

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 June 12, 2003 regarding Detailed Site Plan DSP-02048 for Cornerstone Peaceful Bible Baptist Church, the Planning Board finds:

1. **Request:** The subject application is for approval to add a private school for 45 children under the 6th grade to the existing Cornerstone Peaceful Bible Baptist Church in the R-R Zone.
2. **Development Data Summary:**

	EXISTING	PROPOSED
Zone	R-R	R-R
Use(s)	Church	Church & Private School
Acreage	5.13	5.13
Square Footage/GFA	11,740	20,530
Church Seating Capacity	700 seats	N/A
Private School Enrollment (Below the 6 th Grade)	N/A	45

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total Parking Spaces	183	183
Handicapped spaces (Van) (16' x 19')	1	1
Handicapped spaces (Car) (13' x 19')	8	8
New spaces (9.5'x19')	70	70
Existing standard spaces (9.5' x 19')	N/A	72
Existing compact spaces (8' x 17')	N/A	32
Total Loading Spaces	1	1
Lot Coverage (Maximum % of Net Lot Area)	60 (Allowed)	39.1
Outdoor Play Area for Private School (Acres)	4,500	4,930

3. **Location:** The subject site is in Planning Area 82A, Council District 9. It is located on the west side of Crain Highway (US 301), northwest side of Wimpole Place.
4. **Surroundings and Use:** The subject property is bounded to the east by Crain Highway (US 301), which provides the only access to the site. To the remaining sides of the property are single-family detached houses in the R-R Zone.

5. **Previous Approvals:** The subject site has a Preliminary Plan of Subdivision, 4-94056, for one lot. The plan was subsequently recorded in Final Plat V J 173 @ 49 on July 12, 1995. Per the final plat, the development of the subject site is subject to the conditions of approval attached to Preliminary Plan of Subdivision 4-94056. Other previous approvals for the site include TCPI/8/93, TCPI/34/94, TCPII/43/95, AC-97011, TCPII/43/95-01, TCPII/43/95-02, TCPII/43/95-03 and Stormwater Management Concept Approval #8322663-2000-00.
6. **Design Features:** The subject Detailed Site Plan application proposes the addition of an 8,790-square-foot private school for 45 children under the 6th grade to the existing one-story metal frame church building. The private school building is attached to the south side of the existing church building. A 4,930-square-foot outdoor play area is located to the west side of the building and east of the existing bio-retention area. The play area includes one play structure, one swing and two benches and is enclosed with six-foot-high, chain-link fence. The private school will operate from 8:00 A.M. through 4:00 P.M. with after school care until 6:00 P.M. The church will operate from 7:00 P.M. through 10:00 P.M. on Tuesday, 7:00 P.M. through 10:00 P.M. on Thursday, and 7:00 A.M. through 3:00 P.M. on Sunday.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance**—The application has been reviewed for compliance with the requirements in the R-R Zone and the additional requirements for private schools as well as the site design guidelines of the Zoning Ordinance.
 - a. The subject application is in accordance with the requirements of Section 27-441(b) of the Zoning Ordinance, which governs development in the residential zones. The private school is a permitted use in the R-R Zone.
 - b. The subject application is in general conformance with the requirements of Section 27-443, which sets additional requirements for private schools in residential zones. The subject property is 5.13 acres in size, which is larger than the minimum five acres. The proposed enrollment number for the private school is 45 children, which is well below the maximum allowable enrollment number of 130 students. The property also has a direct vehicular access to Crain Highway (US 301). The site plan provides an outdoor play area of 4,900 square feet, which is located 50 feet away from an existing dwelling unit on an adjoining lot to the south. The play area is enclosed by a six-foot-high, chain-link fence..
8. **Preliminary Plan of Subdivision 4-94056 and Final Plat VJ 173 @ 49:** Preliminary Plan of Subdivision 4-94056 was an application for approval for one lot. It was approved by the Planning Board on July 14, 1994, subject to four conditions. The preliminary plan was recorded as Final Plat VJ 173 @49 and carried over the conditions of approval of Preliminary Plan of Subdivision 4-94056. Condition 4 is relevant to the subject Detailed Site Plan review and warrants the following discussion:

“4. Any use other than a single-family detached dwelling shall:

- a. **Prohibit access to Wimpole Place.**
- b. **Require two access points (the second access point may be designed to be limited to emergency vehicles)."**

Comment: On January 13, 2003, the applicant sent a request to the Planning Board and asked the Planning Board to suspend its rules of procedure and reconsider Condition 4(a) placed on the Cornerstone Subdivision. The applicant's initial request was to ask the Planning Board to allow the applicant to utilize Wimpole Place as a second access point for emergency vehicle use only. On February 13, 2003, during the Planning Board hearing, the applicant modified its reconsideration request to ask the Planning Board to delete Condition 4(b), which requires two access points to the property. After hearing testimony from the community, the Planning Board granted the waiver of the rules of procedure and granted the request for reconsideration to deal with the emergency access to the property. The Planning Board was quite clear, however, that no vehicular access of any kind would be permitted from Wimpole Place and left the issue with the applicant to gain permission from the State Highway Authority (SHA) because the property's frontage along Crain Highway (US 301) is the only place where the property can obtain the second access. Per the response of the Subdivision Section during the hearing, if SHA agrees to emergency access to Crain Highway (US 301), then the applicant will have to provide it on the Detailed Site Plan; if SHA does not agree, then the Subdivision staff will drop the issue of requiring alternative access.

On February 25, 2003, the applicant filed a petition for a second access point onto the church property along southbound Crain Highway (US 301) with SHA. On March 8, 2003, SHA requested more information. In a letter dated April 30, 2003, SHA did not recommend an emergency entrance to the church property from Crain Highway, stating that the proposed entrance is in the middle of a parking lot and that large vehicles may not be able to negotiate turns if the parking lot is full of cars.

The reconsideration hearing for the Preliminary Plan has been scheduled on the same day as this Detailed Site Plan. The Subdivision staff will recommend that the Planning Board eliminate the second access condition. The subject Detailed Site Plan therefore will comply with both Preliminary Plan of Subdivision 4-94056 and Final Plat VJ 173@ 49.

9. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.3(a) (c), Parking Lot Requirements, and Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

- a. The site plan shows a parking lot adjoining the right-of-way of Crain Highway (US 301) to its east. Section 4.3(a) requires a minimum ten-foot-wide landscaped strip between the right-of-way and the parking lot to be planted with a minimum of one shade tree and ten shrubs per 35 linear feet of frontage, excluding driveway openings. The landscape plan complies with this requirement.

The site plan has a total of 75,199 square feet of parking lot, which is larger than 50,000 square

feet but smaller than 149,999 square feet. Section 4.3(c) requires eight percent of the total area of parking lot to be interior planting area. The landscape plan provides only five percent of the parking area for interior planting. A condition of approval has been proposed in the recommendation section of this report.

- b. The subject site is surrounded on the north, south and west sides by single-family detached houses in the R-R Zone. The church and private school are defined as a medium impact use by the *Landscape Manual*. According to Section 4.7, a Type C bufferyard, which requires that a minimum 40-foot building setback and a minimum 30-foot-wide bufferyard to be planted with 120 plant units per 100 linear feet of the property line shall be provided along the three sides of the subject property. The landscape plan provides five bufferyards in order to meet Section 4.7 requirements.

Alternative Compliance AC-97011, from Section 4.7 requirements for a portion of northern property line (Buffer yard 4), was approved on May 1, 1997, to allow a 47.2 percent reduction in the number of the plant units. All other remaining bufferyards are in general compliance with the requirements of Section 4.7.

- 10. **Woodland Conservation Ordinance:** The site is subject to the provisions of the Prince George's County Woodland Conservation Ordinance because the entire site is more than 40,000 square feet in area; contains more than 10,000 square feet of woodland; and there is a previously approved Tree Conservation Plan. A type I Tree Conservation Plan, TCPI/8/93, was approved with Preliminary Plan of Subdivision 4-94056.

The site has a previously approved Type II Tree Conservation Plan, TCPII/43/95. The revised Type II Tree Conservation Plan, TCPII/43/95-03, submitted with this application has been reviewed by the Environmental Planning Section. The environmental planner, in his memorandum (Stasz to Zhang), indicates that the revised TCPII is in general conformance with the requirements of the Woodland Conservation Ordinance if two revisions can be made to the plan prior to certificate approval of the subject Detailed Site Plan. The conditions of approval proposed by the environmental planner have been incorporated in the recommendation section of this report.

- 11. **Referral Comments:** The subject application was referred to all concerned agencies and divisions. Major referral comments are summarized as follows:

- a. In a memorandum dated May 14, 2002, the Community Planning Division found that the application is consistent with the 2002 General Plan development pattern policies for the Developing Tier and conforms to the land use recommendation in the master plan. The community planner, however, brought up an issue regarding the relationship between the outdoor play area and neighboring single-family detached house.

"The location of the play area and buffering in relation to neighboring residential homes needs to be reconsidered."

Staff Comment: The applicant has revised the site plan to adjust the location of the outdoor play area. The play area is now 31 feet away from the lot line of the adjacent single-family detached house. A Section 4.7 bufferyard exists between the play area and the adjacent single-family detached lot. But this portion of the bufferyard is sparsely planted and poorly maintained. Section 27-443(a)(1)(C) requires that play areas be located at least 25 feet from any dwelling on an adjoining lot and buffered from adjoining uses in according with the provisions of the *Landscape Manual*. The outdoor play area is now 50 feet away from the existing dwelling unit and complies with the Zoning Ordinance. In order to mitigate the play area's negative impact to the existing dwelling, the portion of the 4.7 bufferyard between the outdoor play area and the existing dwelling should be densely planted with primarily evergreen materials. A condition of approval has been proposed in the recommendation section of this report.

- b. The Environmental Planning Section generated two memoranda for this application. In one dated November 21, 2002, the Environmental Planning Section required revised plans and additional information before a complete review of the proposal could be conducted.

In the second memorandum, dated May 14, 2003, the environmental planner concluded after review of the revised plans that the application is in general conformance with the Woodland Conservation Ordinance. The Environmental Planning Section recommends approval of DSP-02048 subject to one condition that has been incorporated into the recommendation section of this report.

- c. The State Highway Administration (SHA) has no objection to this application. In a memorandum dated October 21, 2002, SHA noted that the proposed use would have negligible impact on the state road network.
- d. The Transportation Planning Section, in a memorandum dated May 6, 2003, noted that Detailed Site Plan DSP-02048 for Cornerstone Peaceful Bible Baptist Church is acceptable. The staff also noted support for waiving or otherwise deleting the preliminary plan condition that requires the second access point for emergency purpose.

In a separate memorandum from the Transportation Planning Section dated November 26, 2002, the trails planner found that there is no master plan trails issue with the subject application.

- e. The subject application was also referred to the Department of Environmental Resources, Prince George's County. In a memorandum dated November 4, 2002, the staff found that DSP-02048 is consistent with the approved stormwater concept # 008003610.
- f. In a memorandum dated November 1, 2002, the Subdivision Section staff noted that the proposed site plan is subject to resolution PGCPB #94-242 (4-94056). The Subdivision staff indicated that Condition 4b, requiring two access points to the site, is specifically relevant to this Detailed Site Plan.

Staff Comment: Preliminary Plan of Subdivision 4-94056 was approved by the Planning Board on July 14, 1994, subject to four conditions. The plan was subsequently recorded in Final Plat VJ173 @49. Finding 8 above has a detailed discussion on the compliance of the subject Detailed Site Plan with the conditions attached to the approval of Preliminary Plan of Subdivision 4-94056, especially on the plan's compliance with Condition 4b.

- g. The Permit Review Section provided numerous questions concerning compliance with the requirements of the Zoning Ordinance and suggested that additional information be added to the Detailed Site Plan in a memorandum dated November 4, 2002. By submitting a revised site plan, the applicant has answered most questions and provided the required information during the review process. Conditions of approval addressing unanswered questions have been proposed in the recommendation section of this report.
 - h. The Department of Public Works and Transportation had not responded to the referral request at the time the staff report was written
12. 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 Type II Tree Conservation Plan (TCPII/43/95-04)) and further APPROVED Detailed Site Plan DSP-02048 for the above-described land, subject to the following revisions:

- 1. Prior to certificate approval of the Detailed Site Plan, the applicant shall make the following revisions:
 - a. Provide a clear delineation of the walking route that the private school children will take between the classroom and the outdoor play area and paint any crosswalks in a formal pedestrian crosswalk pattern.
 - b. Revise the portion of the 4.7 bufferyard between the outdoor play area and the existing dwelling so that the bufferyard will be densely planted with primarily evergreen materials, subject to the review and approval of the Urban Design Section as the designee of the Planning Board.
 - c. Provide the height of all structures on the site plan.
 - d. Revise Site Note 9 to provide eight percent of total parking area as interior planting area and recalculate the required number of shade trees.
 - e. Revise Type II Tree Conservation Plan to add a note to the worksheet indicating

that a fee-in-lieu may be substituted for an off-site easement.

- f. Have the Type II Tree Conservation Plan signed and dated by the qualified professional who prepared the plan.
- g. Provide additional and primarily evergreen materials to fill the gaps of the existing 4.7 bufferyard along the entire southern and southwestern boundary of the site that is adjacent to the existing Cheltenham Woods Subdivision for review and approval by the Urban Design Section as the designee of the Planning Board.

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 Lowe, seconded by Commissioner Scott, with Commissioners Lowe, Scott, Eley, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, June 12, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of June 2003.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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