

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 October 28, 2004, regarding Detailed Site Plan DSP-04016 for Turner Memorial AME Church, the Planning Board finds:

1. **Request:** Approval of a new elevator building addition to an existing church and removal of the church's nonconforming use status.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone(s)	R-55	R-55
Use(s)	Church	Church
Acreage – Church Parcels	1.76 ac.	1.76 ac.
Parking Lot	1.41 ac.	1.41 ac.
Lots	9-19, Block E	9-19, Block E
Parking Lot	8-13, Block A	8-13, Block A
Parcels	N/A	N/A
Square Footage/GFA	13,440	13,564
Dwelling Units:	N/A	N/A

Parking Spaces:

Required:

Church: 1 space/4 seats (460 seats/4) =	115 spaces
Of which are HC spaces	5 spaces
Provided:	117 spaces
Handicap	2 spaces**

Loading Spaces:

Required and Provided: 1 space

** The required number of handicap spaces should be provided prior to certification of the detailed site plan.

3. **Location:** The site is located approximately 800 feet west of the intersection of Drexel Street and Riggs Road in the City of Hyattsville. The site is also in Planning Area 65 and Council District 02.

4. **Surroundings and Uses:** The site is surrounded by residential uses to the north, west and east and by a PEPCO right-of-way to the south.
5. **Previous Approvals:** A special exception (SE-3936) for a private school was approved for the property, but the private school is no longer in use. The property also has approval of a use and occupancy permit as a nonconforming use because the church property is less than two acres in size. The church has additional property across a public street that is used as parking for the church, which brings the total area owned by the church to 3.17 acres; however, that area cannot be counted for purposes of meeting zoning regulations because it is not actually abutting the church site.

COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Ordinance:** The subject application is in general conformance with the requirements of the Zoning Ordinance for a church in the R-55 Zone. A church in the R-55 Zone that is between one and two acres is subject to detailed site plan review and the following additional requirements of Section 27-441(b):
 - (A) **The minimum setback for all buildings shall be twenty-five feet (25) from each lot line.**
 - (B) **When possible, there should be no parking or loading spaces located in the front yard; and**
 - (C) **The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.**

The detailed site plan generally meets the above requirements, with the exception of (C). The maximum allowed lot coverage in the R-55 Zone is 50 percent. The church and associated driveways and loading space have lot coverage of 46 percent. The parking lot on Lots 8-13, Block A, has lot coverage of 67 percent. However, in this case, the parking lot was constructed prior to the above regulations, and the parking lot meets pre-1970 parking requirements. The applicant has no plans to alter or expand the parking lot. Therefore, the parking lot, as it currently exists, is exempt from the above requirement, is deemed a nonconforming structure, and does not need a variance.

7. **Landscape Manual:** The detailed site plan is exempt from the requirements of the *Landscape Manual*. The elevator addition is less than 10 percent of the total square footage of the existing church building.
8. **Woodland Conservation Ordinance:** In a memorandum dated September 24, 2004 (Metzger to Wagner), the Environmental Planning Section offered the following comments:
 - “1. This site is exempt from the requirements of the Woodland Conservation Ordinance. Although the subject property is more than 40,000 square feet in area, it contains less

than 10,000 square feet of woodland and there are no previously approved Tree Conservation Plans. A Tree Conservation Plan will not be required. A Standard Letter of Exemption from the Ordinance was issued by the Environmental Planning Section, Countywide Planning Division, dated July 25, 2004.

“Discussion: No further action is needed at this time as it relates to woodland requirements. The Letter of Exemption should accompany all future applications for plans and permits.

- “2. A Stormwater Management Concept Approval Letter CSD #17711-2004-00 dated June 3, 2004, was submitted with the subject application. The requirements for stormwater management will be reviewed during subsequent reviews by the Department of Environmental Resources.

“Comment: No further information is required with regard to stormwater management.”

9. As required by Section 27-285(b), 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.

REFERRAL COMMENTS

10. In a memorandum dated September 2, 2004 (Masog to Wagner), the Transportation Planning Section indicated that the site plan is acceptable as submitted.
11. In a memorandum dated October 6, 2004 (DelBalzo to Wagner), the Subdivision Section indicated that the addition of the 124-square-foot elevator shaft is exempt from subdivision requirements pursuant to Section 24-111 of the Subdivision Regulations.
12. The City of Hyattsville did not respond to referrals sent on August 30, 2004.

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-04016, subject to the following condition:

1. Prior to certification, five handicap parking spaces shall be provided on the detailed site plan.

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 Squire, seconded by Commissioner Harley, with Commissioners Squire, Harley, Vaughns, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, October 28, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 18th day of November 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:GW:rmk