

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 September 7, 2000, regarding Detailed Site Plan SP-94036/03 for New Chapel Baptist Church, the Planning Board finds:

1. Detailed Site Plan SP-94036/03 is for an addition of 13,700 sq. ft. to an existing church and private school, located southwest of the intersection of Old Branch Avenue and Middleton Lane. The subject site has several previous approved applications: SP-94036/02 (partial conversion of the existing day care to a private school); SP-94036/01 (approval to increase the enrollment from 125 to 150 children, PGCPB No. 96-223); SP-94036 (approval to increase the enrollment of the existing day care from 50 to 125 children, PGCPB No. 94-257) which supercedes Special Exception, S.E. #3825 (approval of a day care center in a church in a residential zone, Z.O. No. 52-1988).
2. The site development data for SP-94036/03 is as follows:

New Chapel Baptist Church
SP-94036/03

Zone	R-R and R-80
Area	
R-R Zone	4.659 acres
R-80 Zone	.668 acres
Total	5.327 acres
Use	Private School/Church
Proposed Use	
Proposed Enrollment	190 children
Private School	170 children
Day Care	20 children
Playground area required (minimum)	17,750 square feet
Playground area provided	18,170 square feet
Parking required	
Rectory	2 spaces
Day Care (1 space per 8 children)	5 spaces
Private School (1 space per 6 students)	29 spaces
Church (1 space per 4 seats)	129 spaces
Parking required (for all uses)	165 spaces
Parking provided (for all uses)	165 spaces

Comment [COMMENT1]: THIS WAS GIVEN TO TINA (6/18/96) TO CREATE A DSP-AC RESO. FORM.

WHEN SHE BRINGS IT BACK, PLEASE MAKE CHANGES TO THE FORM AND WRITE PROTECT IT AND DELETE THIS COMMENT.

THANKS, LAUREN

Loading required (for all uses)	1 space
Loading provided (for all uses)	1 space

3. Section 27-118.01(c) states that not more than one (1) one-family ... dwelling shall be located on any one lot. • Four single-family dwellings are shown on the detailed site plan. The applicant should eliminate at least three of the above-referenced single-family residences. One dwelling unit may remain as an accessory use.
4. The applicant proposes to install steel bollards on the perimeter of play areas where they are adjacent to drive aisles and parking spaces. These bollards should be spaced four feet on center and a detail for the bollards should be added to the detail sheet of the Detailed Site Plans.

The subject application does not indicate that play equipment is to be installed for use by either the day care or private school. Should the applicant decide, in the future, to install play equipment it should be done in accordance with the Consumer Product Safety Commission's Handbook for Public Playground Safety (pub. #325). Special attention should be given to the required fall zones which vary depending on the equipment, but are generally six feet wide and follow the contours of the piece of play equipment. No piece of equipment may intrude into another piece of equipment's fall zone. The applicant should provide the proper fall zones and resilient surface material for areas where play equipment is installed.

5. The application is subject to the Prince George's County *Landscape Manual* because the application proposes an increase of more than 10 percent of the existing floor area. The applicant applied for Alternative Compliance (AC 00014, attachment A) to seek relief from strict application of Section 4.7, Buffering Incompatible Uses, of the Landscape Manual. The request for Alternative Compliance was recommended for Approval with a condition by the Planning Director. The condition recommended in connection with AC-00014 is proposed Condition 1.g. below.
6. Subsequent to the Alternative Compliance decision the applicant met with citizens about their concerns on the subject application. As a result of that meeting the applicant was asked by the adjacent residents to consider the following revisions:
 - a. The relocation of the 6-foot-high board-on-board fence along the south property line (lot 43) to within the 30-foot landscaped yard to allow trees to be planted on both sides of the fence;
 - b. To allow a change in the fence material to be other than board-on-board.
 - c. Reduce the fence length between Lot 103 and the church to improve site distance on Middleton Lane for residents of Lot 103.
 - d. Remove two (2) trees affecting Lot 107 and 102.

- e. Place a condition on site plan approval to require the applicant to seek a special exception approval for a private school, if its land area falls below five (5) acres.

The applicant has agreed to all of the above revisions and the Urban Design Staff has reviewed and supports the proposed revisions with minor modifications. These revisions are addressed in the Recommendation Section of this report.

7. Usually a private school, day care and church of this size require a dumpster. The plan should be revised to include a dumpster. A detail of the dumpster enclosure should be provided.

8. Section 27-445.03(a)(1)(A)(v) states:

Sufficient lighting shall be provided on the play area if it is to be used before or after daylight hours to insure safe operation of the area.

Lighting has not been provided for the play area to be operated safely before or after daylight hours. A note should be added to the plan stating that the play area will only be used during daylight hours.

9. The Subdivision Section in a memorandum dated June 15, 2000 (Del Balzo to Whitmore) stated that:

■A new subdivision plat will be required. Plats recorded prior to October 27, 1970 must be resubdivided unless specifically exempted.●

The applicant in letters dated July 6, 2000 (Bruce-Watson to Del Balzo) and July 7, 2000 (Meekins to Del Balzo) states that according to their calculations they meet the requirements of Section 27-107.01(a)(105) of the Prince George's County Zoning Ordinance and are therefore exempt from the above-referenced requirement. Based on this information, the Subdivision Section agreed with the applicant's contention that the site does not require a new subdivision plat.

10. Section 27-443(a)(1)(A) of the Prince George's County Zoning Ordinance mandates that private schools be situated on ■property of at least five (5) acres in size.● The majority of the site, 4.659 acres, is located on the west side of Old Branch Avenue and the remaining, 0.668 acres, is located immediately across the street on the east side of Old Branch Avenue.

A memorandum from the Associate General Counsel was received on December 1, 1999 (Johnson to Whitmore) addressing this section of the Zoning Ordinance as follows:

■Considering that both segments of the subject property have common ownership and a common usage, and abut the same public street, which is a collector road contained within an 80-foot right-of-way, it is my belief that the property complies

with Section 27-443(a)(1)(A), which does not expressly require five contiguous acres.●

Therefore, the Urban Design Section has determined that the above-referenced requirement has been met.

11. The subject application is exempt from the Prince George's County Woodland Conservation Ordinance since the site was previously developed and there is less than 10,000 square feet of existing woodland found on the property.
12. The Transportation Planning Section in a memorandum dated June 27, 2000 (Masog to Whitmore) had the following comments to offer:

■On-site circulation is convoluted and marginally acceptable. Two problems: parking cul-de-sacs without space for vehicles to turn around; and sudden jogs in drive aisles without benefit of curbs or landscaping...●

The plan should be revised to include paved hammer-heads for easy turn around in all parking lots. The applicant has obtained Alternative Compliance for the proposed landscaping. Therefore, the Urban Design Section finds the plan acceptable as submitted.

13. Old Branch Avenue is a County-maintained facility. The highway reference location guide identifies this road as County Route #3675. The plan should be revised to reflect the correct route number.
14. The Community Planning Division in a memorandum dated June 8, 2000 (Irminger to Whitmore) had the following comments to offer:

■...Compatibility between adjoining residentially developed uses and the proposed expansion of the outdoor play areas and parking lots is the main community planning issue. The negative impacts of lights and noise can be mitigated with adequate buffering...●

Significant buffers are provided adjacent to residential uses on the subject plan. To ensure that lighting does not create a negative impact on the existing single-family residences, all proposed lighting should be directed so as not to illuminate the adjacent single-family residences.

15. The plan will be in compliance with the Zoning Ordinance and the *Landscape Manual* for a day care center in the R-R and R-80 zones after the recommended revisions are made to the Detailed Site Plan.
16. The plan will, if revised in accordance with the proposed conditions of approval, represent a reasonable alternative for satisfying the site design guidelines without requiring

unreasonable costs and without detracting substantially from 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 SP-94036/03 and further approved Alternative Compliance AC-00014.

1. Prior to certificate approval, the following revisions and/or notes shall be made or added to the Detailed Site Plan:
 - a. The plan shall be revised to show no more than one single-family residence on the site.
 - b. Steel bollards shall be installed four feet on center along the perimeters of the play area where they abut any parking lot or drive isles. A detail of the proposed bollards shall be added to the detail sheet.
 - c. The bufferyards shall be revised to provide a mixture of evergreen, deciduous and ornamental trees such as, but not limited to, arborvitae, cedars, oaks and dogwoods. A maximum of 10 percent of the evergreens may be White Pines.
 - d. The plan shall be revised to show at least one dumpster (unless appropriate alternative trash collection and disposal methods can be demonstrated). A detail of the dumpster shall be provided. The location of the dumpster and enclosure details shall be approved by the Urban Design Section.
 - e. A note stating that the play area will only be used during daylight hours shall be placed on the plan.
 - f. The plan shall be revised to provide paved hammer-heads for turning around in all parking lots.
 - g. The plan shall be revised to indicate that Old Branch Avenue is County Route #3675.
 - h. A note shall be added to the plan stating that all lighting, pole and or building-mounted, shall be directed so as to not illuminate adjacent single-family residences.
 - i. The six-foot-high fence along the south property line (Lot 42) shall be placed fifteen (15) feet from the property line and plant materials shall be planted on both sides of said fence. The applicant shall provide an alternative fence type other than board-on-board to be approved by the Urban Design Section as designee of the Planning Board.

- j. The length of the fence between Lot 103 and the church shall be reduced to allow better sight distance for the resident of Lot 103. This revision shall be approved by the Urban Design Section as designee of the Planning Board.
- k. The plans shall be revised to indicate the removal of two trees, one on Lot 107 and one on Lot 102.
- l. A note shall be placed on the plan stating the following:

■The applicant shall be required to seek a Special Exception should the subject property fall below five (5) acres in size.●

- 2. The applicant shall have one residence on the property, unless otherwise allowed by the Zoning Ordinance.

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 Lowe, seconded by Commissioner Eley, with Commissioners Hewlett, Lowe, Eley, and Brown voting in favor of the motion, at its regular meeting held on Thursday, September 7, 2000, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of September 2000.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:lw:leb