

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 April 6, 2017, regarding Detailed Site Plan DSP-16014 for EPIC–SMVI, the Planning Board finds:

1. **Request:** The subject application is for approval of a detailed site plan (DSP) to use the existing building as an eleemosynary/philanthropic institution.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-55	R-55
Use(s)	Eleemosynary/Philanthropic Institution	Eleemosynary/Philanthropic Institution
Acreage	1.07	1.07
Parcel	1	1
Gross Floor Area (sq. ft.)	3,225	3,225

Other Development Data:

Parking Spaces Required

Institution (18 occupants/operators @ 1 space/ 3) **6**

Total Parking Required **6**

Parking Spaces Provided **6**

Standard Spaces **4**

Compact Spaces **1**

Van-Accessible ADA Spaces **1**

Loading Spaces Required **0 spaces**

Institution less than 10,000 square feet

Loading Spaces Provided **0 spaces**

3. **Location:** The subject site is located in Planning Area 75A, Council District 7. Specifically, the property is located on the west side of Plaza Drive, approximately 1,650 feet south of its intersection with Silver Hill Road.

4. **Surrounding Uses:** The subject property is bounded to the north, south, and west by vacant, wooded property zoned R-O-S (Reserved Open Space) and owned by the State of Maryland and the Maryland-National Capital Park and Planning Commission (M-NCPPC). To the west, beyond Plaza Drive, are single-family detached homes in the One-Family Detached Residential (R-55) Zone, part of the Oak Knoll Subdivision.
5. **Previous Approvals:** The subject property is known as Part of Parcel A, (Liber 6409, Folio 89), in the Suitland-Morauer Elementary School Subdivision. The Suitland-Morauer Elementary School Subdivision was recorded on August 21, 1968 as WWW69-51. At the time the final plat of subdivision was recorded, Parcel A, in its entirety, was 9.12 acres in size. The property is a legal acreage parcel. The existing single-family residential style structure was constructed in or about 1985.

The subject property has an approved Stormwater Management Concept Plan, 13303-2016-00, which was approved on July 11, 2016 and is valid until July 11, 2019.

6. **Design Features:** The subject application is to use the existing building as an eleemosynary/philanthropic institution. Specifically, the DSP is to use the building as a gathering place for day services and a staging area for community activities and training for intellectually challenged adults, including life skills for daily living, work and community activities. The change in use has been approved by the State of Maryland, which is the owner of the property. No exterior construction is proposed or required for the new use.

The existing one-story, 3,225-square-foot, L-shaped building sits at the northeastern corner of the property, within 45 feet of the right-of-way of Plaza Drive. Access to the site is provided via a drive connecting to Plaza Drive. The associated parking is located to the south and east of the building and a fenced outdoor patio area is located to the north. Utility easements and existing woodlands cover the majority of the southern and western portions of the property.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The application has been reviewed for compliance with the requirements of the Zoning Ordinance in the R-55 Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-441(b)(3), which governs permitted uses in residential zones. The proposed eleemosynary/philanthropic institution use is permitted as follows:

(C) A building containing no more than 7,000 square feet of gross floor area on a lot or parcel with not more than 1.5 acres for use by an organization providing benevolent services; for a permitted use, any change in occupant or use shall require Detailed Site Plan approval by the District Council

The existing building is 3,225 square feet and the subject parcel is 1.07 acres in conformance with this requirement. Therefore, the proposed change in use of the subject property is permitted, pursuant to DSP approval by the District Council. The subject property has been operated for over 30 years as an eleemosynary or philanthropic facility. The subject site has been operated by SMVI (EPIC) for over 20 years through its lease with the Maryland Department of Health and Mental Hygiene. Until recently, the building was used as a home for intellectually challenged adults and, subsequently, as a school owned by the State of Maryland.

- b. The submitted DSP appears to be in conformance with the applicable parts of Section 27-442, Regulations in the Residential Zones, including lot coverage, lot width, and yard depths. However, the plan does not demonstrate conformance due to the lack of zoning information. Therefore, a condition has been included in this approval requiring this information to be added.
 - c. The DSP is in conformance with the applicable site design guidelines contained in Section 27-274, as cross-referenced in Section 27-283. The majority of the design guidelines do not apply since the subject property, its improvements, and use as an eleemosynary or philanthropic institutional type facility have existed since approximately 1985 and there are no proposed changes to the existing site and building with this DSP. However, the existing development does conform to various site design guidelines, such as by providing pedestrian access into the site from the right-of-way, preserving green areas on the property, and using a single-family architectural style that is harmonious with the neighborhood.
8. **2010 Prince George's County Landscape Manual:** The proposed development is generally exempt from the standards of the 2010 *Prince George's County Landscape Manual* (Landscape Manual) since no increase in gross floor area (GFA) or impervious surface for parking or loading is proposed. The subject property was not previously subject to the 1990 Prince George's County Landscape Manual. Additionally, no dumpster or loading area is proposed requiring conformance with Section 4.4.
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This State-owned property received a Natural Resources Inventory Equivalency Letter, NRI-EL-128-2016, dated June 22, 2016, and a Forest Conservation Act exemption letter, S17-06, from the Department of Natural Resources. Therefore, the application is exempt from the WCO.

10. **Prince George's County 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 a grading or building permit for more than 5,000 square feet of disturbance. The proposed institution will be located in an existing structure; therefore, the application is exempt from TCC requirements.
11. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
 - a. **Historic Preservation**—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. This proposal will not impact any historic sites, historic resources or known archeological sites.
 - b. **Community Planning**—The *Approved Plan Prince George's 2035 General Plan* (Plan Prince George's 2035) designates the area in the Established Communities Growth Policy area. The vision for Established Communities is a context-sensitive infill and low to medium-density development. The 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* classified the site in the R-55 Zone. It does not conform with the Public and Private Open Space land use recommendation of the Subregion 4 Master Plan SMA for the R-55 Zone classification. Findings of conformance with the master plan or general plan are not required with this application.
 - c. **Transportation Planning**—The use is changing from a housing facility to a training facility; both uses are under the eleemosynary or philanthropic institution use. Both uses would generate approximately the same amount of traffic. No new construction is proposed, and access and circulation would remain the same. This is acceptable.

The site is not adjacent to any planned transportation facilities. Plaza Drive is a primary residential street and platted with a 60-foot right-of-way. Access is appropriate for this use.

The site plan was reviewed for conformance with the 2009 *Approved Countywide Master Plan of Transportation* (MPOT) and the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* in terms of master plan trails and bikeways. Since the site does not require a preliminary plan, it is not subject to Section 24-124.01 of the Subdivision Regulations or the "Transportation Review Guidelines, Part 2, 2013," which are used for evaluating the adequacy of bicycle and pedestrian facilities. The site is not within or adjacent to any active transportation facilities.

Plaza Drive is constructed with a four-foot sidewalk on the east side of the street, and no sidewalk on the west side along the frontage of the site. The site is part of a larger site, which has never been developed, and it is nearly 500 feet to an existing sidewalk. Given

the nature of the type of use under review, the Planning Board found the construction of sidewalk along the property's frontage to be of limited function to the operation of the use.

Transportation Conclusion

From the standpoint of transportation, the Planning Board finds that this plan is acceptable and meets the finding required for a DSP as described in the Zoning Ordinance. From the standpoint of non-motorized transportation, the Planning Board finds that this plan is acceptable as well.

- d. **Subdivision Review**—On June 26, 1986, Prince George's County conveyed a 1.07-acre portion of Parcel A to the State of Maryland via Liber 6409, Folio 89, (for the use of the Department of Health and Mental Hygiene). As a result, the subject 1.07-acre parcel that is now shown on the DSP application was legally subdivided from the original 9.12-acre tract in accordance with Section 24-107(c)(5) of the Subdivision Regulations, as it was a conveyance to a governmental agency for a public use. Therefore, the property is a legal acreage parcel.

No increase in gross floor area is proposed with the subject application. As a result, a new preliminary plan of subdivision is not required at this time pursuant to Section 24-107(c)(7)(B) of the Subdivision Regulations, and, therefore, there are no subdivision issues.

- e. **Department of Parks and Recreation (DPR)**—In a memorandum dated March 1, 2017, DPR indicated that the subject application has no impacts to park property.
- f. **Permit Review**—Permit review comments have been addressed through revisions to the plan.
- g. **Environmental Planning**—Since there is a signed NRI equivalency letter and a Forest Conservation Act exemption letter from the Department of Natural Resources, there are no environmental comments on the DSP.
- h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 7, 2017, DPIE offered the following comments:
- (1) The subject property is located at 3001 Plaza Drive in District Heights, south of its intersection with Lubbock Road.
 - (2) The proposed Detailed Site Plan is consistent with the approved Site Development Concept Plan No. 13303-2016-0, dated July 11, 2016. Stormwater facilities are not required due to no proposed development at this time.

- (3) All improvements within the public rights-of-way, as dedicated for public use to the County, are to be in accordance with the County's Road Ordinance, Department of Public Works and Transportation's (DPW&T) Specifications and Standards and the Americans with Disabilities Act (ADA).
- (4) The following will only be required when development is proposed:
 - Full-width, two-inch mill and overlay may be required along the property frontage in accordance with DPW&T's Specifications and Standards.
 - Conformance with street tree and street lighting standards is required.
- (5) Existing utilities may require relocation and/or adjustments. Coordination with the various utility companies is required.
- (6) Sidewalk and ramps are required along Plaza Drive within the property limits in accordance with Sections 23-105 and 23-135 of the County Road Ordinance.
- (7) There is no development proposed with this referral, its sole purpose is the reuse of an existing building for an eleemosynary/philanthropic institution. DPIE has no objection to the proposed DSP-16014.
- (8) This memorandum incorporates the Site Development Plan Review pertaining to Stormwater Management (County Code 32-182(b)). The following comments are provided pertaining to this approval phase:
 - (a) Final site layout, exact impervious area locations are not shown on plans.
 - (b) Exact acreage of impervious areas have not been provided.
 - (c) Proposed grading is shown on plans.
 - (d) Delineated drainage areas at all points of discharge from the site have not been provided.
 - (e) Stormwater volume computations have not been provided.
 - (f) Erosion/sediment control plans that contain the construction sequence, and any phasing necessary to limit earth disturbances and impacts to natural resources, and an overlay plan showing the types and locations of ESD devices and erosion and sediment control practices are not included in the submittal.

- (g) A narrative in accordance with the code has not been provided.
- (h) Applicant shall provide items (a-g) at the time of filing site development fine grading permits.

DPIE's comments are required to be addressed at the time of technical plan approvals and prior to issuance of permits by DPIE.

- i. **Prince George's County Police Department**—The Police Department did not provide comments on the subject application.
- j. **Prince George's County Health Department**—In a memorandum dated February 24, 2017, the Environmental Engineering/Policy Program of the Health Department indicated that they had completed a health impact assessment review of the DSP and had the following comments/recommendations:
 - (1) Miscellaneous solid waste materials (household debris) on the site must be collected and properly disposed via a tire reclamation firm and/or to the municipal waste landfill.

This is noted. The applicant is responsible for properly disposing of waste materials.

- (2) There is an increasing body of scientific research suggesting that artificial light pollution can have lasting adverse impacts on human health. Indicate that all proposed exterior light fixtures will be shielded and positioned so as to minimize light trespass caused by spill light.

There are no proposed exterior light fixtures with this DSP.

- (3) During the construction phase of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity dust control requirements as specified in the 2011 Maryland Standards and Specifications for Soil Erosion and Sediment Control.

No construction is proposed with this application. The applicant would have to demonstrate conformance with this requirement if any construction is proposed in the future.

- (4) During the construction phase of this project, no noise should be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.

No construction is proposed with this application. The applicant would have to demonstrate conformance with this requirement if any construction is proposed in the future.

- k. **City of District Heights**—The City of District Heights did not provide comments on the subject application.
 - l. **Maryland Department of Health and Mental Hygiene (MD DHMH)**—No memorandum was received from MD DHMH with regard to the subject application.
12. Based on the foregoing analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP 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.
13. Section 27-285(b)(4) of the Zoning Ordinance provides the following required finding for approval of a DSP:
- (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).**

The subject property received a Natural Resources Inventory Equivalency Letter, NRI-EL-128-2016, dated June 22, 2016, which indicates that there are no regulated environmental features located on the subject site. Therefore, this requirement does not apply.

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 recommends APPROVAL of Detailed Site Plan DSP-16014 to the District Council, subject to the following condition:

- 1. Prior to certificate approval of the detailed site plan, the following revisions shall be made:
 - a. Add a chart to the general notes regarding conformance with the regulations in Section 27-442 of the Prince George’s County Zoning Ordinance.
 - b. Label the width of the access from Plaza Drive.

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.

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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, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, April 6, 2017, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of April 2017.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:JK:rpg