

R E S O L U T I O N

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 April 19, 2012, regarding Detailed Site Plan DSP-97001/01 for Queen's Chapel Manor, the Planning Board finds:

1. **Request:** The subject application requests approval of a 5,907-square-foot addition to an existing 6,588-square-foot church for a total 12,495-square-foot church building.

2. **Development Data Summary:**

	EXISTING	APPROVED
Zone	R-55/D-D-O	R-55/D-D-O
Use(s)	Church	Church
Acreage	1.03	1.03
Site Square Footage/GFA	6,976*	12,831*

*Includes the primary church structure and a 336-square-foot shed.

Other Development Data:

	REQUIRED	APPROVED
Parking spaces for a 164 seat church (1 space per 4 seats)	41 spaces	41 total on-site spaces (27 standard) (2 handicap) (12 compact)

A schedule on the applicant's site plan indicates that no additional church functions are to occur at the same time church service is in session; therefore, the minimum number of parking spaces required are to serve the church sanctuary. A note to this effect shall be placed on the site plan.

3. **Location:** The site is in Planning Area 68, Council District 2. More specifically, it is located at 3100 Nicholson Street in the City of Hyattsville, on the north side of Nicholson Street at its intersection with 31st Avenue.
4. **Surrounding Uses:** The subject site is surrounded to the north and east by Board of Education-owned property, to the southeast by Nicholson Street, and to the west by 31st Avenue. The surrounding area beyond the Board of Education-owned property is residential. Across Nicholson Street are single-family homes located in the One-Family Detached Residential (R-55) Zone, as is the subject site.

5. **Previous Approvals:** Site plan notes indicate that the church use commenced on the subject property on August 26, 1959. The church was originally constructed without a surface parking lot. On April 17, 1997, DSP-97001 was approved for a 39-space surface-parking lot to serve 130 seats within the then existing Chinese Baptist Church. Grading and Use Permit 954896-GU was issued for the site on December 18, 1997.
6. **Design Features:** The existing church building is a two-story primarily brick-clad building with a gable roof. The primary vehicular and pedestrian entrances into the existing church are from Nicholson Street. The existing church building includes a sanctuary space on the lower level, which seats 179 people, and classrooms, a fellowship hall, and a kitchen are provided on the second level.

The subject revision proposes a two-story addition on the north and east side of the existing building. The addition will house the fellowship hall with kitchen on the lower level and office space on the second level. The sanctuary space will remain within the existing church without expansion. The applicant proposes to reduce the seats in the sanctuary from 179 seats to 164 seats to provide adequate on-site parking for the proposal.

The submitted architectural plans and elevations indicate that the addition will have a curved exterior, as viewed from the southwest. The materials will be light grey stucco and brick. Stucco is proposed along the roofline of the addition and within the pilasters. Recessed brick is proposed in areas between the pilasters. The building addition's form and proposed materials offer visual variety while maintaining compatibility with the existing building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **The 2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District:** The subject property is located within the Traditional Residential Neighborhood (TRN) character area of the *2004 Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. Two salient distinctions with respect to the applicability of the plan are that a church use is generally prohibited in the TRN character area and, in this case, Zoning Ordinance requirements replace the development district standards of the Gateway Arts District Sector Plan and Sectional Map Amendment (SMA).

Per the 2004 Gateway Arts District Sector Plan and SMA, a church is not a permitted use within the TRN character area. However, the church use commenced on the subject property on August 26, 1959, and the church has maintained a valid use and occupancy permit since the date of approval of the sector plan. On page 140, the plan states:

3. **Legally Existing Development. Until a site plan is submitted, all buildings, structures and uses that were lawful or could be certified as a legal**

nonconforming use on the date of the SMA approval are exempt from the development district standards and from site plan review and are not nonconforming. *If expansion of the use on the existing site is proposed, a site plan would be required and all expansion would need to conform in order to meet the development standards. [emphasis added]*

Furthermore, page 141 states in part:

8.b. ...a property owner may not expand a certified nonconforming use, or a use or structure that was lawful on the date of the SMA approval but does not conform to the standard, *unless a detailed site plan is approved with findings that the expansion is compatible with adjacent uses and meets the goals of the sector plan. [emphasis added]*

In addition, Footnote 2 on page 144 of the sector plan states that R-55-zoned properties within the TRN character area within the incorporated City of Hyattsville are exempt from the development district standards and will abide by the requirements of the R-55 Zone.

The Planning Board finds that the subject property, including its use as a church and the building, was a legally existing development on the date of SMA approval. The applicant proposes to expand the building by approximately 5,907 square feet, 89.6 percent of the existing building's gross floor area (GFA); therefore, a detailed site plan is required.

8. **Zoning Ordinance:** The Planning Board finds that the subject application complies with the requirements in the One-Family Detached Residential (R-55) and Development District Overlay (D-D-O) Zones and the site plan design guidelines of the Zoning Ordinance.

a. Section 27-441, Table of Uses, governs permitted uses in residential zones. Churches on lots between one and two acres are a permitted use in the R-55 Zone subject to detailed site plan approval.

The subject application is also governed by the applicable use table of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*. The expansion of this use that was lawful on the date of the SMA is also permitted with detailed site plan approval.

b. The Zoning Ordinance sets forth additional requirements for churches in the R-55 Zone. Those additional regulations are found in sections 27-441 and 27-442, as follows:

(1) Section 27-441, Footnote 52, states the following additional requirements for the subject use:

**Section 27-441(b). Table of Uses.
Footnote 52**

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. 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;

The Planning Board finds that the 25-foot setback required by the Zoning Ordinance is maintained with the church addition; however, there are some existing site conditions that do not meet the 25-foot setback. There is an existing variable height keystone retaining wall in the church's side yard. A sixteen-foot segment of this wall is between 6 feet and 7 feet 2 inches. While a retaining wall is not a "building," "structures" are typically required to meet required setbacks pursuant to Section 27-107.01(a)(207), Definitions. However, the Planning Board finds that the existing retaining wall does not require a variance because the retaining wall is largely below grade and there is no impact, or visibility, of the wall on the adjacent property. The retaining wall is only visible from the subject site.

(B) When possible, there should be no parking or loading spaces located in the front yard; and

The Planning Board finds that the site plan conforms to the above requirement. No parking or loading spaces are considered to be located in the front yard of the church.

(C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.

The permitted lot coverage for a church located on a lot between one and two acres within the R-55 Zone is 50 percent. The detailed site plan indicates 40.92 percent lot coverage, conforming to the above requirement.

(2) Section 27-442 of the Zoning Ordinance contains additional regulations for development in residential zones. The following provision warrants discussion:

Section 27-442(f): Table V – Building Height (Maximum in Feet, Main Building) All allowed uses: 35 feet

Section 27-442 of the Zoning Ordinance states that the maximum building height in the R-55 Zone is 35 feet. There is an additional applicable footnote (Footnote

12), which was adopted on July 21, 2011, pursuant to County Council Bill CB-14-2011 and states:

Footnote 12 The height of churches or similar places of worship may be increased to eighty (80) feet, provided that, for each one (1) foot increase in height, every yard is increased by one (1) foot.

The building height is noted on the site plan to be 33.9 feet, in conformance with the above requirements.

- c. The Planning Board finds that the site plan conforms to the design guidelines of Section 27-274 of the Zoning Ordinance.
- d. Parking and loading standards for the subject site are governed by Part 11 of the Zoning Ordinance. The surface parking lot was constructed subsequent to the approval of Detailed Site Plan DSP-97001 to more adequately meet the needs of the then existing 130-seat church. The subject site plan revision was originally submitted indicating 179 seats in the church and a parking lot with 39 spaces, whereas 45 spaces would be required. The application has since been revised to reduce seating in the sanctuary and restripe the parking lot to provide adequate parking for the subject proposal.

The Planning Board finds that the applicant may in the future be able to take advantage of Section 27-586(a), Reduced parking requirements for churches, which allows churches to provide up to thirty percent of their parking requirement off-site, provided the following:

- (1) **The lot upon which the church is located is within five hundred (500) feet of any 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.**

If the church is able to secure an off-site parking agreement as described above, then up to thirty percent of the parking requirement may be provided off-site and the number of seats permitted within the sanctuary may be increased. If an off-site parking agreement is reached in accordance with Section 27-586, and the church desires at that time to increase its enrollment, the applicant may submit a revision to the DSP to increase the number of seats permitted for review by the Planning Board, or its designee, with referral to the City of Hyattsville.

- e. The Planning Board finds that the proposal conforms to Section 27-548.25, Site Plan Approval, which gives the following additional considerations for sites in development districts:

Section 27-548.25(b)

In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.

The Planning Board finds that no development district standards apply to the subject site, pursuant to Footnote 2 on page 144 of the sector plan, which states that R-55-zoned properties within the TRN character area within the incorporated City of Hyattsville are exempt from the development district standards and will abide by the requirements of the R-55 Zone.

Section 27-548.25(e)

If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.

The Planning Board finds that the subject application requires one departure. No separate application has been required. See Finding 12 for additional findings regarding the departure request.

9. **The Prince George's County Landscape Manual:** As approved with conditions, the site conforms to the requirements of Section 4.2, Requirements for Landscape Strips Along Streets; Section 4.4, Screening Requirements; and Section 4.9, Sustainable Landscaping Requirements of the 2010 *Prince George's County Landscape Manual*. The adjacent Board of Education-owned property is compatible in use to the subject site; therefore Section 4.7, Buffering Incompatible Uses, of the 2010 *Prince George's County Landscape Manual* does not apply. The existing parking lot is not being expanded; therefore the provisions of the 1990 *Prince George's County Landscape Manual* apply to the parking lot.

Section 4.2, Requirements for Landscaped Strips along Streets, specifies that for all nonresidential uses in any zone and for all parking lots, a landscape strip shall be provided on the property abutting all public and private streets. The subject site has frontage on 31st Avenue and Nicholson Street. Overhead utilities exist along the 31st Avenue frontage; therefore, the Planning Board finds that some substitution of ornamental trees for the required shade trees is warranted along 31st Avenue. The provided Section 4.2 landscape schedules indicate a shortage of the required shrubs along both street frontages. These required shrubs of appropriate plant species shall be provided; or if there is a physical site constraint that prevents the site from providing the required plant material, then the applicant shall submit an Alternative Compliance application for

review and approval by Planning Director, prior to signature approval of the detailed site plan. The landscape plan shall be prepared by a registered landscape architect in the State of Maryland and the design of the plantings shall meet the guidelines contained in the 1990 and 2010 *Prince George's County Landscape Manual*.

There are a few technical revisions needed to the submitted landscape plan prior to signature approval, so that it is clearer that the requirements of the 1990 and 2010 *Prince George's County Landscape Manual* have been met. Those required plan revisions are included in the conditions of this resolution.

10. **Woodland and Wildlife Habitat Conservation Ordinance:** The Planning Board finds that this project is grandfathered from the requirements of Subtitle 25, Division 2 which became effective September 1, 2010. The site is subject to the Woodland Conservation Ordinance because it has a previously approved Type II Tree Conservation Plan (TCPII/101/96). The proposed DSP conforms with the approved TCPII. No changes to the TCPII are required at this time.
11. **Tree Canopy Coverage Ordinance:** The Tree Canopy Coverage Ordinance came into effect on September 1, 2010. The Tree Canopy Coverage Ordinance requires a minimum percentage of tree canopy coverage on properties that require a tree conservation plan or letter of exemption. Properties zoned R-55 are required to provide a minimum of fifteen percent of the gross tract area in tree canopy. The application demonstrates conformance with the tree canopy coverage requirements as follows:

	REQUIRED	APPROVED
Tree Canopy	6,730 sq. ft.	9,247 sq. ft.

Revisions to the landscape plan are necessary prior to signature approval. Once the landscape plans are revised, an updated Tree Canopy Coverage schedule shall be provided to accurately reflect the proposed plant materials. Even with revisions, the landscape plan is expected to exceed the Tree Canopy Requirements.

12. **Departure from Parking and Loading Spaces:** The subject site requires a departure from parking and loading spaces. As the site is located within a development district, no separate application has been required for the departure from parking and loading space request. Section 27-548.25(e) states:

If a use would normally require a variance or departure, separate application shall not be required, but the Planning Board shall find in its approval of the site plan that the variance or departure conforms to all applicable Development District Standards.

The Planning Board finds that as the site is an R-55-zoned property within the TRN character area within the incorporated City of Hyattsville, it is exempt from the development district standards and is required to abide by the requirements of the R-55 Zone in the Zoning Ordinance.

The site complies with the parking and loading requirements and required findings for approval of a departure contained in the Zoning Ordinance, as follows:

Per Section 27-582, Schedule (number) of spaces required, generally, institutions between 10,000 and 100,000 square feet are required to provide one loading space. Churches are considered institutions, and the subject expanded church will be 12,831 square feet; therefore one loading space is required. The applicant requests a departure from the loading space requirement, because the church does not believe that the size of the congregation necessitates deliveries by large trailers. The applicant's justification states that items and supplies are delivered by smaller vans such as UPS and /or Fed Ex.

Section 27-588(b)(7) of the Zoning Ordinance contains the following required findings for departure applications:

(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;

Section 27-550. Purposes

(a) The purposes of this Part 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 Planning Board finds that the purposes of off-street parking and loading standards will be met by the subject proposal. Sufficient off-street parking will be provided. The Planning Board concurs with the applicant's assertion that the building expansion, which will not increase the size of the main sanctuary space, will likely not necessitate the additional need for loading.

The church has functioned for decades without a delineated loading space. No problems have been noted, and experience has demonstrated that the church can function effectively without a loading space. Thus, the elimination of the loading space requirement will have no negative effects on the residential character of the residential areas adjacent to the site. And, as discussed in the City of Hyattsville's referral comments, the City, Mayor, and Council will not permit loading on the adjacent residential streets. The church's continued use of small vans for deliveries, vehicles for which a formal loading space has proven unnecessary for years, is consistent with maintaining the residential character of the adjacent streets, and the compatibility of the subject proposal with adjacent residential areas. The Planning Board finds that the applicant's departure request is entirely consistent with the purposes of this Part.

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

The Planning Board finds that as only one loading space is required on this site, the departure of one loading space 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 alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;

The Planning Board finds that the departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location. The church is located in a residential area. If a loading space were required on the subject site, it would be difficult to provide the loading space in a way that meets the design or location guidelines for loading referenced in Section 27-579. Loading spaces and their vehicular access drives are not permitted within 50 feet of any residential zone; however the only vehicular access drive on the site is located within 50 feet of residentially-zoned property. This makes the property as presently constructed unsuitable for a formal loading space as currently required by the Zoning Ordinance.

(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

There is only one method for calculating the number of loading spaces required. Institutions between 10,000 and 100,000 square feet are required to provide one loading space. The square footage of the subject application is on the smaller side of this spectrum (12,831 square feet) and the Planning Board finds that the building expansion, which will not increase the size of the main sanctuary space, will likely not necessitate the additional need for loading.

Furthermore, providing a loading space on the site that meets the requirements of the Zoning Ordinance is impractical, because loading spaces and access to loading spaces are not permitted within 50 feet of residential zones.

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

Based upon the history of the site, granting the departure will have no effect on the parking and loading needs of the adjacent residential area.

The Planning Board approve the departure request.

13. **Further Planning Board Findings and Comments from Other Entities:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

a. **Community Planning**—The Planning Board finds that the application is consistent with the 2002 General Plan Development Pattern policies for the Developed Tier, and conforms to the land use recommendations for the Traditional Residential Neighborhood (TRN) character area of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District*.

b. **Environmental Planning**—The Planning Board adopts the following finding:

This 1.03-acre site in the R-55 Zone is located in the northeast quadrant of Nicholson Street and 31st Avenue. A review of the available information indicates that streams, wetlands, 100-year floodplain and severe slopes are not found to occur on the subject property. There are no traffic-generated noise sources nearby. The soil found to occur according to the *Prince George's County Soil Survey* is Sunnyside Urban Land Complex. Sunnyside soils have no limitation with respect to development. According to available information, Marlboro clay is not found to occur on this property. According to information obtained from the Maryland Department of Natural Resources Natural Heritage Program, there are no rare, threatened, or endangered species found to occur in the vicinity of this property. There are no designated scenic and historic roads adjacent to this property. This property is located in the Northwest Branch watershed of the Anacostia River basin and in the Developed Tier as reflected in the General Plan.

c. **Transportation Planning**—The Planning Board finds that there are no identified transportation issues with the subject proposal. The site access and circulation are to remain as they exist. There are no prior applications that limit the site within a trip cap or some other means.

d. **Subdivision Review**—The Planning Board adopts the following finding:

The subject property is located on Tax Map 41, in Grid F-3 and is known as Lot 1. The property is approximately 1.03 acres of land and is zoned R-55. The property originally was part of block 7 evidenced by record plan BB 12@73, recorded among the land records of Prince George's County in 1947. The property was subdivided by deed prior to January 1, 1982 and is evidenced in Liber 1454 at Folio 20. This subdivision is further evidenced in record plat WWW 33@23 recorded in land records on August 25, 1953.

A preliminary plan of subdivision is not required for the subject property pursuant to Section 24-107(c)(7)(D) of the Subdivision Regulations:

(D) The development of more than five thousand (5,000) square feet of gross floor area, which constitutes at least ten percent (10%) of the total area of the site, has been constructed pursuant to a building permit issued on or before December 31, 1991.

To ensure that the exemption will apply to the future development of the site and if the applicant proposes to raze any existing structure in the future, the applicant should consider filing a final plat for the site in accordance with Section 24-107(c)(7)(D) and Section 24-108(a)(3) to adjust the common property lines of the two lots subdivided by deed prior to January 1, 1982.

- e. **Permit Review**—The Permit Review Section's comments have been addressed through revisions to the plan and in the conditions of this approval.
- f. **Department of Public Works and Transportation (DPW&T)**—In a letter dated February 7, 2011, DPW&T indicated that the adjacent roadways are not County-maintained, as they are within the City of Hyattsville, and coordination with the City of Hyattsville is required. DPW&T also stated that the proposed site development plan is consistent with approved DPW&T Stormwater Management Concept Plan 8003430-1997 dated December 19, 1996. The Planning Board adopts the above finding.
- g. **Prince George's County Health Department**—In a memorandum dated March 27, 2012, the Environmental Engineering Program of the Prince George's County Health Department provided a health impact assessment for the subject site, and recommended that dust and noise control procedures be implemented during the construction phases of the project.
- h. **City of Hyattsville**—On Wednesday, December 7, 2011, the City of Hyattsville's Mayor and Council met to consider the proposed detailed site plan and departure request associated with the proposed expansion of the West Hyattsville Baptist Church, located at 3100 Nicholson Street, Hyattsville.

The Council voted unanimously to support the proposed building modifications specifically intended to provide greater accessibility for members of the congregation. The City also supports the applicant's request to eliminate the requirement of a loading space, and stated that if the church is in need of a dedicated loading area in the future, it should be restricted to take place within the church parking lot.

The subject application originally requested permission from the City to provide on-street parking spaces to meet the church's parking requirement. The City of Hyattsville did not support a waiver to permit on-street parking on Nicholson Street or 31st Avenue, as these streets are within a posted residential parking zone.

The Planning Board finds that the revised site plan eliminates on-street parking from the proposal. Currently all required parking is provided on-site. The surface parking lot was originally constructed to provide 39 parking spaces. The applicant proposes to restripe the existing parking lot to maximize the number of spaces provided. In total 41 spaces can be provided on-site. The applicant shall also reduce the number of seats in the church sanctuary, until the applicant is able to secure an offsite parking agreement.

The City also recommended approval of a variance from setback requirements due to the height of the existing retaining wall. However, the Planning Board determines that no variance is required for the existing wall location.

14. Based upon the foregoing analysis and as required by Section 27-285(b) of the Zoning Ordinance, the Planning Board finds that 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.
15. As required by Section 27-285(b)(4) of the Zoning Ordinance, which became effective on September 1, 2010, a required finding for approval of a detailed site plan is as follows:

The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

It is not necessary to make this finding in this case as there are no regulated environmental features on the site.

16. The Planning Board finds that as required by the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George's County Gateway Arts District* (page 141, 8.b.), the church expansion is compatible with adjacent uses and meets the goals of the sector plan.

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-97001/01, subject to the following conditions:

1. Prior to certificate approval of this detailed site plan, the applicant shall revise the plans for the project as follows or provide the information specified:
 - a. The applicant shall add a note to the plan stating: “This site is located within the area covered by the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District Traditional Residential Neighborhood (TRN)* character area in the One-Family Detached Residential (R-55) Zone. The use is allowed per the Applicability Section of the Gateway Arts District Sector Plan and Sectional Map Amendment and valid Grading and Use Permit 954896-GU.”
 - b. Plan notes shall be revised to state that the proposed use is “Church”.
 - c. General note 31 shall be revised to state the existing and proposed gross floor area.
 - d. General note 36 shall be revised to state “Development District Standards do not apply to the subject site per Footnote 2 on page 144 of the 2004 *Approved Sector Plan and Sectional Map Amendment for the Prince George’s County Gateway Arts District.*”
 - e. The applicant shall provide a note stating that no additional church functions are to occur at the same time the main sanctuary is occupied.
 - f. Revise the Section 4.2 landscape schedules to provide the number of shrubs required by the 2010 *Prince George’s County Landscape Manual*, or submit an Alternative Compliance application for review and approval by the Planning Director.
 - g. Revise the Section 4.3(b) schedules to indicate the linear feet of parking lot perimeter, and the correct number of plant materials required and provided, in conformance with the requirements of the 1990 *Prince George’s County Landscape Manual*.
 - h. One additional shade tree shall be provided in an interior planting area to meet the requirements of Section 4.3(c) for a total of 3 shade trees provided.
 - i. The height of the keystone trash enclosure shall be a minimum of 6 feet.
 - j. Revise the Section 4.9 schedule to accurately account for all of the proposed plant materials.
 - k. Provide an updated Tree Canopy Coverage schedule to accurately account for all of the proposed trees.
 - l. The applicant shall submit a landscape plan that has been prepared and signed by a registered landscape architect in the State of Maryland.

- m. A site plan note shall be provided stating that dust and noise control measures will be implemented during the construction process, as determined necessary by the Department of Environmental Resources (DER) or the Department of Public Works and Transportation (DPW&T), to reduce the impact of the construction on adjacent residential properties.
- 2. If an off-site parking agreement is reached in accordance with Section 27-586 of the Zoning Ordinance, the applicant may submit a revision to the subject detailed site plan to increase the number of seats permitted for review by the Planning Board, or its designee, with referral to the City of Hyattsville.

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 Washington, seconded by Commissioner Bailey, with Commissioners Washington, Bailey, Shoaff, Squire and Hewlett voting in favor of the motion at its regular meeting held on Thursday, April 19, 2012, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 10th day of May 2012.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj