

R E S O L U T I O N

WHEREAS, the Prince George's County Planning Board has reviewed DDS-571 requesting a departure from design standards in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on July 20, 2006, the Prince George's County Planning Board finds:

1. **Request**—The subject application requests a departure from design standards 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

	EXISTING	PROPOSED
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

	REQUIRED	PROPOSED
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 Departures from Design Standards:** The applicant has requested a departure from Section 27-579 to allow the location of the loading space and the vehicular entrance to the loading space within fifty feet of the adjacent property in the R-35 residential zone. Staff has listed each required finding for the departure

from design standards as stated in Section 27-239.01 of the Zoning Ordinance, followed by staff comment.

“i. The purposes of this subtitle will be equally well or better served by the applicant's proposal:”

Urban Design Comment: The implementing of the general plan, area master plans, and functional master plans will not be affected by the departure from the location of the loading space and the vehicle entrance to the loading space on this property. In addition the intent to promote the conservation, creation, and expansion of communities that will be developed with adequate public facilities and services is adequately provided by allowing the departure of the loading space design standards on this property.

“(ii) The departure is the minimum necessary, given the specific circumstances of the request;”

Urban Design Comment: The 50-foot setback for the location of the loading space and vehicular entrance to the loading space adjacent to the R-35 Zone severely restricts the owner of the property from providing any loading space to the church due to the width of the property. The parking and loading space layout design demonstrates that the applicant provided the minimum departure solution available under the specific circumstances.

“(iii) The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the county developed prior to November 29, 1949;”

Urban Design Comment: The site is a L-shaped lot with narrow widths that will not accommodate the location of any loading space and entrance to the loading space on the property without encroaching the required setback distance of 50 feet from a residential zone.

“(iv) The departure will not impair the visual, functional, or environmental quality or integrity of the site or surrounding neighborhood.”

Urban Design Comment: This application for a church will provide for a larger, more attractive building that will not substantially impair the visual, functional, or environmental quality or integrity of the site or of the surrounding neighborhood.

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. **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.

10. **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.

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 APPROVE the above-noted application.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of 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 Vaughns, with Commissioners Eley, Vaughns, Clark and Parker voting in favor of the motion, and with Commissioner Squire temporarily absent at its regular meeting held on Thursday, July 20, 2006, in Upper Marlboro, Maryland.

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

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator