

**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 October 27, 2005, regarding Detailed Site Plan DSP-94036/05 for New Chapel Baptist Church, Day Care Center and Private School, the Planning Board finds:

1. **Request:** The proposed plan for the New Chapel Baptist Church day care center and private school includes a revision to the number of students in the day care center to increase from 103 to 197 and to increase the number of students in the private school from 87 to 125 students. Companion to this case are requests for the approval of a departure from parking and loading standards, DPLS-301 and an application for alternative compliance, AC-94036/05.

2. **Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone	R-R and R-80	R-R and R-80
Use(s)	Church, private school and daycare center	Church, private school and day care center
Acreage	5.326	5.245
Lots	The T.B. Middleton Farm, part of Lots 7, 8, 9, 10, 102 and Deer Pond, part of Lot 4	The T.B. Middleton Farm, part of Lots 7, 8, 9, 10, 102, 103 and 108
Proposed enrollment		
Day care center	103	197
Private school	87	125

**Other development data**

Play area required	19,888 sq. ft.
Private school—125 students @ 100 sq. ft./student	12, 500 sq. ft.
Day care center—197 children @ 75 sq. ft./child / 50%	7,388 sq. ft.
Total Play Area Provided	19,888 sq. ft.
Parking spaces required	185 spaces
Church and meeting hall—516 seats @ 1 space per 4 seats	129 spaces

Day care center—197 children @ 1 space per 8	25 spaces
Private school—125 students @ 1 space per 6	21 spaces
Five single-family dwellings @ 2 spaces per dwelling	10 spaces
*Total Parking spaces provided	170 spaces

Loading spaces required	1 space
Loading spaces proposed	1 space

\*This case is being processed concurrently with an application for a departure from parking and loading standards, DPLS-301.

3. **Location:** The site is in Planning Area 76B, Council District 8. More specifically, it is located southwest of the intersection of Old Branch Avenue and Middleton Lane.
4. **Surroundings and Use:** The subject property is bounded to the north by Old Branch Avenue, to the east and south by single-family detached homes, and to the west by Middleton Lane.
5. **Previous Approvals:** The subject site has several previous approved applications as follows, listing the most recent action first:
  - DSP-94036/04 was approved for the purpose of reducing the enrollment from 170 to 87 children in the private school, increasing the enrollment from 20 to 103 for the day care center, and other minor adjustments to the parking, playground and the gymnasium
  - DSP-94036/03 was for an addition of a 13,700-square-foot gymnasium to the private school.
  - DSP-94036/02 was for the partial conversion of the existing day care to a private school.
  - DSP-94036/01 was for the increase of the enrollment of the existing day care from 125 to 150 children
  - DSP-94036 was for the increase of the enrollment of the existing day care from 50 to 125 children.
  - Special Exception SE-3825 was for the day care center in a church in a residential zone.
6. **Design Features:** The plan proposes to increase the enrollment of the day care center and the private school but does not include any new square footage of gross floor area. The plan also incorporates new land area into the site and deletes land area across the street, in order to form a more cohesive church site development. The minimum lot size for the development of the private school is five acres and the newly formed area is 5.245 acres. Outdoor play areas are scattered over the project, separating play areas for a variety of age groups, as is appropriate.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements of the R-R Zone and the site plan design guidelines of the Zoning Ordinance. The subject application is in conformance with the requirements of Section 27-443 and Section 27-445.03, which govern private schools and day care centers in residential zones.
  
8. **Landscape Manual:** The proposed development is exempt from the requirements of the *Landscape Manual*, except where the new land area is being added into the application. The applicant is subject to Section 4.7 of the *Landscape Manual* and has filed an alternative compliance application. The following is taken from the alternative compliance decision approved by the committee and the Planning Director:

“This property is zoned R-R (Rural-Residential) and consists of 5.24 acres of land. It is developed with an existing church, day care center, and private school. The applicant received approval from the Prince George’s County Planning Board in September 2000 for a church addition, a private school, and an increase in the number of children in the existing day care center. The applicant also received approval of Alternative Compliance (AC-00014), from Section 4.7, Buffering Incompatible Uses, along the southern property line of Lot 10, the northern property line adjacent to Lot 3, the western property line adjacent to Lot 103, and part of Lot 4. The applicant has filed a revision to the detailed site plan to: (a) increase student enrollment for the private school and day care center; (b) reconfigure the property boundaries to include Lot 103 and Lot 108 into the detailed site plan; and (c) remove part of Lot 4, Deer Pond. The existing structures in Lot 103 and Lot 108 have setbacks of 23 feet and 20 feet, which is less than the required 40-foot building setback and 30-foot buffer yard. The applicant requested alternative compliance from Section 4.7 (Buffering Incompatible Uses) for Lot 103 and Lot 108.

“**REQUIRED:** Section 4.7, Buffering Incompatible Uses, along the southwest of property line of Lot 103.

“Length of bufferyard:	423 feet
“Building setback:	40 feet
“Landscape yard:	30 feet
“Fence	yes
“Plant materials @ (1/2) 120 PUs/100 LF:	254 plant units (with 6-foot-high, board-on-board fence)

“**PROVIDED:**

“Building setback:	23 feet
“Landscape yard:	10 feet
“Plant materials:	285 plant units (with 6-foot-high, board-on-board fence)

**“REQUIRED:** Section 4.7, Buffering Incompatible Uses, along the southwest property line of Lot 108.

“Length of bufferyard:	125 feet
“Building setback:	40 feet
“Landscape yard:	30 feet
“Fence	yes
“Plant materials @ (1/2) 120 PUs/100 LF:	75 plant units (with 6-foot-high, board-on-board fence)

**“PROVIDED:**

“Building setback:	20 feet
“Landscape yard:	10 feet
“Plant materials:	75 plant units (with 6-foot-high, board-on-board fence)

**“JUSTIFICATION OF RECOMMENDATION:**

“According to the *Landscape Manual*, a Type “C” bufferyard, which consists of a minimum 40-foot building setback and a minimum 30-foot-wide landscaped yard to be planted with 120 plant units per 100 linear feet of property line, is required for each bufferyard.

“For Lot 103:

“The applicant proposed 285 plant units in the Lot 103 bufferyard in addition to a six-foot-high, board-on-board fence to be built along the western property line. The plant materials for Lot 103 are adequate.

“For Lot 108:

“The applicant proposed 75 plant units in Lot 108 along the property line with Lot 107. In order to compensate for the reduction in the bufferyard, the applicant should provide 10 additional plant units.

“The committee is of the opinion that the proposed alternative compliance application will be equal to or better than normal compliance with the requirements of the Section 4.7 of the *Landscape Manual* if the condition below is met.

**“RECOMMENDATION:**

“The Alternative Compliance Committee recommends approval of AC-00014/01 subject to the following condition:

1. Prior to certification approved, the landscape plan shall be revised to add 10 plant units to the bufferyard in Lot 108.”
10. **Woodland Conservation Ordinance:** The site is exempt from the requirements of the Woodland Conservation Ordinance.

**Referral Responses**

11. The Subdivision Section has found that the application does not raise any subdivision issues.
12. The Environmental Planning Section found that the application is exempt from the Woodland Conservation Ordinance and contains no wetlands, floodplain and will not be impacted by noise issues.
13. The Transportation Planning Section states that there are no master plan trails issues identified in either the adopted and approved Subregion VII master plan or the 1985 Equestrian Addendum to the adopted and approved Countywide Trails Plan. However, the preliminary Henson Creek-South Potomac master plan identifies both Old Branch Avenue and Middleton Lane as priority sidewalk corridors (page 71 of the preliminary plan). These roads were identified during the fall 2004 planning charrette as priority sidewalk corridors due to their proximity to schools, park facilities, and other community activity centers. Staff recommends the completion of the sidewalks along the subject site’s road frontage of both roads, unless modified by the implementing agency. Currently the sidewalks are not complete along the site’s entire road frontage. These sidewalks will not only facilitate safe pedestrian movement in the community, but also allow for safe pedestrian access to the subject site.

Recommendation:

- a. Provide a standard sidewalk along the subject site’s entire frontage of Old Branch Avenue (MD 381), unless modified by SHA.
  - b. Provide a standard sidewalk along the subject site’s entire frontage of Middleton Lane, unless modified by DPW&T.
14. The Community Planning Division found that there are no master plan issues raised through the review of the detailed site plan as stated in the discussion below:

“This application is a revision of a previously approved plan to increase the number of students in

the day care center from 103 to 197 (94 more students) and to increase the number of students in the private school from 87 to 125 (38 more students). Consequently, a waiver of the required 19 parking spaces is needed. The property consists of 5.327 acres, located on the southwest side of the intersection of Old Branch Avenue and Middleton Lane.

“The 1981 Subregion VII master plan designates portions of the subject property for public or quasi-public land use and suburban residential land use. The 1984 Subregion VII sectional map amendment placed the property in the R-R Zone. Day care and private school are allowed in the R-R Zone. Enrollment figures and the number of required parking spaces are not master plan issues.”

15. The Permit Review Section has reviewed the plans and would like the plan to be revised to demonstrate that the day care center is an accessory use to the church. The plans should be revised prior to certificate approval.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince George's County Code, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and APPROVED the Detailed Site Plan DSP-94036/05 and further APPROVED Alternative Compliance No. AC-94036/05, subject to the following conditions:

1. Prior to certificate approval, the following revisions shall be made to the plans:
  - a. The landscape plan shall be revised to add 10 plant units to the bufferyard in Lot 108.
  - b. Provide a standard sidewalk along the subject site's entire frontage of Old Branch Avenue (MD 381), unless modified by SHA.
  - c. Provide a standard sidewalk along the subject site's entire frontage of Middleton Lane, unless modified by DPW&T.
  - d. The plans shall be revised to demonstrate that the day care center is an accessory use to the church by listing the floor area of each.

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

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Squire, seconded by Commissioner Vaughns, with Commissioners Squire, Vaughns, and Hewlett voting in favor of the motion, and with Commissioner Eley absent at its regular meeting held on Thursday, October 27, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 17<sup>th</sup> day of November 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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