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Detailed Site Plan
Departure From Parking & Loading Standards
Variance Request
Alternative Compliance

DSP-06040
DPLS-326
VD-06040
AC-08037

Application	General Data	
Project Name: Iglesia Casa de Gracia y Fe (formerly Bethel Church of Washington) Location: Northwestern quadrant of the intersection of Landover Road (MD 202) and Neighbor Lane. Applicant/Address: Mr. Jose Santos, Pastor Bethel Church of Washington Cheverly, MD 20785	Date Accepted:	07/31/07
	Planning Board Action Limit:	Waived
	Plan Acreage:	1.048
	Zone:	R-55
	Dwelling Units:	NA
	Square Footage:	5,200
	Planning Area:	69
	Tier:	Developed
	Council District:	05
	Municipality:	NA
	200-Scale Base Map:	205NE05

Purpose of Application	Notice Dates	
This application requests approval of a 200-seat church, a departure from parking and loading standards for three parking spaces, a variance of 7.5 percent from the maximum 50 percent lot coverage requirement, and alternative compliance for the portion of the western property line that adjoins a single-family dwelling.	Adjoining Property Owners Previous Parties of Record Registered Associations: (CB-12-2003)	06/27/07
	Sign(s) Posted on Site and Notice of Hearing Mailed:	04/28/09

Staff Recommendation		Staff Reviewer: Ruth E. Grover, A.I.C.P.	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X	X (Variance Only)	

THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

STAFF REPORT

SUBJECT: Detailed Site Plan DSP-06040
Departure from Parking and Loading Standards DPLS-326
Variance Request VD-06040
Alternative Compliance AC-08037
Iglesia Casa de Gracia y Fe
(formerly Bethel Church of Washington)

The Urban Design staff has reviewed the applications for the subject property and presents the following evaluation and findings leading to a recommendation of APPROVAL with conditions of Detailed Site Plan DSP-06040, Alternative Compliance AC-08037, and Departure From Parking and Loading Standards, DPLS-326, and DISAPPROVAL of Variance Request VD-06040 as described in the recommendation section of this report.

EVALUATION

The detailed site plan (DSP) was reviewed and evaluated for conformance with the following criteria:

- A. The requirements of the Zoning Ordinance regarding:
 - 1. Section 27-441 regarding the uses permitted in residential zones;
 - 2. Section 27-442 regarding regulations in residential zones, including lot coverage for churches in the One-Family Detached Residential (R-55) Zone;
 - 3. Section 27-588 regarding departure from parking and loading standards;
 - 4. Section 27-239.03 and Section 27-230 regarding required findings for a variance application and the granting of a variance in conjunction with another approval.
- B. The requirements of the *Prince George's County Landscape Manual*, particularly:
 - 1. Section 4.3(a) regarding requirements for a parking lot landscaped strip;
 - 2. Section 4.3(c) regarding interior planting requirements for parking lots;
 - 3. Section 4.7 regarding buffering incompatible uses; and
 - 4. Section 1.3 regarding the alternative compliance process.
- C. The requirements of the Prince George's County Woodland Conservation and Tree Preservation Ordinance.

D. Referral comments.

FINDINGS

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

1. **Request:** This application requests approval of a 200-seat church; a departure from parking and loading standards of three parking spaces; a variance of 7.5 percent from the 50 percent lot coverage requirement; and alternative compliance for the portion of the western property line that adjoins a single-family detached dwelling.

2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-55	R-55
Use(s)	Church	Church
Acreage	1.048	1.048
Lots	1	1
Building Square Footage/GFA	5,200	5,200
Building Height (Feet)	30.4	30.4

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	50	47
Standard	48	30
Compact Spaces*	-	15
Handicap (Van Accessible)	2	2

*A maximum of one-third of the required parking spaces may be compact. There is not, however, any requirement that compact spaces be included in an application.

3. **Location:** The site is in Planning Area 69, Council District 5. More specifically, it is located in the northwestern quadrant of the intersection of Landover Road (MD 202) and Neighbor Lane.
4. **Surroundings and Use:** The subject property is bounded to the north by Otis Avenue with a single-family detached residential unit beyond; to the east by Neighbor Lane with single-family residential units beyond; to the south by Landover Road (MD 202) with single-family detached units beyond; and to the west by a single-family detached residential unit.
5. **Previous Approvals:** Special Exception SE-3677 was approved for a day care center for children on October 31, 1989, and Special Exception SE-4463 was approved for a day care center for children and adults on February 28, 2002. Neither enterprise is currently operating from the site. The property is also subject to the requirements of approved Stormwater Management Concept Plan 50393-2006-00, dated February 22, 2007.

6. **Design Features:** Neighbor Lane is planned to provide a two-way access to the site, and Otis Avenue will provide a secondary exit. The primary access point from Neighbor Lane will lead only to a parking lot, providing two van-accessible handicapped and 22 additional standard parking spaces. A travelway from that parking area leads to a second parking area directly in front of the church providing 15 parking spaces. A one-way travelway then leads to a third parking area, including seven parking spaces, set at a 45 degree angle along the southern half of the western property line. The travelway provides for an additional parking space adjacent to a playground area at the back of the church and then exits onto Otis Avenue. Landscaping is included along the western property line, the Landover Road (MD 202) frontages, the southern portion of the Neighbor Lane frontage, and additionally in the two major parking areas in front of the church. There are no signs proposed as part of the subject application. The landscaping along the Landover Road (MD 202) frontage is located within the ultimate right-of-way line. Therefore, a recommended condition requires approval from the State Highway Administration (SHA) prior to signature approval of the plans.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with Section 27-441, Section 27-442, Section 27-550, Section 27-586, Section 27-588, Section 27-239.03, and Section 27-230. Each relevant section is enumerated below and followed by staff comments regarding the application's compliance with its requirements:

- a. Section 27-441 regarding the uses permitted in residential zones—The proposed church is a permitted use in the R-55 Zone and therefore complies with the requirements of Section 27-441 with respect to its basic land use. However, it is not in conformance with the requirements of Footnote 52 of Section 27-441 which states: “A church or similar place of worship that is located on a lot between one (1) and two (2) acres in size shall require a detailed site plan in accordance with Part 3, Division 9 of this Subtitle (The Zoning Ordinance).” In addition to the requirements of Section 27-285(b), the following requirements shall be met:

- (A) **The minimum setback for all buildings shall be twenty-five (25) feet 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 building on the subject property is set back at least 25 feet from each lot line. Parking is located in the front yard; however, because the subject lot is a through lot with three legal “front” yards, it is for all intents and purposes impossible to have parking on the lot that is not located in one of the “front yards,” as legally defined. The applicant seeks to increase the allowable lot coverage, in contravention of subsection (c) of this requirement. Please see subsection (v) below for a discussion of companion Variance Request VD-06040 to permit the lot coverage to be increased.

- b. Section 27-442 regarding regulations in residential zones, including lot coverage for

churches in the R-55 Zone.

Comment: The proposed church conforms to the requirements of Section 27-442, except with respect to the requirement that churches or similar places of worship on lots between one and two acres in size have a maximum lot coverage of 50 percent. In the subject case, the existing lot coverage of 22,946 or 52 percent is proposed to be increased to 26,255 or 57.5 percent by constructing additional parking on-site. Therefore, the project cannot be said to conform to the requirements of Section 27-442. Please see subsection (v) below for a discussion of companion Variance Request VD-06040 for a variance of 7.5 percent from the maximum permitted lot coverage requirement of 50 percent.

- c. Section 27-586(a) Reduced (parking) requirements for churches—This section of the Zoning Ordinance provides that, for a church, the total number of parking spaces required may be reduced by not more than thirty percent, provided:

- (1) **The lot upon which the church is located is within five hundred (500) feet of an existing parking lot, including a public, private, or commercial lot;**
- (2) **The church has written permission to use the existing parking lot; and**
- (3) **The existing parking lot has sufficient spaces available during the time of regular church services to provide the total number of spaces required.**

The applicant has not provided such written permission to locate three spaces off-site in order to make up for the three-space deficiency. Had the applicant pursued such written permission, the departure application would have been unnecessary.

- d. Section 27-588(7)(A) regarding departure from parking and loading standards—Each required finding is listed below, followed by staff comment.

7. Required findings.

- (A) **In order for the Planning Board to grant the departure, it shall make the following findings:**
- (i) **The purposes of this Part (Section 27-550) will be served by the applicant's request;**

Comment: The stated purposes of Section 27-550(a) are as follows:

- (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 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 (Prince George's County).**

Comment: The proposed parking for the subject project includes 47 spaces, which is only three parking spaces short of the parking requirement for a church of this size. The requirement is one parking space per four seats in the sanctuary, or 50 parking spaces. If the number of seats in the sanctuary is kept to 200, parking should be adequate as not all members of the church will attend church simultaneously and the surrounding streets provide sufficient on-street parking to absorb a maximum of three additional cars. Additionally, many church goers will walk, carpool, take the metrobus, and/or be transported in one of the five church-owned vans. The application fulfills purpose (2) as it reduces on-street parking by providing 47 spaces on-site. It protects the residential character by keeping the majority of the parking on the site and not allowing it to spill over to the surrounding residential neighborhood. The project does fulfill purpose (4) above as it would provide parking convenient to the church, which could be considered an amenity for Prince George's County.

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

Comment: Three spaces is the minimum necessary for the departure. The application seeks to provide only the base requirement for a 200-seat church.

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

Comment: The departure is necessary because the lot on which the church is located is too small to accommodate the parking

required by the Zoning Ordinance. Further, the pastor of the church has indicated, by affidavit, that the majority of the parishioners arrive at the church by foot, metrobus, or one of five church-owned vans. In addition, he indicated that numbers that arrive by car are further reduced by several carpools set up among the remaining parishioners.

- (iv) **All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and**

Comment: All methods for calculating the number of spaces required have either been used or found to be impractical, including Section 27-586 that in certain circumstances allows reduced requirements for churches.

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

Comment: Three additional cars parked in the adjacent residential areas should not infringe in any significant way on land uses in the surrounding area.

The proposed departure is minimal and will not create a spillover effect in the surrounding residential neighborhood. The site is small and it would be difficult, if not impossible, to add more parking to the site. Additionally, many of the parishioners walk, take the metrobus, carpool, or are transported by church-owned vans, making on-site parking less in demand. Therefore, staff is in support of the applicant's request for a departure from parking and loading standards for three spaces.

- e. Section 239.03 and Sections 27-230 through 239.03 state that when the District Council or Planning Board makes a final decision in a zoning case, site plan, or other request, the District Council or Planning Board has sole authority to grant variances from the strict application of the Zoning Ordinance. Further, it states that the District Council and Planning Board shall be governed by the provisions of Section 27-230 when it grants such variances. The required findings contained in Section 27-230(a) are listed below, 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;**

Comment: The site is not exactly square or rectangular in shape. Neighbor Lane jogs in on its eastern boundary and its northern and southern boundaries are not entirely parallel, but it cannot be considered exceptional in shape. Neither is it exceptionally narrow or shallow as it measures approximately 92 feet wide by 219 feet long. Further, there are no exceptional topographic conditions such as

extreme grade. There are no other extraordinary situations or conditions attached to this specific parcel of land. It is simply a small piece of land in a residential neighborhood, bordered on two sides by secondary streets and a third by Landover Road (MD 202).

The applicant's statement in its justification that the lot is small and a flattened triangular shape does not demonstrate how this finding can be made. Neither being small, nor being shaped slightly like a flattened triangle (and this could be disputed) qualifies the site as exceptional or extraordinary.

(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;

Comment: The strict application of the Zoning Ordinance will not result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property. The requirement requested to be varied in this case is lot coverage, which in the R-55 Zone may not exceed 50 percent. A goal in establishing this requirement is that nonresidential uses in residential zones maintain a certain amount of greenery and landscaping that makes them more compatible with the surrounding residential area. Any nonresidential use seeking to be established on the subject property would be similarly affected or would, like the subject owner, have to seek a variance from the Planning Board and make an argument that the required findings can be made.

The applicant's statement of justification points to removal of paved surface necessary to meet the coverage requirement as a practical difficulty, but fails to point out, as is required in the finding, how this is peculiar and unusual. The applicant also offers a number of other facts in its statement regarding this finding that do not have any bearing on to being able to make the finding. These include:

- trying to maximize on-site parking in order to minimize the quantity of spaces for which a DPLS must be requested;
- that the site was already over its lot coverage requirement;
- that the lot was comprised of residential lots;
- that the church is only used a few times during the week;
- that the site is small and, therefore, will be compatible without meeting lot coverage requirements;
- that the grounds are kept in tidy condition;
- that the church serves a community need;
- that the church has tried to buy adjacent land to make the site larger;
- that they do not seek to redevelop the property and so have to work with

what is there.

None of the points above can be considered relevant to the need to make the required finding regarding peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property.

In sum, staff must recommend disapproval of the variance because the three required findings for granting a variance cannot be made. First, the subject site is a regularly-shaped and unusual residential subdivision lot. Second, not granting the variance will not affect the property owner in an exceptional or undue fashion and, third, the intent and purpose of general/master plan documents would be impaired because increasing lot coverage on the subject site would detract from the surrounding residential character of the neighborhood and increase negative off-site impacts. In the absence of a recommendation of approval for the variance, it is necessary to recommend disapproval of the detailed site plan and the departure from parking and loading standards as well.

(3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

Comment: The variance would impair somewhat the integrity of the *Prince George's County Approved General Plan* because, rather than enhancing the quality and character of the neighborhood, it would allow an institutional use which is more intense than is contemplated by the 50 percent lot coverage requirement in the Zoning Ordinance, thus introducing a use which is incompatible with the land use fabric of the surrounding residential area. The predominance of attractive lawns and landscaping of the surrounding residential land uses would be negatively impacted by the asphalt paving that would cover the overwhelming majority of the subject site.

The applicant claims that this required finding can be made because the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* recognized an institutional land use on the site. However, the applicant does not mention that the previous institutional use on the site included child and adult day care, with far fewer parking spaces required or needed than for a church. It also does not mention that the present application seeks to increase what was a marginal two percent transgression of the lot coverage requirement to a more substantial 7.5 percent by paving more of the site for additional parking.

In addition, the applicant's statement of justification needs clarification. It states that a variance of 5.2 percent above the 50 percent allowed was requested. Actually, the existing situation is that lot coverage is currently at 52 percent and they wish to increase it 5.5 percent, making the entire variance request 7.5 percent above what is allowed in the Zoning Ordinance for the R-55 Zone.

8. ***Prince George's County Landscape Manual:*** The application is subject to Sections 4.3(c) Parking Lot Interior Planting, Section 4.3(a) Parking Lot Landscape Strip, and Section 4.7 Buffering Incompatible Uses of the *Prince George's County Landscape Manual*. Staff has reviewed the subject application against the requirements of those sections and found that although the plan meets the requirements of Section 4.3, it only partially complies with the

requirements of Section 4.7. The detailed site plan is accompanied by an application for alternative compliance for relief from the requirements of Section 4.7 of the *Prince George's County Landscape Manual*. Approval of the alternative compliance application would allow use of a decorative board-on-board fence and the incorporation of approximately 25 percent additional plant materials along the western property line where it runs adjacent to a single-family dwelling that was judged by the Alternative Compliance Committee and the Planning Director to result in better than normal compliance with the requirements of the *Prince George's County Landscape Manual*. A color elevation drawing of the fence would be required to be approved by the designee of the Planning Board prior to signature approval of the plans.

9. **Woodland Conservation and Tree Preservation Ordinance:** As per comments from the Environmental Planning Section dated August 15, 2007, the project is exempt from the Prince George's County Woodland Conservation and Tree Preservation Ordinance.
10. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

Historic Preservation—In comments dated August 1, 2007, the Historic Preservation Section stated that there are no historic resources affected by the subject detailed site plan or departure from parking and loading standards.

Archeology Review—In comments dated August 20, 2007, the staff archeologist stated that a Phase I archeological survey would not be recommended for the site. Citing a search of current and historic photographs, topographic and historic maps, and locations of currently known archeological sites, she said the probability of archeological sites within the subject property is low, as a church and parking lot were built on the property in 1990. She mentioned, however, that one National Register of Historic Sites property, Mount Hope (69-024-11), two historic sites, Crawford's Adventure Spring (69-024-14) and the Raymond W. Bellamy House (69-024-22), and two historic resources, Mount Hope Slave Quarter Ruin (69-024-24) and Wilson Station Railroad Tower (72-001) are within a one-mile radius of the subject property.

Community Planning Division—In a memorandum dated August 15, 2007, the Community Planning Division stated that the proposed application is not inconsistent with the 2002 General Plan Development Pattern policies for the Developed Tier and that the proposed application conforms to the public or quasi-public land use recommendations of the *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)*. As a "planning issue" however, the division pointed to a discrepancy in the applicant's justification statement in that it states both that 60 percent of the church's members do not own vehicles and that at least 15 percent of the church members do not have vehicles. Additionally, it was noted that the proposed project is located in a residential area and that on-street parking by church members might inconvenience area residents.

Transportation—In a revised memorandum received May 13, 2009, the Transportation Planning Section offered the following:

The Transportation Planning Section has reviewed the detailed site plan and departure application referenced above. The property is located on the northwest quadrant of the MD 202 (Landover Road) and Neighbor Lane intersection. The subject property is zoned R-55. In the previously submitted justification statement, the applicant had planned to convert the existing two-story building consisting of 5,200 square feet, previously used as a day care, into a church with a main auditorium sanctuary of 360 seats and activities only on Sundays, Wednesday, and Thursday

evenings. As part of the most recent justification statement, however, the submitted justification indicates the church main auditorium sanctuary will have a capacity of 200 seats. This change is very important considering that a 360-seat church would require 91 parking spaces whereas a 200-seat church would require only 50. Therefore, the revised DPLS requests a departure of only three spaces and not the 51 spaces that were requested as part of the original application as 47 spaces are indicated on the site plan.

The Zoning Ordinance provides minimum standards for on-site parking on the subject property for two primary reasons. The standards protect the patrons of the subject property from not having adequate and available parking at hand. The parking standards also protect neighboring property owners from persons using parking spaces on adjacent land or streets thereby potentially inconveniencing area residents.

In support of this parking departure request, the applicant has entered into an agreement that will allow the church congregants to use the existing parking lot of 40 parking spaces on the adjacent medical office building. With this signed arrangement, staff believes that granting a waiver of a departure for three parking spaces would not burden the surrounding residential neighborhoods with parking from the proposed church activities. (Urban Design correction: Although such an agreement had previously been proffered, the applicant is now, instead, showing 47 spaces on-site and has requested a departure of three spaces.)

Access to the site is limited to an outbound-only driveway along Otis Avenue, and a full driveway along Neighbor Lane. Both are substandard and need to be improved. The existing right-of-way (ROW) along Neighbor Lane needs to be brought into compliance with Department of Public Works and Transportations (DPW&T's) urban secondary residential road standards with an ultimate right-of-way of 50 feet, or 25 feet from the existing center line. The current right-of-way along the frontage of the property is approximately 19 feet from the center line. Therefore, the ultimate right-of-way would extend well into the subject property, affecting the proposed entrance to and from Neighbor Lane and some of the proposed parking spaces along the frontage adjacent to Neighbor Lane.

While the site plan does not show any direct access onto MD 202, this roadway is designated as a master plan arterial facility, with a proposed right-of-way of 120 feet, or 60 feet from center line. The proposed 60 feet right-of-way line again extends well into the subject property and will include all the area shown on the plan as landscape area.

In conclusion, staff recommends the issues regarding the required dedication of right-of-way associated with needed improvements for Neighbor Lane and the placement of any required landscaping outside the ultimate right-of-way limit for MD 202 and the provision of the required landscape strip inside the ultimate right-of-way (as to the Alternative Compliance) be addressed prior to site plan approval.

Trails—In a memorandum dated April 27, 2009, the trails coordinator stated that there are no trails-related master plan issues included in the May 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* that would impact the subject application. Additionally, with respect to sidewalk connectivity, he stated that the State Highway Administration had recently installed a decorative sidewalk and crosswalks along the project's Landover Road frontage to accommodate pedestrians in this heavily travelled corridor. However, Neighbor Lane and Otis Avenue, which are currently open section, with no sidewalks need to be provided with five-foot sidewalks. Additionally, a sidewalk connection to the existing building is needed. The trails coordinator, noting the provision of such walk ways on

the plans, stated support of the proposed sidewalk improvements.

Permits—In a memorandum dated November 12, 2008, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Environmental Planning—In a memorandum dated August 15, 2007, the Environmental Planning Section stated no objection. The site is exempt from the Woodland Conservation Ordinance. No noise mitigation required because no residential uses are proposed.

Department of Public Works and Transportation (DPW&T)—In a memorandum dated January 5, 2009, DPW&T offered the following:

- a. Right-of-way dedication and frontage improvements in accordance with DPW&T's urban secondary residential road standards are required on Neighbor Lane and Otis Avenue, not on vacated 62nd Avenue on the west of the property.
- b. Full-width, two-inch mill and overlay for all County roadway frontages is required. The plan is consistent with approved Stormwater Management Concept Plan 50393-2006-00, dated February 22, 2007.
- c. All storm drainage systems and storm drainage facilities must be designed in accordance with DPW&T's specifications and standards.
- d. Sidewalks are required along all roadways in accordance with Sections 23-135 and 23-135 of the County Road Ordinance and the Americans with Disabilities Act (ADA)
- e. A soils investigation report, which includes subsurface exploration and a geotechnical engineering evaluation for the proposed stormwater management structures, is required.
- f. DPW&T has no objection to the proposed variance to increase the lot coverage; DPW&T objects, however, to the proposed reduction of parking spaces from 90 to 51.

DPW&T subsequently, in an e-mail dated May 15, 2009, updated and corrected its comments to reflect that they could support a departure of three spaces, providing 47 of the spaces on-site instead of the required 50. Further, they stated that although they could not give an exact accounting of the amount of right-of-way dedication that would be required on Neighbor Lane and Otis Street, that some would be required so as to provide the required 25 feet from center line. Additionally, they stated that they suspected that there may be inaccuracies in the detailed site plan as drawn because the frontage property line and property line were not coincident, and some of the street pavement is not shown within the existing right-of-way. In closing, DPW&T asked that the applicant to visit the DPW&T's offices to clarify these issues. A proposed condition below would require the applicant to obtain confirmation from DPW&T that the right-of-way lines are shown correctly on the DSP.

State Highway Administration (SHA)—In a memorandum dated January 27, 2009, SHA stated the following:

- a. The subject property is located on a state-maintained, six-lane divided arterial-MD 202, Landover Road, with a posted speed limit of 40 miles per hour. The annual average daily trip volume at this location is 30,642 vehicles per day.

- b. Access to this church is via one existing forty-four-foot-wide access point along Neighbor Lane approximately 200 feet north of Landover Road, and a relocated 25-foot-wide access along Otis Avenue approximately 115 feet west of Neighbor Lane.
- c. Neighbor Lane and Otis Street are maintained by DPW&T and relocation of the driveway along Otis Avenue must be coordinated with that office.
- d. The applicant proposes 51 instead of 90 spaces required by County regulation and SHA is concerned that the deficit will result in an overflow of parking within the community.
- e. Based upon the size, scope and potential trip generation of this development, M-NCPPC may determine a traffic impact study including a parking study or traffic data is necessary to provide an adequate measure of mitigation.
- f. SHA has no comment regarding Variance Request VD-06040.

Comment: The magnitude of the reduction was subsequently reduced to a departure from a parking requirement of 50 by three. The magnitude was reduced by limiting the seats in the sanctuary of the church to 200. DPW&T has been asked if they would like to revise their comments, but no response has yet been received. M-NCPPC did not require a traffic study. Please see above comments in Finding 10 under “Transportation”.

Prince George’s County Fire/EMS: At the time of this writing, staff has not received comment from the Prince George’s County Fire/EMS Department.

Potomac Electric Power Company (PEPCO)—In undated comments, PEPCO stated that there are existing PEPCO facilities on the property that were built and are owned and maintained by the customer. As part of this project, the customer will be required to connect a conduit to the pole and that the customer must provide space for the transformer and allow access to the electric controls within the building.

Washington Suburban Sanitary Commission (WSSC)—In a memorandum dated November 14, 2008, WSSC stated that the subject site is already being served by water and sewer.

Town of Cheverly—On May 10, 2009, David Warrington, on behalf of the Town of Cheverly, stated that they would not be commenting on the subject project.

Town of Landover Hills—On April 27, 2009, Kathleen Tavel, on behalf of the Town of Landover Hills, stated that they would not be commenting on the subject project.

Town of Bladensburg—On December 23, 2008, Chief Moss, on behalf of the Town of Bladensburg, stated that they would not be commenting on the subject project.

11. **Urban Design Analysis:** A church of the requested magnitude is somewhat out of scale and too intense for the site or the surrounding residential-land use context. Therefore, to lessen the impacts of the church on the surrounding area and to create a better fit with its surrounding land use context, staff recommends that the size of the congregation to be accommodated at the church be reduced, the site reconfigured and more landscaping and less asphalt paving be provided. A modest amount of paved parking spaces on the site, such that the total lot coverage on the site is

reduced to 50 percent, would eliminate the need for a variance. Recommended conditions below would accomplish these objectives. In summary, staff believes that the required findings of Section 27-230(a) of the Zoning Ordinance cannot be made for Variance Request VD-06040 for an increase in the lot coverage from 50 to 57.5 percent.

12. As required by Section 27-285(b) of the Zoning Ordinance, the subject application represents 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, if approved subject to the conditions contained in the recommendation section of this report.

RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Urban Design staff recommends that the Planning Board adopt the findings of this report and APPROVE Detailed Site Plan DSP-06040, Departure from Parking and Loading Standards DPLS-326, and Alternative Compliance AC-08037, and DISAPPROVE Variance Request VD-06040 for Iglesia Casa de Gracia y Fe (formerly known as Bethel Church of Washington), subject to the following conditions:

1. Prior to certificate approval of the project, the applicant shall revise the plans as follows and/or submit the following documentation:
 - a. Applicant shall include a north arrow on the landscape plan.
 - b. Applicant shall add information regarding ownership, land use and zoning to the parcels surrounding the subject project as reflected on the landscape plan to the detailed site plan, and shall add this information for the land directly across MD 202 to the south of the site.
 - c. Applicant shall correct the parking schedule to indicate no requirement for compact spaces as their inclusion in a site design is optional.
 - d. Applicant shall include a note on the site and landscape plans that states: "No signs have been approved as part of the subject application. Any signs for the site shall be applied for separately in an application submitted for the Planning Board's review and approval."
 - e. Applicant shall provide bollards four feet on center around the playground area specified at the northern end of the church. Details of design and placement of such bollards shall be approved by the Urban Design Section as designee of the Planning Board.
 - f. Applicant shall provide detailed color elevation drawings of the decorative fence for approval by the Urban Design Section as designee of the Planning Board.
 - g. Applicant shall provide written confirmation from DPW&T that property boundaries shown on the detailed site plan are consistent with DPW&T's records of street dedications and public right-of-way plats.
 - h. Applicant shall provide written permission from SHA to install landscaping as indicated on the plans within the ultimate right-of-way of Landover Road (MD 202).
 - i. Applicant shall modify the striping of parking spaces on the site to the maximum number that can be accommodated by 50 percent lot coverage. Final design of the access ways

and parking areas shall be approved by the Urban Design Section as designee of the Planning Board. Maximum seating capacity of the church shall be indicated on the plans based on the total number of parking spaces that can be accommodated on the available pavement, after it is reduced to produce 50 percent lot coverage.

- k. The site plan shall indicate that 883 square feet of impervious surface shall be removed from the site to reduce the lot coverage to 22,063.5 square feet, or 50 percent, and shall revise the landscape plan to include a variety of additional plantings in the 883 reclaimed square feet. The final design of said landscaping shall be approved by the Urban Design Section as designee of the Planning Board.