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DETAILED SITE PLAN DSP-94036/05 AND DPLS-301

Application	General Data
Project Name: New Chapel Baptist Church, Day Care Center and Private School Location: Southwest of the intersection of Old Branch Avenue and Middleton Lane Applicant/Address: Reverend Dr. Kerry Hill 5601 Old Branch Avenue Camp Springs, MD 20748	Date Accepted: 6/03/05
	Planning Board Action Limit: Waived
	Plan Acreage: 5.245
	Zone: R-R
	Dwelling Units: NA
	Square Footage: 31,000±
	Planning Area: 76B
	Tier: Developed
	Council District: 8
	Municipality: NA
	200-Scale Base Map: 208SE05

Purpose of Application	Notice Dates
Increase the number of students in the day care center from 103 to 197 (94 new students) and increase the number of students in the private school from 87 to 125 (38 new students).	Adjoining Property Owners Previous Parties of Record Registered Associations: 4/26/05 (CB-12-2003)
	Sign(s) Posted on Site and Notice of Hearing Mailed: 9/27/05

Staff Recommendation		Staff Reviewer: Lareuse, Susan	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		

September 12, 2005

MEMORANDUM

TO: Prince George's County Planning Board

VIA: Steve Adams, Urban Design Supervisor

FROM: Susan Lareuse, Planner Coordinator

SUBJECT: Revision to Detailed Site Plan DSP-94036/05
Departure from Parking and Loading Standards DPLS-301
New Chapel Baptist Church Day Care Center and Private School

The Urban Design Review staff has completed its review of the subject application and of agency referral comments concerning the plan and recommends APPROVAL with conditions as stated in the recommendation section of this report.

EVALUATION CRITERIA

- a. The requirements governing private schools and day care centers in residential zones of the Zoning Ordinance.
- b. The requirements of the *Landscape Manual*.
- c. The Woodland Conservation and Tree Preservation Ordinance.
- d. Referral responses from concerned agencies and divisions.

FINDINGS

Based upon evaluation and analysis of the subject application, the Urban Design staff recommends the following findings:

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 and an application for alternative compliance.

2. **Development Data Summary**

	EXISTING	PROPOSED
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. See Finding 11 below.

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.

11. **Required Findings: DPLS-301**

Request: The applicant proposes to provide 170 parking spaces on the site, instead of 185 spaces as required per Part Eleven of the Zoning Ordinance.

Section 27-588(b)(7) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:

- (i) **The purposes of Section 27-550 will be served by the applicant’s request.**

The purposes of Section 27-550 are:

- (1) **To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;**
- (2) **To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;**
- (3) **To protect the residential character of residential areas; and**
- (4) **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The applicant’s request to allow for less parking on the site will remain in harmony with the above purposes.

With regard to the 15-space parking reduction, there is substantial information to show that the requirement for 185 spaces is unnecessary at this location.

The applicant provides the following argument in the justification statement for each of the required findings below for this departure:

“The purposes of the Parking Regulations will be served by the Applicant’s request. The purposes seek among other things to provide parking and loading areas sufficient to serve the

needs of the use and to protect the residential character of the area. As required by the Zoning Ordinance, the proposed increases in student enrollment for the day care center (i.e., 94 new students) and private school (38 new students) would require an additional twelve (12) spaces for the day care and seven (7) spaces for the private school. As there is no additional room on the Property to accommodate these additional parking spaces, the Applicant is seeking a waiver of this requirement. As noted above, the Applicant's site plan shows a total of 170 parking spaces on site. Of those available spaces, 129 spaces are required for the Church. The hours of operation for the Church are Sunday 8:00 AM–9:30 AM and 11:00 AM–12:30 PM. Bible study classes are held on Tuesday–Thursday evenings from 7:00 PM–9:00 PM. During the week, the Academy is in session between the hours of 6:00 am–6:00 pm. As the Church and the Academy do not operate at the same time, the 129 parking spaces for the Church are not being utilized. Therefore, the Applicant maintains that there is more than sufficient parking available on site. In support of its assertion that adequate parking is available on site, the Applicant conducted a Parking Study for one (1) week on the Property, (Monday, May 9, 2005–Friday, May 13, 2005). Specifically, the Applicant observed the number of parking spaces being used during the peak traffic hours, 6:00 AM–9:00 AM and 3:00 PM–6:00 PM. The results of the Parking Study are attached hereto as Exhibit A. The data from the Parking Study demonstrates that on average no more than 15 vehicles are parked on site at any one of the peak hours. To that end, the Applicant is requesting the waiver for 19 parking spaces.”

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

“The departure is the minimum necessary. The Parking Regulations require twelve (12) spaces for 94 students in the day care (i.e., 1 space per 8 students) and seven (7) spaces for the private school (i.e., 1 space per six students). The site plan indicates 170 existing spaces and, as there is no additional room on the Property to accommodate additional spaces, the departure is the minimum necessary.”

(iii) The departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location, or to alleviate circumstances, which are prevalent in older areas of the county, which were predominantly developed prior to November 29, 1949.

“The departure is necessary in order to alleviate circumstances, which are special to the subject use, given its nature at this location. The subject use is located over eight (8) lots, which have been assembled to facilitate the Church and its supporting ministries. Strict compliance with the parking requirements would require that the front yard be paved to accommodate additional spaces. Such a solution would impair the overall residential character of the neighborhood.”

(iv) All methods for calculating the number of spaces required have either been used or found to be impractical.

“The applicant has applied the correct method for calculating the number of spaces required. No other parking standard can be applied in this case.”

(v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.

“Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted. As noted above, the applicant's site plan shows 170 parking spaces on site.

Of those available spaces, 129 spaces are required for the church. However, since the church does not operate during the week when the academy is in session (6:00 a.m.–6:00 p.m.), the available 129 spaces for the church use are not being utilized. In support of its assertion that adequate parking is available on site, the applicant conducted a parking study for one week on the property (Monday, May 9, 2005–Friday, May 13, 2005). Specifically, the applicant observed the number of parking spaces being used during the peak traffic hours, 6:00 a.m.–9:00 a.m. and 3:00 p.m.–6:00 p.m. The results of the parking study are attached as Exhibit A to the applicant’s statement. The data from the parking study demonstrates that on average no more than 15 vehicles are parked on site during any one of the peak hours. To that end, the applicant is requesting the waiver for 15 parking spaces.”

(B) In making its findings, the Planning Board shall give consideration to the following:

- (i) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within 500 feet of the subject property.**

As noted above, a total of 170 parking spaces are available on site. Of that number, 129 spaces are not being utilized on a daily basis, given the hours of operation for the church. To that end, parking conditions within the general vicinity of the subject property will not be infringed upon.”

- (ii) The recommendations of an area master plan, or county or local revitalization plan, regarding the subject property and its general vicinity.**

“Planning Area 76B acknowledges residential development for the subject property. Since the R-80 Zone allows, by detailed site plan approval, a day care center and private school, these uses are presumed to be compatible with the recommendations of the approved plans for the area. Similarly, a church use is permitted by right in the R-R Zone.”

- (iii) The recommendations of a municipality (within which the property lies) regarding the departure.**

“The subject property does not lie within a municipality.”

- (iv) Public parking facilities which are proposed in the county’s Capital Improvement Program within the general vicinity of the property.**

“There are no public parking facilities proposed in the county CIP within the general vicinity of the property.”

Comment: Based on the preceding evaluation of the required findings for the departure from parking and loading spaces, staff believe that approval of the application is amply justified.

Referral Responses

- 14. The Subdivision Section has found that the application does not raise any subdivision issues.
- 15. 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.

16. 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.
17. 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.”
18. 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.

RECOMMENDATION

The Urban Design Review staff recommends that the Planning Board adopt the findings of this report and approve Detailed Site Plan DSP-94036/05 and AC-00014/01 with 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.

The Urban Design Review staff also recommends that the Planning Board adopt the findings of this report and APPROVE Departure from Parking and Loading Standards DPLS-301.