

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 January 28, 2021, regarding Departure from Design Standards DDS-675 for The Children’s Guild (St. John Baptist de la Salle), the Planning Board finds:

1. **Request:** The subject application requests a reduction in the requirements of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). In conjunction with this DDS, the Planning Board approved Detailed Site Plan DSP-95063-09 (PGCPB Resolution No. 2021-14), for the addition of a 5,524-square-foot modular classroom building to an existing school, an increase of the total student enrollment to 190 students, and the replacement of the existing playground equipment.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-55	R-55
Use	Church, Rectory, Convent, and Private School	Church, Rectory, Convent, and Private School
Total Acreage	9.263	9.263
Parcels	2	2
Gross Floor Area (sq. ft.)	76,194	81,718 (5,524 proposed)
Church	581 Seats	581 Seats
Rectory/Convent	7 Residents	7 Residents
Private School	154 students	190 students

3. **Location:** The subject property is located on the west side of Sargent Road, in Planning Area 65, and Council District 2. More specifically, it is located at 5706 Sargent Rd, 625 feet north of its intersection with Chillum Road. The L-shaped property includes the remainder of Liber 1556 Folio 339, and Parcel B, which are located on Tax Map 41 in Grid B-3 and are recorded in Plat Book NLP 143-97.

4. **Surrounding Uses:** The subject property is in the One-Family Detached Residential (R-55) Zone and is bounded to the southeast and west by single-family detached dwellings in the R-55 Zone; to the southwest by the public right-of-way of Chillum Road; and to the east by Sargent Road. The property abuts Parcel A in the R-55 Zone to the north, which was included in Special Exceptions SE-3846 and SE-4603, and has been developed with a multifamily building.

5. **Previous Approvals:** The church and school buildings were constructed in the 1950s. The first development application for the site was Preliminary Plan of Subdivision (PPS) 4-88156, which was approved by the Prince George's County Planning Board on September 8, 1988 for the creation of two parcels (Parcels A and B) on 26.18 acres, subject to 8 conditions, none of which are applicable to this application. The PPS was approved, indicating that the existing school, church, and rectory on the subject site would continue to operate on Parcel B, while a new elderly housing facility was proposed on Parcel A to the north.

DSP-95063 was approved by the Planning Board in 1995 to validate the existing uses of the church, rectory, convent, and school on the site, as embodied in PGCPB Resolution No. 95-399. DSP-95063-01 was filed to change the parking schedule to include high school students, but was never approved. The Planning Director approved the three following amendments: DSP-95063-02 was approved in 2003 to construct a temporary classroom building that remains on the site today; DSP-95063-03 was approved in 2004 to add a greenhouse and an entrance canopy to the school building; and DSP-95063-04 was approved in 2007 to add an elevator, restrooms, and waiting area. DSP-95063-05 and the associated Alternative Compliance application, AC-09008, was approved by the Planning Board on November 19, 2009 to add a modular classroom, a multipurpose building, and reduce the width and setback of the landscape buffer on the church campus, as embodied in PGCPB Resolution No. 09-162.

The DSP was further amended as approved by the Planning Director two additional times; DSP-95063-06 was approved in 2012 to reduce the size of the multipurpose building; DSP-95063-07 was withdrawn; and DSP-95063-08 was approved in 2019 to increase the enrollment of the school to 154 students. The site also has an approved Stormwater Management Concept Plan No. 20201-2020-00, which is valid through October 21, 2023.

6. **Design Features:** The campus of St. John Baptist de la Salle is currently improved with a church, convent, rectory, and school with a multipurpose building on-site. The property is accessed from Sargent Road and Twin Oak Drive, with the primary vehicular access onto the site from the latter, which intersects with Chillum Road west of the property.

The existing brick church is located in the southern portion of the site, facing Sargent Road, and is set back approximately 270 feet from the roadway by a wide lawn. East of the church is a large asphalt parking lot, which provides parking for the church and school uses.

The existing school, rectory, and multipurpose buildings are located on the northern portion of the site. The school includes a rectory for the church, two existing modular classrooms, and is the location for The Children's Guild, a school for special needs children. The existing church, school, and multipurpose buildings are not proposed to change with this application. The DDS application has been filed in conjunction with the DSP to increase the student enrollment to 190 students, to replace the existing playground equipment, and to construct a modular classroom between the multipurpose building and the northwestern property line of the site. The proposed playground equipment is located west of the school building, and the proposed modular building is approximately 130 feet north of Chillum Road and is separated from the roadway by an open lawn area.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Departure from Design Standards DDS-675:** The applicant's Alternative Compliance application, AC-09008-01, was disapproved by the Planning Board. Therefore, the application requires a departure from the design standards from the requirements of Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. Section 4.7 requires a Type C bufferyard, which includes a 40-foot-wide building setback, and a 30-foot-wide landscape yard, adjacent to existing single-family detached dwellings. Based on the existing site limitations, the applicant has provided a 12.5-foot setback to the proposed modular classroom building and a 9-foot-wide landscape yard, for approximately 23 percent of the property line.

Section 27-239.01(b)(7) of the Zoning Ordinance contains the following required findings in order for the Planning Board to grant the departure:

(A) In order for the Planning Board to grant the departure, it shall make the following findings:

(i) The purposes of this subtitle will be equally well or better served by the applicant's proposal;

The site is bound on all sides by constraints established by the development of the property, and strict compliance with the requirements of the Landscape Manual cannot be effectively applied without redeveloping the site. The applicant is proposing a solution to further screen the existing uses on the property by an existing fence and additional landscaping. The Planning Board finds that the proposed improvements to the property will equally serve the purposes of this subtitle.

(ii) The departure is the minimum necessary, given the specific circumstances of the request;

The previous layout approved with DSP-95063-05 and AC-09008 included an existing tennis/basketball court and play area whose location required alternative compliance, due to the reduced bufferyard width. The proposed modular classroom is in the same location as the tennis/basketball court, and the playground equipment is proposed in the same location as the prior approval. The subject application is not dissimilar to the previous application in that it will also propose a reduced bufferyard and will propose the play equipment in the same location.

The applicant states that a portion of the existing woods will be retained along the northernmost property line, the existing 6-foot-high fence will

remain, and the majority of the planting material will be preserved from the prior approvals to screen the use. The retained plant material is proposed to be supplemented by additional plantings, which will increase the required planting units by approximately 30 percent over the number of plant units that would normally be required and provide additional screening of the property. Given the applicant's proposed treatment of the bufferyard, the Planning Board finds that the applicant has minimized the impacts, to the extent practical.

(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 1949;

The church and school buildings were constructed in the 1950s, with multiple applications for renovations and expansions approved for the subject property's use since then. The current application proposes to place the modular building on the existing tennis/basketball court, which is necessary as a base for the building. The applicant has indicated that the Prince George's County Fire Code requires a minimum separation of 22 feet between the proposed building and the existing multi-use building to the east, which is all that is provided. The unique circumstances of the existing development on the property and Fire Code requirements makes this location the most reasonable alternative for the proposed building.

(iv) The departure will not impair the visual, functional, or environmental integrity of the site or the surrounding neighborhood.

The applicant's statement of justification indicates that the existing and proposed landscaping, in addition to the existing fence, will screen the visual impact of the proposed classroom, improve the environmental quality of the site, and reduce the impacts on the surrounding neighborhood.

(B) For a departure from a standard contained in the Landscape Manual, the Planning Board shall find, in addition to the requirements in paragraph (7)(A), above, that there is no feasible proposal for alternative compliance, as defined in the Landscape Manual, which would exhibit equally effective design characteristics.

With respect to the specific departure requested, the applicant cannot provide a feasible proposal for alternative compliance that would exhibit equally effective design characteristics. It is noted that AC-09008-01 has been filed for the application and was disapproved by the Planning Board.

Based on the analysis above, the Planning Board approves DDS-675, to allow a departure to the Section 4.7, Buffering Incompatible Uses requirements along the northwest boundary line.

8. Further Planning Board Findings and Comments from Other Entities: Given the limited nature of the subject application, it was not referred to any agencies and divisions.

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 Departure from Design Standards, DDS-675, from the applicable standards of the Landscape Manual, to allow a reduction of the required building setback to a minimum of 12.5 feet in width and a reduction of the landscape yard to 9 feet in width for the Section 4.7, Buffering Incompatible Uses, requirement along the northern property line.


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 Bailey, with Commissioners Washington, Bailey, Doerner, Geraldo and Hewlett voting in favor of the motion at its regular meeting held on Thursday, January 28, 2021, in Upper Marlboro, Maryland.

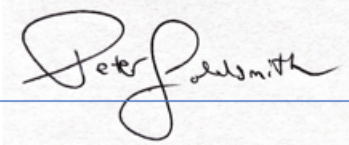
Adopted by the Prince George's County Planning Board this 18th day of February 2021.

Elizabeth M. Hewlett
Chairman


By Jessica Jones
Planning Board Administrator

PGCPB No. 2021-15
File No. DDS-675
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APPROVED AS TO LEGAL SUFFICIENCY

A handwritten signature in black ink, reading "Peter J. Smith", is written over a light blue horizontal line. The signature is cursive and includes a large initial "P".

M-NCPPC Legal Department
Date: February 5, 2021