

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 November 19, 2009, regarding Detailed Site Plan DSP-95063/05 for St. John Baptist de La Salle, the Planning Board finds:

1. **Request:** This application proposes to add two additional buildings to an existing complex of church and school buildings. An 8,050-square-foot multipurpose building is proposed for the use of the school and a 1,880-square-foot portable classroom building for the use of the church. The school does not propose to expand its enrollment which is currently 140 students.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-55	R-55
Use(s)	Church, Rectory, Convent and Private School	Church, Rectory, Convent and Private School
Acreage	9.263	9.263
Gross floor area	68,714 square feet	78,644 square feet

Parking Data

	REQUIRED	APPROVED
Total parking spaces	125	262
Standard spaces	125	242
Compact spaces	-	11
Handicapped spaces	6	9
Handicapped van spaces	2	6
Loading spaces	1	1

The site plan includes 188 parking spaces (including six handicapped spaces) in the main parking lot located along Sargent Road adjacent to the church building, and 74 spaces (including three handicapped spaces) in a new parking lot to be constructed along Chillum Road adjacent to the proposed multipurpose building.

3. **Location:** The site is an L-shaped through parcel with frontage on both Sargent Road and Chillum Road. The site is located approximately 625 feet west of the intersection with Sargent Road along Chillum Road, and 380 feet north of the intersection with Chillum Road along Sargent Road. The vehicular access onto Chillum Road is by Twin Oak Drive.
4. **Surrounding Uses:** To the south and west, the subject property borders single-family detached residential neighborhoods in the R-55 Zone. To the northeast, the subject property borders a parcel in the R-55 Zone that is developed with a multifamily residential building.
5. **Previous Approvals:** The church and school buildings were constructed in the 1950s. The first zoning application in the Planning Department's records for this site was Detailed Site Plan DSP-95063, which was approved in 1995 to validate the existing uses of the church, rectory, convent, and school on the site. Since that time, three revisions to the site plan have been approved by the Planning Director as designee of the Planning Board. Detailed Site Plan DSP-95063/01 was never approved. Detailed Site Plan DSP-95063/02 was approved on January 15, 2003 for the purpose of constructing a temporary classroom building that remains on the site today. Detailed Site Plan DSP-95063/03 was approved on May 28, 2004 for the purpose of adding a greenhouse and an entrance canopy to the school building. Detailed Site Plan DSP-95063/04 was approved on February 9, 2007 for the purpose of adding a 330-square-foot addition to the church building.
6. **Design Features:** The existing church occupies the southern portion of the site, along Sargent Road. The church building itself is a 14,568-square-foot brick building with a gable roof, set back approximately 270 feet from Sargent Road across a wide lawn. To the east of the church is a large asphalt parking lot, a small portion of which extends onto the adjacent property with a legal easement.

The proposed modular classroom building is a 1,880-square-foot structure to be located in the northern corner of the parking lot. The proposed structure is a standard modular building with hardipanel vertical siding walls and a rubber-coated roof that will sit on footers, accessed by two ramps on either side of the building leading to a central covered corridor and six individual classrooms.

The existing school building sits on the northern portion of the site. The entire school grounds are fenced with chain-link fencing with gates that can be closed when the school is not operating. This building includes a rectory for the church, but is primarily devoted to the operations of The Children's Guild, a school for emotionally-disturbed children. A play area is located to the northwest of the school building.

On the east side of the site, between the main school building and Chillum Road, is a large existing expanse of asphalt. Although not striped for parking and designated on the site plan as a play court, portions of it are currently used informally for parking. The existing modular classroom building is situated in this area, north of Twin Oak Drive. A fenced tennis and basketball court is located on the northeastern edge of the asphalt area.

The multipurpose building for the school is proposed to be located within the asphalt area between the existing modular classroom and the tennis/basketball court. The building is to be constructed on a new concrete pad. The proposed multipurpose building is a tent-shaped structure constructed of white PVC panels assembled around a metal frame, with decorative glass panels situated above the main entrance door.

The applicant proposes to remove the existing asphalt north and west of the multipurpose building and replace it with topsoil, seed, and mulch to create new green space on the site. The applicant further proposes to reconstruct the existing asphalt area south of the multipurpose building as a parking lot, including landscaped planting islands.

The site has an existing chain-link fence along the frontage of Chillum Road which actually lies within the right-of-way (ROW). The applicant proposes to remove this fence and replace it with a new vinyl-clad chain-link fence inside the property line.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** In the R-55 Zone, a church is a permitted use provided that the lot is at least one acre, a condition which is met by this property. A convent is also a permitted use.

A private school is a permitted use subject to the requirements of Section 27-443 of the Zoning Ordinance. These include the following requirements that apply to the subject application:

Section 27-443(a)(1)

- (A) **The school shall be located on property of at least five (5) acres, in size on which the maximum enrollment shall be four hundred (400) students, unless the school is located on property which was previously used as a public school by the Board of Education, in which case, the minimum acreage requirement shall be four and one-half (4 1/2) acres. For each acre over five (5), the total enrollment may be increased by one hundred (100) students. State and local health, education, or fire regulations may reduce the number of students permitted to be enrolled. The school may be located on a parcel of at least two and one-half (2 1/2) acres provided that:**
- (i) **The property had obtained an approved Special Exception use as an eleemosynary or philanthropic institution;**
 - (ii) **The property abuts parkland owned by the Commission containing at least two and one-half (2 1/2) acres; and**
 - (iii) **The maximum enrollment shall not exceed one hundred thirty (130) students.**

(For the purposes of this Section, enrollment shall mean the total number of students enrolled in the institution at any one (1) time. If there are separate morning, afternoon, and evening sessions, each of which is attended by different students, enrollment shall mean the number of students enrolled in the session having the largest number of students.)

The site is 9.1764 acres in area and the enrollment of the school is 140 students, which is within the allowable number for this site area.

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

The property has frontage and direct vehicular access to Sargent Road and Chillum Road, both of which exceed 36 feet in paved width.

(C) An outdoor playground or activity area shall be provided. It shall contain at least one hundred (100) square feet of usable space per student. The area shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot and buffered from adjoining uses in accordance with the provisions of the Landscape Manual. The play area shall be enclosed by a substantial wall or fence at least three (3) feet high for grades six (6) and below, and at least five (5) feet high for other grades, with the following exception:

(i) A private school which has been in continuous operation since January 1, 1970, may satisfy these fencing requirements by providing another type of barrier that is subject to approval by the State Department of Human Resources.

According to the plan notes, the total proposed play area on the site is 38,852 square feet in size, which exceeds the 14,000 square feet required for 140 students. This includes the existing playground, the tennis/basketball court, and the new green area that will be created by the removal of existing asphalt. As noted above, the entire school ground including the play areas is fenced with a substantial chain-link fence exceeding five feet in height, and the tennis/basketball court is enclosed with a ten-foot chain-link fence.

However, because the school ground fence does not enclose the exact confines of the play area, it is not clear exactly what portion of the site is proposed to be used as play area. As there is no particular need to provide additional fencing around the playground, green area, or asphalt surface, the site plan must graphically designate what areas will constitute play area, and demonstrate that the play areas are at least 25 feet from the adjacent residences.

Section 27-443(b)(1)

- (E) All perimeter setback areas on the site shall be buffered or screened in accordance with Landscape Manual requirements. The applicant shall demonstrate that the required buffer yards will provide reasonable sight and sound barriers.**

The application has been reviewed in accordance with the requirements of the *Prince George's County Landscape Manual*. However, existing structures and paving that cannot easily be removed intrude into required bufferyards along two property lines. The applicant has applied for alternative compliance along these property lines, as discussed below.

- (F) At least forty percent (40%) of the net tract area of the site, or as revised by the District Council, shall be devoted to open space.**

This requirement is met as the majority of the site consists of open space. The plans show the total proposed lot coverage of the site as 182,193 square feet, which is 45.58 percent of the total site area. The remaining 54.42 percent of the site is open space. This is a substantial increase in open space from the currently existing conditions due to the removal of existing asphalt in the school area.

The plan meets all of the standard requirements of the R-55 Zone for building height, lot area, and setbacks.

8. **Prior Approvals:** Minor revisions to the plan notes are required to bring it into conformance with the preliminary plan of subdivision and final plat, as explained in the Subdivision Section below. The plan is in conformance with the previous detailed site plans approved for the property. None of the previous site plans were subject to conditions of approval, and most were minor revisions reviewed by staff as the designee of the Planning Board.
9. **Prince George's County Landscape Manual:** The site is subject to Sections 4.2 and 4.7 of the *Prince George's County Landscape Manual*.

Section 4.2 requires the property to provide a landscaped strip along its frontage on Chillum Road. This area is currently completely paved with asphalt, but the plan proposes removal of asphalt which will allow for a ten-foot-wide landscape strip along the frontage as required by Section 4.2.

The Section 4.2 landscape strip along Sargent Road is provided by the existing open space between the church and the right-of-way (ROW).

Although the applicant proposes restriping of the parking lot adjacent to the church to accommodate the modular classroom, the plan will follow the pre-1970 standards for parking space size, and it will not create additional paved area or parking spaces. The church parking lot adjacent to Sargent Road is therefore exempt from Section 4.3 of the Landscape Manual and the existing parking lot is not required to provide internal green plantings or a landscape strip. The

new parking lot that is proposed along Chillum Road is subject to Section 4.3, requiring internal planting islands and a ten-foot landscaped strip between the parking lot and the right-of-way.

Section 4.7 requires that the site, as a medium-impact use, should be buffered from the adjoining single-family house lots to the north and southwest sides with a Type C bufferyard. This requires a 40-foot building setback and a 30-foot-wide landscaped yard. The required buffer is provided along the southwestern property line (adjacent to the houses on Oakdale Drive). Along the northern property line (adjacent to the houses on 10th Place), existing structures intrude into the required bufferyard.

A bufferyard is also required along the northeastern property line, where the site adjoins the land of a multifamily residential development. A Type B bufferyard is required (30-foot building setback and 20-foot landscaped yard). The required bufferyard is provided along the western side of this property line, where the existing woodlands behind the school building occupy the required bufferyard area. However, the existing surface parking lot for the church extends up to and over the property line, where the eastern side of the bufferyard is required.

The applicant has applied for alternative compliance for these two bufferyards. The Alternative Compliance application, AC-09008, was reviewed and approved by the Planning Director on July 21, 2009. The Planning Director's recommendation to the Planning Board is as follows:

Along the northwest property line of the subject site, for a distance of approximately 75 feet, an existing tennis/basketball court encroaches into the building setback and landscape yard reducing them to a minimum of 16 feet from 40 and 30 feet, respectively. For a distance of approximately 80 feet, an existing play area contained by timber retaining walls also encroaches into the building setback and landscape yard reducing them to a minimum of nine feet from 40 and 30 feet, respectively. Approximately 23 percent of the northwest buffer is wooded.

Along the northeast property line of the subject site, for a distance of approximately 425 feet, an existing parking lot encroaches onto the adjacent Parcel A, and tapers to the required building setback and landscape yard. Approximately 18 percent of the northeast property line is wooded and includes one 48-inch diameter at chest height specimen oak tree.

REQUIRED: 4.7 Buffering Incompatible Uses, along the northwestern property line

Length of bufferyard	675 feet
Building setback	40 feet
Landscape yard	30 feet
Fence or wall	Yes (for 405 feet)
Percentage of required bufferyard occupied by existing woodland	23%
Plant units (120 per 100 linear feet)	381 plant units

PROVIDED: 4.7 Buffering Incompatible Uses, northwestern property line

Length of bufferyard	675 feet
Building setback	Ranges from 9 to more than 40 feet
Landscape yard	Ranges from 9 to more than 30 feet
Fence	Yes (405 feet)
Percentage of required bufferyard occupied by existing woodland	23%
Plant units	485 plant units

In order to justify the reduction in the width of the Section 4.7 bufferyard adjacent to the single-family detached homes to the northwest, the applicant is pursuing a five-pronged approach. First, the applicant is proposing to replace the majority of the existing chain-link fence with a six-foot-high wood screen fence for a distance of 405 feet in the unwooded portion of the buffer. Approximately 100 feet of the chain-link fence will be retained in the far northeast corner of the buffer which will protect the existing attractive wood-screen fence located on the adjoining property. Second, approximately 155 feet of the northwest buffer, or 23 percent, will remain wooded. Third, to more effectively screen the tennis/basketball court, the applicant is proposing to plant a hedge of evergreen trees, eight feet on center, between the court and the property line. Fourth, the applicant will relocate six holly trees to supplement the existing screening in this area provided by changes in topography and timber retaining walls. Fifth, the applicant is proposing to install 485 plant units, which is 104 plant units, or 27 percent, in excess of the requirement of Section 4.7.

The proposed combination of the fencing, plant units, and preservation of existing woodland along the northwest property line will result in a screen that is equal to or better than normal compliance with the *Prince George's County Landscape Manual*.

REQUIRED: 4.7 Buffering Incompatible Uses, along the northeastern property line

Length of bufferyard	792 feet
Building setback	30 feet
Landscape yard	20 feet
Fence or wall	No
Percentage of required bufferyard occupied by existing woodland	18%
Plant units (80 per 100 linear feet)	519 plant units

PROVIDED: 4.7 Buffering Incompatible Uses, northeastern property line

Length of bufferyard	792 feet
Building setback	Ranges from 0 to more than 30 feet
Landscape yard	Ranges from 0 to 20 feet
Fence	No
Percentage of required bufferyard occupied by existing woodland	18%
Plant units	620 plant units

In order to justify the reduction in the width of the Section 4.7 bufferyard adjacent to the garden-style multifamily buildings to the northeast, the applicant is pursuing a four-pronged approach. First, the applicant is proposing to extend the width of the landscape yard beyond the 20-foot minimum requirement in some areas. Second, the applicant will retain approximately 18 percent of the northwest buffer as woodland. Third, the applicant is proposing to remove approximately 3,651 square feet of parking lot pavement to create three separate planting islands to be planted with eight shade trees and 70 shrubs. The trees and shrubs will form a hedge down the length of the parking lot which will provide partial screening of the parking lot, and will provide visual respite from the otherwise uninterrupted expanse of asphalt. Fourth, the applicant is proposing to install 620 plant units, which is 101 plant units, or 19 percent, in excess of the requirement of Section 4.7.

The proposed combination of the increased landscape yard, plant units, interior planting in the parking lot, and preservation of existing woodland along the northeast property line will result in a screen that is equal to or better than normal compliance with the *Prince George's County Landscape Manual*.

Based on the above analysis, the Planning Director recommended approval of the request for Alternative Compliance. The plans have been revised to incorporate the planting islands and bufferyards required by the Alternative Compliance Committee. The Alternative Compliance Committee also identified an error in the landscape schedule for the northeastern property line, where the amount of existing woodland in the bufferyard was incorrectly identified as 26 percent rather than 18 percent as shown in the table above, which should be corrected prior to certification.

10. **Woodland Conservation and Tree Preservation Ordinance:** The site is exempt from the requirements of the Woodland Conservation and Tree Preservation Ordinance because it is more than 40,000 square feet in area, has less than 10,000 square feet of woodlands, and does not have a previously approved tree conservation plan. The site has a numbered letter of exemption.
11. The Urban Design Section has some concerns about the visual appearance of the modular buildings and the impact on the site. The applicant has stated that more permanent buildings are

not a feasible option due to uncertainty regarding the church's future plans for the site. Because the school is a tenant of the Archdiocese of Washington and has not been able to secure a long-term leasing arrangement, the school does not believe that a permanent structure is financially feasible. Similarly, more attractive modular buildings have not been proposed because of cost concerns.

The applicant has pointed out that there are some environmental benefits to the use of modular structures. The buildings can be quickly assembled and disassembled for use on other sites should the church or the school decide to replace them with more permanent buildings or use the site for other purposes. The white surface of the proposed multipurpose building has a high solar reflectivity index, which will help keep summer cooling costs low.

The Urban Design Section recommended that additional landscaping around the proposed multipurpose building would be an improvement in the appearance of the site near Chillum Road. A row of plantings along the edges of the building would provide a small amount of visual relief, and contribute to greening the asphalt area where the building is proposed. The intent would not be to conceal the buildings, but to deemphasize them and create a more pleasant site environment. Furthermore, the addition of the landscaping in the asphalt area would potentially be a long-term investment that could be integrated into the future use of the site, even if the modular buildings were to be disassembled and removed. The applicant has integrated this recommendation into their revised plans for the multipurpose building, creating a landscaped strip along the southeastern side of building adjacent to the proposed parking lot.

The Urban Design Section recommended that a similar treatment should be used to create a planting area along the side of the proposed modular classroom building. Creating a planting area adjacent to the modular classroom would help to soften views from Sargent Road. It would probably require the removal of four parking spaces but would improve the appearance of the site.

As part of the Alternative Compliance proposal, the applicant has proposed to create three planting islands within the existing church parking lot east of the proposed modular classroom building. Similarly, the applicant will be creating a landscaped strip and parking lot planting areas in the frontage along Chillum Road. These required planting areas will serve a similar purpose to the planting beds recommended above, deemphasizing the modular structures and improving the appearance of the parking lots.

12. **Referral Agencies and Divisions:** The subject application was referred to all concerned agencies and divisions. Major referral comments are summarized as follows:

Subdivision: Pursuant to Section 24-111(C) of the Subdivision Regulations, the development of this property is exempt from the requirement to file a new preliminary plan because the original record plat was recorded after October 27, 1970. There are no other subdivision issues at this time.

Trails: This subject property is part of the 1989 *Approved Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66 and 67*. There are no master planned trails that affect the property.

Community Planning: This detailed site plan application is consistent with the 2002 *Prince George's County Approved General Plan Development Pattern* policies for the Developing Tier.

This application conforms to the land use recommendation of the 1989 *Approved Master Plan for Langley Park- College Park- Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66 and 67* for public/quasi-public land use.

Transportation Planning: No prior subdivision conditions limit development on the site. Both Chillum Road and Sargent Road are planned collector roads, and adequate right-of-way exists. Access and circulation are acceptable, and are largely unchanged from the existing situation.

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.

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-95063/05 and further APPROVED Alternative Compliance No. AC-09008, subject to the following conditions:

1. Prior to certification, the detailed site plan shall be revised as follows:
 - a. Graphically show the extent of the play areas on the site.
 - b. Demonstrate that all play areas are at least 25 feet from the residences on adjoining lots.
 - c. Revise the boundary and bearings of Parcel B to be consistent with Record Plat NLP 143 @ 97.
 - d. Correct the general notes to state that the site is Parcel B and the remainder from Oakdale Terrace Subdivision.
 - e. Provide a striped crosswalk across the drive aisle between the proposed modular classroom and the existing concrete sidewalk that is in front of the church, unless modified by DPW&T.

- f. Provide a depressed curb in front of the church on the south side of the crosswalk location that connects to the modular unit per DPW&T standards and specifications, unless modified by DPW&T.
- g. Revise the landscape schedule for the northeastern property line (Bufferyard 3) to indicate that 18 percent of the bufferyard is occupied by existing woodland and that 519 plant units are required.
- h. Add a planting bed running along the southeastern edge of the proposed temporary classroom building (approximately 60 feet), adjusting the parking lot striping as necessary. The planting bed shall be at least eight feet in width and planted with ornamental and evergreen trees spaced 20 feet on center.
- i. Add six shade trees within the grass area southwest of the proposed multipurpose building.

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 Clark, seconded by Commissioner Vaughns, with Commissioners Clark, Vaughns, Cavitt and Parker voting in favor of the motion, and with Commissioner Squire at its regular meeting held on Thursday, November 19, 2009, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of December 2009.

Patricia Colihan Barney
Acting Executive Director

By Frances J. Guertin
Planning Board Administrator