

**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 July 20, 2006, regarding Detailed Site Plan DSP-03007/01 for Mount Rainier Spanish Church, the Planning Board finds:

1. **Request**—The subject application requests approval of a church with a variance from the required building setback from the northern property line. A companion departure from design standards is also requested for the setback required for the loading space, and for the driveway servicing the loading space.
2. **Location**—The site is located in Planning Area 65, Council District 2. More specifically, it is located at 6012 Ager Road, Hyattsville, MD, approximately 70 feet north of the intersection of Oglethorpe Street and Ager Road.
3. **Surroundings and Use:** The subject property is bounded to the northwest and southwest by residential use in the R-35 Zone (One-Family Semidetached, and Two-Family Detached, Residential); to the northeast by Ager Road and to the southeast by residential use in the R-18 Zone (Multi-Family Medium Density Residential).

**Development Data Summary**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	R-35	R-35
Use(s)	Church	Church
Acreage	1.68	1.68
Lots	1	1
Parcels	1	1
Square Footage/GFA	1,693	17,270

**OTHER DEVELOPMENT DATA**

	<b>REQUIRED</b>	<b>PROPOSED</b>
Total parking spaces	49	49
Of which handicapped spaces	2	2
Loading Spaces	1	1

4. **Previous Approval:** Detailed Site Plan (DSP-03007) was approved by the Planning Board on November 20, 2003, (PGCPB Resolution No. 03-253). Along with the detailed site plan, the Planning Board also approved alternative compliance (AC-03007) and a variance (VD-03007). On July 6, 2006, the Prince George's County Planning Board approved Preliminary Plan of Subdivision 4-05016 for the site. On July 26, 2005, the Environmental Planning Section approved the property for exemption from the Woodland Conservation and Tree Preservation Ordinance. The Department of Environmental Resources approved Stormwater Concept Plan 4186-2006-00 for the site on November 29, 2005. The stormwater concept plan is valid for three years, or until December 31, 2008.
  
5. **Design Features:** The intent of the church is to create a recognizable image as a distinct place; varying massing to provide visual interest, as applicable, to ensure compatibility with surrounding neighborhood, and to use building height and massing to emphasize important corners and designated points of entry.

The 1.68-acre site is accessed from one entry drive leading into the property from Ager Road. The site includes a one-story church sanctuary with an Assembly Hall space at the basement level. The church is provided with both visitor parking and a loading space.

The church integrates existing natural features and open space into the overall design and layout of the site. Existing natural features and common open spaces are sufficiently used to create site amenities and provide physical separators and buffers from adjacent development. The location and design of the sanctuary reinforces the identity and function of the church development. The primary facades of the building, typically the facade containing the primary church entrance, is oriented toward the primary parking areas to define the entries.

The primary architectural character of the church is the neo-traditional Georgian Revival style. The ecclesiastical interpretation of this style is evident in the building design, an elongated symmetrical sanctuary floor plan with low-pitched roofs dominant. The church has a side-gabled roof. There are moderate eave overhangs and a mixture of smooth and textured EIFS (Exterior Insulation and Finish Systems) and brick veneer walls.

The landscaping is designed to visually tie the entire development together, define major entryways, vehicular circulation, and parking patterns. Buffers have been created at less intensive adjacent land uses.

A signage package has not been submitted for the church. Any signage proposed in the future should be scaled appropriately to appeal to both pedestrians walking on the adjacent sidewalks and to vehicles driving at reduced speeds. Signage should be aesthetically pleasing, cohesive, and integrated into the overall design of the buildings. Ecclesiastical symbols are provided in the elevations and are aesthetically pleasing and cohesive.

## COMPLIANCE WITH EVALUATION CRITERIA

6. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-35 Zone, additional specific uses, and the site plan design guidelines of the Zoning Ordinance.

The subject application is in general conformance with the requirements of Section 27-431 of the Zoning Ordinance, which governs development in the R-35 Zone. The proposed church is a permitted use in the R-35 Zone. However, as described in Finding 7 below, the application is not entirely in conformance with Section 27-441(b) of the Zoning Ordinance.

7. **Requirements of the Zoning Ordinance for the Granting of a Variance:** The applicant has requested variances from Section 27-441(b) footnote 52, to decrease the required minimum 25 feet setback from each lot line. The request is seeking approval of a three-foot six-inch to four-foot three-inch variance on the northern property line. Staff has listed each required finding for the granting of a variance as stated in Section 27-230 of the Zoning Ordinance, followed by staff comment.

**“(1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions:”**

**Urban Design Comment:** The specific parcel of land that is extremely narrow and long, which prohibits the development of the entire property and restricts the location of the proposed structure within the required building setbacks for a church use.

**“(2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and”**

**Urban Design Comment:** The twenty-five foot setback for church use in the R-35 Zone severely restricts the owner of the property from expanding the existing church on the site to accommodate a larger sanctuary for any current or future growth of the church membership.

**“(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or master plan.”**

**Urban Design Comment:** The Community Planning staff has indicated this application for a church will not substantially impair the intent, purpose or integrity of the General Plan or the master plan.

8. **Preliminary Plan of Subdivision, 4-93016:** The Planning Board approved Preliminary Plan 4-05156 on July 6, 2006. The Planning Board is scheduled to adopt resolution PGCPB 93-159, formalizing the approval, on July 27, 2006. A record plat has not been recorded as of the date of completion of this staff report.

9. ***Landscape Manual:*** The proposed development is subject to the requirements of Section 4.2, Commercial Landscape Strip; Section 4.3.b, Perimeter Landscape Requirements; Section 4.3.c, Parking Lot Interior Planting Requirements; Section 4.4, Loading Area Screening; and Section 4.7, Buffering Incompatible Uses. Urban Design staff have reviewed the proposed landscape plan and found that the submissions are in general compliance with the applicable sections of the *Landscape Manual* with respect to all of the bufferyards except the bufferyard identified along the southeasterly property line, adjacent to an existing garden-apartment complex. An alternative compliance application has been requested for relief from the requirements of Section 4.7 relating to the buffering of incompatible uses along the abovementioned property line.

Alternative compliance is requested for Section 4.7 (Buffering Incompatible Uses) for a landscaped yard that is required along 584 feet of the property line on the southern portion of the parcel.

The report from the Alternative Compliance Committee is as follows:

**BACKGROUND:**

The proposal is for the construction of a new building for a church. The site is located on the west side of Ager Road, northwest of its intersection with Oglethorpe Road. It is zoned R-35 and the single-family dwelling unit on property was converted to use as a church in 2003. The subject property is a flag lot with access on Ager Road. The rear of the property also has access through Oliver Street. The Alternative Compliance application requests relief from the requirements of Section 4.7 of the *Landscape Manual*.

**REQUIRED:** Section 4.7, Buffering Incompatible Uses, along the southeastern property line.

Length of bufferyard:	554.55 feet
Building setback:	30 feet
Landscape yard:	20 feet
Existing woodland:	None
Plant materials:	222 plant units

**PROVIDED:**

Building setback:	25 feet
Landscape yard:	1'-25 feet
Plant materials:	317 plant units
Fence:	Yes

**JUSTIFICATION OF RECOMMENDATION:**

The subject project is the type of in-fill development or improvement and redevelopment in older communities contemplated as potentially needing Alternative Compliance relief due to space

limitations, unusually shaped lots and prevailing practices in the neighborhood, specified in Section 1.3 (a) (2) of the *Landscape Manual*. The existing church is proposing to construct a new church on a site they own and have operated a church from for many years. In this effort, they are handicapped by the fact that the site is long, narrow and “L” shaped. They have, however, offered to provide as much buffering as possible along the southeastern property line. That buffer varies from 1 foot, at the front of the property, where there is only sufficient room to fit the required 22-foot driveway beside the church, to 25 feet adjacent to the parking lot behind the church. The drive aisle in the parking lot is the minimum 22 feet required by the Zoning Ordinance. In addition, the applicant is offering to augment the planting in the subject buffer from the required 222 plant units to 317 units and to provide a six-foot wood stockade fence along the subject property line. Although not strictly in accordance with Section 4.7 of the *Landscape Manual*, these measures serve to mitigate the impact of the project on the adjacent residential use.

**RECOMMENDATION:**

The Alternative Compliance Committee recommends approval of the request for Alternative Compliance as it meets the requirements of Section 1.3 Alternative Compliance of the *Landscape Manual*, subject to the following condition:

1. Prior to signature approval of the plans, they shall be revised as follows:
  - a. to indicate 2 ½ - 3-inch minimum caliper shade trees
  - b. to replace any Juniperus Virginiana trees to be planted under existing shade trees with a shade tolerant evergreen species.
  
10. **Woodland Conservation Ordinance:** In a memorandum dated November 14, 2005, the Environmental Planning Section stated that the property is exempt from the requirements of the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodland and does not have a previously approved tree conservation plan. Standard Letter of Exemption S-264-05 was issued by the Environmental Planning Section, Countywide Planning Division on July 26, 2005.
  
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:
  - a. **Community Planning:** In a memorandum dated November 23, 2005, the Community Planning Division stated that:
    1. This application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier. .
    2. The proposal, conforms to the land use recommendation of the 1989 *Approved*

*Master Plan for Langley Park-College Park-Greenbelt and Vicinity and Adopted Sectional Map Amendment for Planning Areas 65, 66, and 67.*

Additional comments regarding the site plan have either been addressed in the review process or included in the recommendation section of this staff report as conditions.

- b. **Transportation:** In a memorandum dated June 9, 2006, the Transportation Planning Section stated:

Access to the site is proposed to be via Ager Road, an improved four-lane divided county maintained arterial facility, with four to six travel lanes, 100 to 110 feet of right of way, and parallel local lanes along its length. Typically, lot access to an arterial facility is not allowed, but since the proposed access would actually be along the parallel local lanes, which are physically separated from through lanes along Ager Road, it is deemed acceptable. The proposed on-site circulation is acceptable. To the rear, Oliver Street, a county-maintained residential street stubs at the property line. Staff recommends access and frontage improvements, including construction of sidewalks along Ager Road, as well as any necessary turn-around treatment for Oliver Street, be constructed in accordance with the standards and requirements of the Department of Public Works and Transportation (DPW&T).

Off-site traffic adequacy is not an issue in the review of a detailed site plan, but has been fully addressed as part of the review of the companion and pending Preliminary Plan 4-0516 for the subject site. The variation request seeks approval for granting a variance from the required building setbacks as required by the Zoning Ordinance, which has no specific impact to existing or proposed transportation facilities serving the proposed site.

**Urban Design Comment:** Transportation Planning Staff recommendations have been included in the recommendation section of this staff report as conditions.

- c. **Subdivision Section:** In a memorandum dated November 9, 2005, the subdivision section stated that the church is the occupant of an existing structure on Parcel 83, Tax Map 41, Grid D-3, which is considered a legal parcel created prior to January 1, 1982. The subject parcel is limited to 5,000 square feet of additional development.

This application proposes 17,280 square feet of development that requires the approval of a new preliminary plan and a new final plat of subdivision.

**Urban Design Comment:** Subsequently, the applicant applied for a new preliminary plan and a new final plat of subdivision. The property is now the subject of Preliminary Plan 4-05156 and the relevant resolution of approval, PGCPB Resolution 06-166, scheduled for adoption on July 27, 2006. Staff reviewed conditions contained in the resolution of approval relating to review of the detailed site plan.

- d. **Permits:** In a memorandum dated November 19, 2005, the Permit Review Section has offered numerous comments that have either been addressed by revisions to the plans or by the recommended conditions below.
- e. **Environmental Planning:** In a referral reply dated November 14, 2005, the Environmental Planning Section staff offered no comment on the subject case.
- f. **Department of Environmental Resources (DER):** In a referral reply dated November 21, 2005, DER stated their office has not approved a stormwater concept plan for this project and therefore cannot comment on the site plan at this time.

**Urban Design Comment:** Subsequently, the applicant submitted Approved Stormwater Management Concept Plan 4186-2006-00.

- g. **Department of Public Works & Transportation (DPW&T):** In a memorandum dated February 21, 2006, DPW&T stated that all improvements within the public right-of-way as dedicated to the county are to be designed in accordance with the county Road Ordinance, DPW&T's Specifications and Standards, and the Americans with Disabilities Act. In addition, the department stated that conformance with DPW&T street-lighting and street-tree standards is required. Lastly, the department stated that existing utilities may require relocation and/or adjustments, and that coordination with the various utility companies is required.
  - h. **Department of Parks and Recreation:** In a referral reply dated November 8, 2005, the Parks Department staff offered no comment on the subject case.
12. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan will, if proposed conditions are fulfilled, represent 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 Detailed Site Plan DSP-03007/01, Alternative Compliance No. AC-03007/01, and further approved Variance Application No. VD-03007/01 subject to the following conditions:

- 1. Prior to signature approval of the detailed site plan, the following revisions shall be made to the detailed site plan, landscape plan and architectural elevations, or the specified information shall be provided:
  - a. Submit a color palette and building-material samples for the church. Material samples shall be securely mounted on one or more lightweight boards not to exceed 8 1/2"x 14".

Provide photographs, manufacturers cut sheets or samples for the following materials sample-board information:

- i. Entry doors;
    - ii. Paint and stain color chips;
    - iii. Building address numbers;
    - iv. Exterior surface mounted light fixtures;
    - v. Exterior building materials;
    - vi. Roof materials.
  - b. Provide building-mounted lighting to highlight specific architectural features or building entrances on the church.
  - c. Submit a signage package that details all exterior signage that is integrated into the overall design of the church and site.
  - d. Shall indicate 2 ½ - 3-inch minimum caliper shade trees.
  - e. Shall replace any Juniperus Virginiana trees to be planted under existing shade trees with a shade tolerant evergreen species.
2. Total development within the subject property shall be limited to construction of a church building, with a total 17, 300 gross square feet, which will not generate more than 23 AM and 25 PM peak hour vehicle trips.
  3. Applicant shall construct access and frontage improvements, including construction of sidewalks along Ager Road and any necessary turn-around treatment for Oliver Street, if deemed necessary by the county DPW&T, and in accordance with DPW&T standards and requirements.



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 Eley, seconded by Commissioner Squire, with Commissioners Eley, Squire, Clark, Vaughns and Parker voting in favor of the motion at its regular meeting held on Thursday, July 20, 2006, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 27<sup>th</sup> day of July 2006.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

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