

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 January 14, 2016, regarding Detailed Site Plan DSP-12048 for Christ Apostolic Church, the Planning Board finds:

1. **Request:** The subject application is a request to convert a single-family dwelling in the One-Family Detached Residential (R-80) Zone to a 24-seat church with associated parking and to erect a sign on the site.
2. **Development Data Summary:**

	EXISTING	APPROVED
Zone(s)	R-80	R-80
Use(s)	Single-Family Residence/ Church	Church
Acreage	1.0	1.0
Lots	1	1
Total Gross Floor	2,488 sq. ft.	2,488 sq. ft.

Parking Required:

Church	6
(1 parking space per 4 seats or 6 spaces for 24 seats)	

Total Parking Required:	6
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Total Parking Provided:	6
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Loading Spaces Required: 0
(one space for 10,000–100,000 square feet of GFA)

Loading Spaces Provided: 0

3. **Location:** The subject property is located on the south side of Riverdale Road, at its intersection with Chestnut Avenue, between Veterans Parkway (MD 410) and Finns Lane, approximately one mile east of the intersection of Riverdale Road and the Baltimore Washington Parkway (MD 295). The area includes large wooded single-family lots to the south on Riverdale Road and apartment complexes to the north and west of the site.

4. **Surrounding Uses:** The property is bounded to the north by Riverdale Road; to the east by a single-family detached residence; to the south by a vacant wooded property; and to the west by a Potomac Electric Power Company (PEPCO) public utility/office building. All of the surrounding land uses are located in the R-80 Zone.
5. **Previous Approvals:** There are no previous Prince George’s County Planning Board approvals of relevance to the subject review. The subject property is composed of part of Lot 5, Block M – Wildercroft. The record plat was recorded in 1909 as Plat RNR 2-11 in the County Land Records. The property is located on Tax Map 43 in Grid C-3. The existing structure is currently being used as a church.
6. **Design Features:** The property is a rectangular parcel and is accessed directly from Riverdale Road. The property is currently developed with a 2,488 gross floor area, two-story, single-family dwelling and garage that is to be used for storage.

A sign that reads “Christ Apostolic Church Miracle Center” is located at the 25-foot setback advertising church services. The sign is 20 square feet, according to a detail provided on the plan, which appears to be within the approximately 40 square feet permitted by the Prince George’s County Zoning Ordinance. An asphalt driveway connects to the area used for parking.

With the subject detailed site plan (DSP), the applicant proposes to validate the existing church operating within a former single-family residence.

7. **Prince George’s County Zoning Ordinance:** The Planning Board reviewed the subject project against the relevant requirements of the Zoning Ordinance and found it in compliance. More particularly, with respect to Section 27-441(b), Table of Uses, the proposed church is a permitted use in the R-80 Zone, and the site design guidelines of the Zoning Ordinance are as follows:
 - a. The subject application is in conformance with the requirements of Section 27-441(b), which governs permitted uses in residential zones. The proposed church, which is located on a lot between one and two acres in size, is a permitted use subject to Footnote 52, which governs the development of churches on the above-referenced lots, with DSP approval.
 - b. The DSP is in general compliance with the requirements of Section 27-442, Regulations, for development in the R-80 Zone.
8. **2010 Prince George’s County Landscape Manual:** The site, as a conversion to a church use, is subject to the requirements of the 2010 *Prince George’s County Landscape Manual* (Landscape Manual). The site is subject to Section 4.2, Parking Lot Requirements; Section 4.4, Screening Requirements; Section 4.7, Buffering Incompatible Uses; and Section 4.9, Sustainable Landscaping Requirements, of the Landscape Manual because it involves a change of use from a lower to higher intensity on the subject property. The following standards apply:

- a. **Section 4.2, Landscape Strips Along Streets**—The site is subject to Section 4.2, which requires that, for all nonresidential uses, a landscape strip shall be provided on the property abutting all private and public streets. A landscape schedule has been provided for the bufferyard required along Riverdale Road that indicates compliance with the Landscape Manual requirements.
- b. **Section 4.4 Screening Requirements**—Section 4.4 requires that all dumpsters, loading spaces, and mechanical areas be screened from adjoining residential uses, land in any residential zone, and constructed public streets. The site plan does not show any dumpsters, loading spaces, or mechanical equipment that would trigger compliance with this requirement.
- c. **Section 4.7, Buffering Incompatible Uses**—The applicant has filed a request for alternative compliance from Section 4.7, Buffering Incompatible Uses, along the eastern property line for encroachments of the existing/proposed driveway and parking lot into the required landscape yard.

REQUIRED: 4.7 Buffering Incompatible Uses, along the eastern property line, adjacent to single-family detached.

Length of bufferyard	248 feet
Minimum building setback	40 feet
Landscape yard	30 feet
Fence or wall	Yes, six-foot-high, board-on-board
Percent with Existing Trees	40%
Plant Units (120 per 100 l.f.)	179

PROVIDED: 4.7 Buffering Incompatible Uses, along the eastern property line, adjacent to single-family detached.

Length of bufferyard	248 feet
Minimum building setback	52 feet
Landscape yard	0–30 feet
Fence or wall	Yes, six-foot-high, board-on-board
Percent with Existing Trees	40%
Plant Units (80 per 100 l.f.)	125

Justification of Recommendation

The applicant is requesting Alternative Compliance from Section 4.7, Buffering Incompatible Uses, along the eastern property line, adjacent to a single-family detached residence. A Type “C” landscape buffer inclusive of a 40-foot-wide building setback and a 30-foot-wide landscape yard would normally be required to buffer the proposed church

use from an adjacent residentially used property. The applicant is proposing to provide a 40-foot building setback and a zero to 30-foot-wide landscape yard with 95 of the 179 required plant units, in combination with a six-foot-high screen fence. The existing driveway on the subject property is located entirely within the required 30-foot-wide landscape buffer for a distance of approximately 160 feet. For the purpose of commercial entry from the right-of-way, only the driveway entrance location is proposed to be shifted approximately ten feet to the west and the entire driveway is proposed to have new asphalt surfacing. The applicant is proposing to provide three additional shade trees on the west side of the proposed driveway to enhance the proposed buffering. A portion of the proposed parking lot to serve the church also encroaches into the required landscape yard by approximately 10 feet for a distance of 85 feet.

There is an apparent connecting driveway between the subject property and the property to the east where there is no proposed landscape yard width and a proposed opening in the six-foot-high screen fence to maintain the connection. Although the plans indicate a shared driveway, the applicant has not demonstrated that any private easement agreement exists on the subject property, which would not withstand the newly proposed use and requirement for a landscape yard. Given that the proposed use of the subject property is a greater impact to the adjacent eastern property, and in an effort to protect the incompatible uses, both now and for future owners, the Alternative Compliance Committee recommends that the proposed asphalt driveway be shifted to leave a minimum width of eight feet from the eastern property line where the proposed fence shall continue uninterrupted and an additional three shade trees may be planted.

The recommendations would result in an increase to 155 plant units, inclusive of the shade trees proposed on the west side of the driveway, with an uninterrupted screen fence, whereas 179 plant units are normally required. With the recommended revisions, the Alternative Compliance Committee finds the proposed alternative compliance measures to be equally effective as normal compliance with Section 4.7 of the Landscape Manual along the eastern property line.

During the review of the proposed landscape plan, some technical errors were found which should be corrected prior to certification of the DSP, and those corrections have been included below as recommended conditions of approval.

Recommendation

The Planning Director recommends APPROVAL of Alternative Compliance for Section 4.7, along the eastern property line, of the 2010 *Prince George's County Landscape Manual*, for Christ Apostolic Church Miracle Center, Part of Lot 5, subject to the following conditions:

- (1) Prior to certification of Detailed Site Plan DSP-12048, the applicant shall revise the landscape plans to:
 - (a) Relocate the asphalt driveway a minimum of eight feet from the eastern property line and, in its place, provide a landscape yard with three additional shade trees.
 - (b) Show the proposed six-foot-high board-on-board fence to continue along the entire eastern landscape yard without interruption.
 - (c) Indicate in all applicable landscape schedules that the subject property is in the Developed Tier.
 - (d) Correct the Section 4.2 schedule to show the linear frontage of the subject property as 132 feet and correct the required landscaping accordingly. The provided landscaping shall be revised to meet the minimum requirements.
- d. **Section 4.9, Sustainable Landscaping Requirements**—The site is subject to Section 4.9, which requires that a percentage of the proposed plant materials be native plants. The schedule provided shows that the native plant requirements are being met.
9. **Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance:** The subject project is exempt from the requirements of the Prince George’s County Woodland and Wildlife Habitat Conservation Ordinance, as it does not involve in excess of 5,000 square feet of land disturbance.
10. **Prince George’s County Tree Canopy Coverage Ordinance:** The subject project is exempt from the requirements of the Tree Canopy Coverage Ordinance, as it does not involve a land disturbance.
11. **Further Planning Board Findings and Comments from Other Entities:**
 - a. **Community Planning**—The application conforms to the 1994 *Approved Master Plan and Sectional Map Amendment for Bladensburg-New Carrollton and Vicinity (Planning Area 69)* land use recommendations for low- to medium-density residential uses. This site is located within the Established Communities policy area. The plan recommends maintaining and enhancing existing public services (police and fire/EMS), facilities such as libraries and schools, and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.

In addition to the applicant’s proposal to widen the driveway entrance to Riverdale Road, to add landscaping along Riverdale Road, and to erect a sign, the applicant should provide a sidewalk along Riverdale Road to provide safe access to the site for pedestrians, add

landscaping to buffer the site from the adjacent single-family dwelling and PEPCO facility, and design the proposed sign to be the proper scale for this residential area and complement the character of the community. These issues raised have been addressed in plan revisions or as conditions of approval.

b. **Transportation**—The landscaping shown on the site plan is within the limits of the ultimate right-of-way of 80 feet, which is 40 feet from the existing centerline. The landscaping will have to be moved further back into the applicant's property. The turning radii of the proposed driveway, parking, and circulation are adequate. A limited number of trips are expected from the site. There does not appear to be any traffic safety issues at the site. Therefore, this plan is acceptable and meets the finding required for a DSP as described in Section 27-285.

c. **Subdivision**—The subject property is composed of part of Lot 5, Block M – Wildercroft. The record plat was recorded in 1909 as Plat RNR 2-11 among the County Land Records. The property is located on Tax Map 43 in Grid C-3, and is approximately one acre. The site is a legal lot pursuant to Section 24-107(c)(7) of the Subdivision Regulations and is currently improved with 2,488 square feet of gross floor area (GFA) for one single-family dwelling. The purpose of this DSP is to convert the use of the building from a single-family dwelling to a 24-seat church. No increase in GFA is proposed by the DSP. The plan shows the conversion of an existing garage, which is to be converted into a storage unit. The GFA of this accessory structure should be provided on the plan.

Pursuant to Section 24-107(c)(7)(B) of the Subdivision Regulations, a site is exempt from the requirement of filing a preliminary plan of subdivision if the total development proposed for the subdivision does not exceed 5,000 square feet of GFA. As previously discussed, the DSP indicated that the current GFA on the property is less than 5,000 square feet and there is no proposed increase by the plan. Failure of the site plan and record plat to match (including bearings, distances, and lot sizes) will result in permits being placed on hold until the plans are corrected. There are no other subdivision issues at this time.

d. **Permits**—The corrections required are:

- (1) The existing shared driveway appears to have a portion of limit of disturbance that is off the property.
- (2) The site plan must be signed and sealed by an engineer and by a landscape architect registered in the state of Maryland.
- (3) The proposed and maximum lot coverage must be demonstrated on the site plan.

- (4) The provided Section 4.7 required landscape buffer appears to be provided on the adjacent property. Section 4.7 landscaping can only be used on the adjacent property if required under the Landscape Manual for that adjacent property.
- (5) The Section 4.7 impact for PEPCO on the adjacent property should be medium.
- (6) A Section 4.7 landscape schedule should be provided for each property line.
- (7) A Section 4.7 minimum landscape yard should be demonstrated on the site plan.
- (8) The provided parking lot may be within the Section 4.7 30-foot required landscape yard and will require alternative compliance.
- (9) The Section 4.2 landscape strip does not appear to be ten feet wide.
- (10) The Section 4.2 landscape schedule general plan designation should be developed.
- (11) The shared driveway note should be removed unless a legal agreement has been established with the proposed church since adequate driveway is proposed for the church on this subject site.
- (12) If this is an illuminated sign per Section 27-592(a) of the Zoning Ordinance, which states “Signs which flash or blink, or which have varying intensity of illumination on less than a five (5) second cycle, are prohibited,” please provide documentation indicating the cycle.

These corrections were addressed via revised site plans or as proposed conditions.

- e. **Environmental Planning**—The site has an approved Natural Resources Equivalency Letter, NRI-EL-021-12, which expires on April 26, 2017.
- f. **Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE requires an approved concept plan for the site and conformance with the Prince George’s County Department of Public Works and Transportation’s (DPWT) street tree and street lighting specifications and standards.
- g. **Prince George’s County Department of Public Works and Transportation (DPW&T)**—A Stormwater Management Concept Approval Letter (18965-2012) was issued by DPIE stating that the proposal has less than 5,000 square feet of disturbance; therefore, there will be no stormwater management requirements. However, the stormwater management concept approval expired July 20, 2015 and shall be required to be renewed prior to certification of the DSP.

- h. **Prince George's County Fire/EMS Department**—No major issues were identified.
- 12. Based on the analysis and as required by Section 27-285(b)(1) of the Zoning Ordinance, the DSP 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.
- 13. Section 27-285(b)(4) of the Zoning Ordinance requires that a DSP demonstrate that regulated environmental features have been preserved and/or restored to the fullest extent possible if environmental features exist. In this case, the property is absent of any significant environmental features.

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 Detailed Site Plan DSP-12048 and further APPROVED Alternative Compliance No. AC-15012, subject to the following conditions:

- 1. Prior to certification of the detailed site plan, the following revisions shall be made or information provided:
 - a. Relocate the asphalt driveway to be a minimum of eight feet from the eastern property line for a landscape yard in which three additional shade trees shall be provided. The Section 4.7 schedule for the eastern property line shall be revised to indicate the landscape yard width and plant units as required and provided.
 - b. Show the proposed six-foot-high board-on-board fence to continue along the entire eastern landscape yard without interruption.
 - c. Indicate in all applicable landscape schedules that the subject property is in the Developed Tier.
 - d. Correct the Section 4.2 schedule to show the linear frontage of the subject property as 132 feet and correct the required landscaping accordingly. The provided landscaping shall be revised to meet the minimum requirements.
 - e. Provide the gross floor area of the existing garage.
 - f. Provide the distance for the entire northern property line.
 - g. The site plan must be signed and sealed by an engineer and by a landscape architect registered in the state of Maryland.
 - h. The proposed and maximum lot coverage must be demonstrated on the site plan.

- i. The shared driveway note shall be removed, unless a legal agreement has been established with the proposed church since adequate driveway is proposed for the church on this subject site.
- j. Provide documentation that the sign will not be used to advertise anything, except for the church use.
- k. If this is an illuminated sign per Section 27-592(a) of the Prince George's County Zoning Ordinance, which states "Signs which flash or blink, or which have varying intensity of illumination on less than a five (5) second cycle, are prohibited," provide documentation indicating the cycle.

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, Geraldo, and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, January 14, 2016, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 4th day of February 2016.

Patricia Colihan Barney
Executive Director

By Jessica Jones
Planning Board Administrator