS

1. Prior to certification approval of this detailed site plan (DSP), the applicant shall:

~~g. Construct a secondary building entrance at the east end of the building, closest to the outdoor recreational area.~~

* * * * *

3. Prior to certification, the applicant shall revise the architectural plans and elevations, as follows:

a. Revise the west elevation of the building to reflect access to the utility service room located at the north end of the building.

~~b. Revise the east elevation to reflect a secondary building entrance at the east end of the building. Its design shall be articulated with architectural features similar to the design of the main building entrance, with a canopy.~~

KEY:

Underline indicates language added to findings/conditions;

~~Strikethrough~~ indicates language deleted from findings/conditions;

Asterisks *** indicate intervening existing findings/conditions that remain unchanged.