

R E S O L U T I O N

WHEREAS, Eritrean Orthodox Tewahdo Church is the owner of a 2.16-acre parcel of land in the 2nd Election District of Prince George's County, Maryland, and being zoned Mixed Use Transportation-Oriented (M-X-T), Development District Overlay (D-D-O), and Intense Development Overlay (I-D-O); and

WHEREAS, on February 5, 2018, Eritrean Orthodox Tewahdo Church filed an application for approval of a Chesapeake Bay Critical Area Conservation Plan for the purpose of converting two existing warehouse buildings for use as a church and multipurpose building; and

WHEREAS, the application for approval of the aforesaid Chesapeake Bay Critical Area Conservation Plan, also known as Conservation Plan CP-17005 for Eritrean Church was presented to the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission by the staff of the Commission on May 24, 2018, for its review and action in accordance with Zoning Ordinance, Subtitle 27, Prince George's County Code; and

WHEREAS, the staff of The Maryland-National Capital Park and Planning Commission recommended APPROVAL of the application with conditions; and

WHEREAS, on May 24, 2018, the Prince George's County Planning Board heard testimony and received evidence submitted for the record on the aforesaid application.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 27-548.11 of Subtitle 27, Prince George's County Code, the Prince George's County Planning Board APPROVED Conservation Plan CP-17005, Eritrean Church, with the following condition:

1. Prior to certificate approval of the conservation plan (CP), the following revisions shall be made, or information shall be provided:
  - a. The applicant shall complete the Environmental Site Design worksheet and place it on the CP, after it has been approved by the Maryland Critical Area Commission.
  - b. Remove Tables B and B-1 from the plan.
  - c. Revise Table A using the current worksheet template.
  - d. Have the owner or owner's representative sign the awareness block on each sheet.
  - e. Remove the Developed Woodland Calculations table from the plan.

- f. The applicant shall execute and record a Chesapeake Bay Conservation and Planting Agreement. The agreement shall be reviewed by the County prior to recordation. The applicant shall provide a copy of the recorded agreement to the Prince George's County Planning Department, and the Liber/folio shall be shown below the CP approval block.

BE IT FURTHER RESOLVED, that the findings and reasons for the decision of the Prince George's County Planning Board are as follows:

1. **Request:** Approval of a conservation plan (CP), companion case to a detailed site plan (DSP), for conversion of two existing warehouse buildings for use as a church and multipurpose building.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>APPROVED</b>
Zone(s)	M-X-T/D-D-O/I-D-O	M-X-T/D-D-O/I-D-O
Use	Warehouses	Church/Multipurpose Building
Acreage	2.16	2.16
Lots	32	32
Gross Floor Area (GFA) (sq. ft.)	24,000	24,000

#### OTHER DEVELOPMENT DATA

#### **Parking requirements per the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment***

The following table outlines the parking that is required within the Port Towns D-D-O Zone for the proposed development:

Use*	Description**	Minimum Required***	Maximum Allowed***	Total Approved
Church—600 seats	1 space per 4 seats	120	150	<b>123</b>
Recreation Hall—364 occupants	1 space per 3 seats	98	122	<b>122</b>
Classrooms—130 occupants	1 space per 3 students	36	44	<b>44</b>
Office and Kitchen—5 occupants	1 space per 4 seats in other rooms occupied at the same time as the auditorium	1	1	<b>1</b>
	<b>Greatest Total*</b>	<b>120</b>	<b>150</b>	<b>123*****</b>

**Notes:**

\*The applicant will use only the church, the recreational hall, or the classrooms at one time, and not concurrently.

\*\*This describes the Zoning Ordinance requirement for the proposed uses.

\*\*\*The 2009 Port Towns Sector Plan and Sectional Map Amendment stipulates that a minimum of 80 percent of the parking required by Section 27-568 of the Zoning Ordinance be provided and that the maximum cannot exceed 100 percent of that requirement.

\*\*\*\*The parking provided includes 177 on-site spaces and 6 on-street spaces, for a total of 123 spaces.

**Loading Required: 1 space**

**Loading Approved: 1 space**

3. **Location:** The subject site is located on the south side of Bladensburg Road, approximately 250 feet east of its intersection with 43rd Avenue. The subject site is also in Planning Area 68 and Council District 5.
4. **Surrounding Uses:** The subject property is bounded to the northwest by Bladensburg Road, with commercial uses in the Mixed Use Transportation-Oriented (M-X-T) Zone and vacant land in the Reserved Open Space (R-O-S) Zone beyond; to the northeast by vacant land in the M-X-T and R-O-S Zones; to the southeast by single-family detached homes in the One-Family Detached Residential (R-55) Zone; and to the southwest by commercial and industrial uses in the M-X-T Zone.
5. **Previous Approvals:** The subject property is located on Tax Map 50 in Grids B3, B4, C3, and C4, consists of 2.16 acres, and is known as Lots 18–34 and 58–72 of the Lennox subdivision recorded in Plat Book RNR 2–54 on May 29, 1920. The site was the subject of Permit 2952-94-CU, issued in 1994, and Permit 976-2012-U for the former National News Agency for newspaper publishing and printing. Lastly, the site is the subject of Stormwater Management (SWM) Concept Plan 52791-2016-0, approved by the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) on November 17, 2017, which is valid until November 17, 2020.
6. **Design Features:** The subject site is currently developed with two buildings; one closer to Bladensburg Road measuring approximately 9,600 square feet, with a 2,400-square-foot mezzanine (Building A), and the second measuring approximately 12,000 square feet (Building B) located along the southern property line, adjacent to Newark Road. The buildings are surrounded primarily by asphalt parking areas, with 1.79 acres of pavement on the 2.16-acre site. The approval does not add impervious surface to the site or additional buildings as part of the DSP. Instead, the

DSP approved as a companion case to the CP will reduce impervious surfaces on the site by 468 square feet through the reconfiguration of the parking areas.

The DSP is for redevelopment of Building A as a church and Building B as a multipurpose building containing classrooms, recreational areas, and meeting space. The applicant is in negotiations with the Town of Colmar Manor and hopes that Building B will eventually be used for municipal community functions as well, which may require a revision to the companion DSP. At present, the improvements approved in the DSP are limited to façade improvements, repaving and restriping the parking areas, and the addition of signage to the site.

### **Façade Improvements**

Architectural improvements, which are primarily focused on Building A, include two domes and fenestration including a variety of window designs and architectural detail, with the remainder of the building being rectilinear. All four façades of the rectilinear portion have a structurally separate screen applied for decorative purposes. The details include a concrete base, a masonry wall, planters, and a repeating pattern of stone arches and top-rounded linear windows. All but one façade has a section of pedimented roof, and new handicap ramps provide accessibility to the building. Crosses are an identifying and decorative item on the top of the domes, in the pediments, and atop portions of the colonnade.

The architectural improvements to Building B are much simpler than that of Building A. It is almost entirely rectilinear with an organized pattern of fenestrations and a muted color scheme utilizing two brown tones for the masonry, with accents in green above, below, or between windows. The roofline is entirely flat and unadorned.

### **Parking Lot**

The parking lot will be repaved and striped, increasing the number of spaces, but staying within the numerical requirements for parking in the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment* (Port Towns Sector Plan and SMA) in the companion DSP. The required number of handicap parking spaces and some compact parking spaces are provided with the new striping, which yields several more parking spaces and assists the design in meeting the parking requirement.

### **Signage**

The Planning Board, in the companion DSP, approved a 16-square-foot (8-foot in length and 2 feet in height) back-lit building-mounted sign for the church and an approximately 14-square-foot (1.25 feet in width and 11.38 feet in height) externally lit sign for Building B. As internally lit signs are not permitted by the Port Towns Sector Plan and SMA, a condition of this approval requires that the church sign design be revised prior to certificate approval. The Planning Board, in the companion DSP, found the sign presented for Building B acceptable.

See Finding 8 of this approval for a more detailed description of conformance of the requested improvements to the requirements of the Port Towns Sector Plan and SMA in the companion DSP.

## COMPLIANCE WITH EVALUATION CRITERIA

7. **Chesapeake Bay Critical Area Ordinance:** The site is located within the Chesapeake Bay Critical Area (CBCA) Intense Development Overlay (I-D-O) Zone; therefore, the site is subject to the CBCA regulations. The purposes of the I-D-O Zone, as outlined in Section 27-548.13 of the Prince George's County Zoning Ordinance, are to accommodate existing residential, commercial, or industrial land uses within the CBCA; to promote new residential, commercial, and industrial land uses in accordance with development intensity limits designated for the I-D-O Zone in this Subtitle; to conserve and enhance fish, wildlife, and plant habitats; and to improve the quality of runoff that enters the tributary streams of the Chesapeake Bay from developed areas. The regulations concerning the impervious surface ratio, density, slopes, and other provisions for new development in the I-D-O Zone are contained in Subtitle 5B of the Prince George's County Code, as follows:

### **Section 5B-113. – Intense Development Overlay (I-D-O) Zones.**

- (e) **Development standards. The following development standards must be demonstrated within the I-D-O Zone:**

- (1) **For redevelopment plans, opportunities to reduce impacts on water quality generated by existing development shall be analyzed;**

The applicant is providing micro-bioretenion areas to satisfy the CBCA's 10 percent pollution reduction, in accordance with the approved SWM concept plan, fulfilling this requirement.

- (2) **Urban Best Management Practices (BMPs) for stormwater treatment shall be considered and, where appropriate, implemented as part of all plans for development and redevelopment;**

As noted above, the site plan shows bioretention areas that will address quality control for stormwater runoff.

- (3) **Stormwater shall be addressed in accordance with the following provisions:**

- (A) **Development or redevelopment projects shall use technologies as required by applicable ordinances in order to minimize adverse impacts to water quality caused by stormwater.**

- (B) **In the case of redevelopment, if these technologies do not reduce pollutant loadings measured by use of the keystone pollutant method by at least 10 percent below the level of pollution on the site prior to redevelopment, then offsets shall be provided.**

**Guidance for compliance with this requirement is provided in the *Critical Area 10% Rule Guidance Manual – Fall 2003* and as may be subsequently amended.**

- (C) In the case of new development, offsets shall be used if they reduce pollutant loadings by at least 10 percent of the pre-development levels. Guidance for compliance with this requirement is provided in the *Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance – Fall 2003* and as may be subsequently amended.**
- (D) Offsets may be provided either on or off site, provided that water quality benefits are equivalent, that the benefits are obtained within the same watershed, and that the benefits can be determined through the use of modeling, monitoring or other computation of mitigation measures. Guidance regarding offsets is provided in the *Maryland Chesapeake and Atlantic Coastal Bays Critical Area 10% Rule Guidance – Fall 2003*.**

A copy of the SWM Concept Plan, 52791-2016-0, approved on November 17, 2017 and valid until November 17, 2020, was submitted to the Planning Board. The concept plan demonstrates that 438 square feet of impervious surface will be replaced with SWM and landscape areas, for a net decrease in lot coverage. The CP is consistent with the approved concept plan. However, the correct 10 percent CBCA worksheet was not included on the CP. Therefore, a condition of this approval requires that the correct Environmental Site Design (ESD) worksheet be included on the CP prior to certificate approval, demonstrating conformance with the 10 percent pollution reduction requirement.

- (4) There is no Critical Area lot coverage maximum in the I-D-O, however, where practicable, permeable areas shall be established in vegetation, and whenever possible, redevelopment shall reduce existing levels of pollution.**

As stated above, the applicant will be required, by condition of this approval, to complete the correct ESD worksheet and include it on the CP prior to certificate approval, demonstrating conformance with the 10 percent pollution reduction requirement, which meets a portion of this requirement. Though the applicant is exempt from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual), the applicant has included some vegetation on the site, which will assist in reducing existing levels of pollution. Therefore, the applicant has fulfilled this requirement.

- (5) **Areas of public access to the shoreline, such as foot paths, scenic drives and other public recreational facilities, should be maintained and, if possible, encouraged to be established within the I-D-O.**

Though the subject project is proximate to the Anacostia River, the companion DSP was limited to improvements to the architectural façades of the buildings, parking, and signage. Should the property be redeveloped at a future date, the above requirements would more appropriately apply at that time.

The Planning Board hereby finds that the proposal meets the development standards for the I-D-O Zone. A Chesapeake Bay Conservation and Planting Agreement is required to be recorded in the Prince George's County Land Records for development of the site.

8. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This project is not subject to the Woodland and Wildlife Habitat Conservation Ordinance because it is located within the CBCA.
9. **Prince George's County Tree Canopy Coverage Ordinance:** The subject DSP is exempt from the Tree Canopy Coverage Ordinance because it does not propose 5,000 square feet or greater GFA or ground disturbance.
10. **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. **Environmental Planning**—An approved Natural Resources Inventory Equivalency Letter (NRI-170-2016), accompanied by an approved floodplain exhibit subsequently confirmed by DPIE, was submitted to the Planning Board.

The 2.16-acre site is located approximately 250 feet east along the southeastern corner of the intersection of 43rd Avenue with Bladensburg Road, at 4331 Bladensburg Road in Colmar Manor. The property is currently developed with existing parking/pavement and two buildings. There is no 100-year floodplain located on the site. No other environmental features, including primary and secondary buffer, occur on the site. There are no specimen trees on-site. The site does not front scenic or historic roads. This site is not within a Sensitive Species Protection Review Area (SSPRA) based on a review of the SSPRA GIS layer prepared by the Wildlife and Heritage Service, Maryland Department of Natural Resources. This entire site is located within the regulated area of the Prince George's County Green Infrastructure Network. The U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Web Soil Survey indicates that the site is comprised of Issue-Urban land complex (occasionally flooded) and Urban land-Zekiah complex (0–2 percent slopes) soil types.

A copy of the Maryland Critical Area Commission's (CAC) ESD worksheet shall, by condition of this approval, be placed on the CP since the format of the 10 percent pollution reduction calculations used on the approved stormwater concept plan did not follow this template format. The ESD worksheet shall be completed and shown on the CP prior to certification.

This approval does not require a CBCA variance request for the improvements approved in the companion DSP.

#### **Environmental Review**

This approval includes removing some of the existing impervious areas and replacing them with SWM and landscape areas, for a net decrease in lot coverage. Currently, the site's impervious area is 56,802.4 square feet. With this approval, the new impervious area will be 56,364.4 square feet (59.9 percent of the site), a reduction of 438 square feet of impervious surface according to the approved SWM Concept Plan (2791-2016). There is no maximum for CBCA lot coverage within the I-D-O; however, conformance with the CBCA 10 percent pollutant reduction requirement must be demonstrated by placing the CAC's ESD worksheet on the plan. No developed woodland is required in the I-D-O.

#### **Stormwater Management**

A copy of the SWM Concept Plan (52731-2016-00) and letter, dated November 17, 2017, were submitted to the Planning Board. The SWM concept plan shows stormwater being directed from the roof tops of each building into a bioretention area for pretreatment before discharging off-site along Newark Road.

According to the approval letter, since the project proposes less than 5,000 square feet of disturbance, it is exempt from SWM requirements. Also, according to the approval letter, the micro-bioretention area has been proposed to satisfy CBCA's 10 percent SWM rule; however, the CAC's ESD worksheet shall, by condition of this approval, be added to the plan. The CP is consistent with the stormwater concept plan.

#### **U.S. Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), Review**

No comments were received from the USDA NRCS concerning erosion and sediment control for this approval.

#### **Chesapeake Bay Critical Area Conservation Plan CP-17005**

The plan is labeled as a "CBCA Conservation Plan" and contains all required information, such as existing conditions and lot coverage calculations. The following minor plan revisions are required, by conditions of this approval, prior to certification of the plan:

- Remove Table B and Table B-1 from the plan since there is no minimum CBCA lot coverage requirement in the I-D-O Zone. The format used on Table A is also out of date.



- The Table A calculations must be revised using the correct maximum zoning lot coverage on the current standard worksheet.
- The property owner's awareness certificate has been added to both sheets of the plan; however, it has not been signed by the property owner or the owner's representative. The property owner or representative must sign the awareness block on each sheet of the plan prior to certification.
- There is no minimum developed woodland requirement within the I-D-O Zone, so the Developed Woodland Calculations table is not required and must be removed from the CP.

A buffer management plan is not required, as the site is not within the primary or secondary buffer. A Chesapeake Bay Conservation and Planting Agreement is required, by condition of this approval, to be executed and recorded prior to certificate approval for development of the site. A conservation easement will not be required for this site. The site does not contain any woodland that is to remain. Conditions of this approval address the Planning Board's above environmental concerns.

- b. **Prince George's County Fire/EMS Department**—In an email dated April 1, 2018, the Fire/EMS Department offered the following summarized comments as to the subject project:

The Office of the Fire Marshall has reviewed the subject DSP. Generally, the site seems to provide adequate fire access with 22-foot-wide drive aisles throughout most of the site, with the exception of in front of the community building where aisle width diminishes to 21.25 feet wide. This area also does not meet the Fire Prevention Code (fire code) requirement, that a dead end should measure a maximum of 150 feet in length. In conclusion, however, the Office of the Fire Marshall stated that, despite the two possible areas of concern, the proposed DSP appears to show adequate fire access.

- c. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—In a memorandum dated March 7, 2018, DPIE offered numerous comments, which have been addressed through revisions to the plans or will be addressed in their separate permitting process. DPIE offered in their comments that the proposed DSP is consistent with approved SWM Concept Plan 52791-2016-0.
- d. **Maryland Critical Area Commission (CAC)**—In a letter dated April 11, 2018, the CAC requested that the applicant complete their ESD worksheet and email it to them for review. The CAC had no other comments on the subject project.
- e. **Prince George's County Police Department**—The Police Department has not offered comment regarding the subject project.

- f. **Prince George's County Health Department**—In a memorandum dated February 20, 2018, the Health Department offered the following summarized comments regarding the subject project:
- (1) The applicant is proposing to incorporate bioretention features surrounding the community center and adjacent to the car parking lot. Bioretention features have the potential to become habitats for mosquitoes and other disease vectors due to the presence of organic matter and shallow water. The applicant should ensure that the bioretention features are properly designed and managed to prevent habitats for disease vectors and reduce the risk of human exposure to disease vectors given the proximity of the pedestrian traffic, gathering spaces, and active recreation facilities.
  - (2) Due to the age of the existing structure and the nature of the conversion from warehouses to a church and multipurpose community center, it is anticipated that the interior renovation may encounter lead paint hazards. In light of that possibility, the applicant is informed of the following:
    - (a) The Maryland Department of the Environment shall be notified at least 24 hours prior to the start date of any lead paint abatement project in a residential building.
    - (b) During the demolition/construction/renovation phases of this project, the applicant must use certified lead paint abatement contractors licensed by the Maryland Department of The Environment.
  - (3) During the construction phases of this project, noise should not be allowed to adversely impact activities on the adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19 of the Prince George's County Code.
  - (4) During the construction phases of this project, no dust should be allowed to cross over property lines and impact adjacent properties. Indicate intent to conform to construction activity noise control requirements as specified in Subtitle 19.

The applicant has been provided a copy of the Health Department's comments, and a condition of this approval requires that, prior to certificate approval, the applicant include notes regarding the control of noise and dust impacts from the subject site during the construction phase of the project.

11. Based on the foregoing 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 County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.
12. 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. Because the development site is located within the CBCA, this required finding does not apply to the review of this DSP.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with Circuit Court for Prince George's County, Maryland within thirty (30) days following the adoption of this Resolution.

\* \* \* \* \*

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 Geraldo, with Commissioners Washington, Geraldo, Bailey, and Hewlett voting in favor of the motion, and with Commissioner Doerner absent at its regular meeting held on Thursday, May 24, 2018, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 14th day of June 2018.

Elizabeth M. Hewlett  
Chairman

By Jessica Jones  
Planning Board Administrator

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