

## R E S O L U T I O N

WHEREAS, the Prince Georges County Planning Board has reviewed DDS-535 requesting a departure from the 50-foot setback requirement for loading space access in accordance with Subtitle 27 of the Prince Georges County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on February 20, 2003, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The subject property is a large, rectangular shaped parcel on the west side of Pineview Lane and approximately 800 feet south of Woodyard Road. The site is developed with a two-story brick church and gravel parking lot, which is connected to Pineview Lane by a long driveway. A substantial stand of trees extends from the rear of the church to the western property line.
- B. **Surrounding Uses:**
- North— Single-family detached homes in the R-80 Zone and a bank and offices in the C-O Zone farther north along Woodyard Road. Across Pineview Lane to the northeast are single-family homes in the R-80 Zone.
- East— Across Pineview Lane is a single-family detached home and a large, multistory nursing home in the R-80 Zone.
- South— Single-family detached homes in the R-80 Zone.
- West— Single-family detached homes in the R-80 Zone.
- C. **History:** The 1993 Subregion V Sectional Map Amendment (SMA) placed the subject property in the R-80 Zone. A Preliminary Plan (4-01075) was approved for the property in December 2001. Alternative Compliance (AC-01045) was approved in February of 2002.
- D. **Master Plan Recommendation:** The 1993 Subregion V master plan recommends suburban residential land use with a maximum density of 3.5 dwelling units per acre.
- E. **Request:** The applicant plans to build a 9,437-square-foot building addition that would contain classrooms for Sunday school and recreational facilities. A new parking and loading area is proposed to serve the expansion. Access to the new loading area must be set back at least 50 feet from land in a residential zone in accordance with Section 27-579 of the Zoning Ordinance. The site plan indicates that the driveway providing access to the loading area has a setback from the southern property line that varies between 10 feet and 35 feet wide. A departure of 40 feet is therefore requested.
- F. **Required Findings:**

**Section 27-239.01(b)(9)(A) of the Zoning Ordinance provides that in order for the Planning**

**Board to grant the departure, it shall make the following findings:**

1. **The purposes of this Subtitle will be equally well or better served by the applicant's proposal.**

The purposes of the Parking Regulations will be equally well or better served by the applicants proposal. These purposes, among other things, seek to preserve the character of residential areas. The subject church is situated such that it provides a transition from the commercial uses along Woodyard Road and the residential community to the south. The loading needs of this church and accessory activities are not intensive enough to have an adverse impact on the adjacent residential community.

2. **The departure is the minimum necessary, given the specific circumstances of the request.**

The departure is the minimum necessary, given the specific circumstances of the request. The existing driveway that provides access to the loading spaces varies in setback from the residentially zoned parcel to the south from 10 to 35 feet in width. A departure of 40 feet from the required 50-foot setback is, therefore, necessary. A small portion of the driveway has an island with three trees that decrease the width of the aisles to 10 feet. Since a 22-foot-wide driveway is required to serve a loading space, the width of each aisle must be increased to at least 11 feet or an additional departure is required. There is ample room on site to widen the aisles.

3. **The departure is necessary in order to alleviate circumstances which are unique to the site or prevalent in areas of the County developed prior to November 29, 1949.**

The departure is necessary in order to alleviate circumstances that are unique to the site. The width of the property plus the location of the existing church makes it impractical to relocate the driveway to provide the required 50-foot setback. A redesign of this nature would push parking spaces closer to the residential property. A parking area closer to the residential property would have more of an undesirable impact than the driveway.

4. **The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood.**

The departure will not impair the visual, functional or environmental quality or integrity of the site or of the surrounding neighborhood. The driveway will remain in its current location. Although the driveway will also provide access to the proposed loading space, the loading needs for the uses on this site are not intensive enough (as compared to commercial or industrial uses that require loading) to have an adverse impact on the adjacent residential community.

In addition, Section 27-239.01(b)(9)(B) provides that:

**For a departure from a standard contained in the *Landscape Manual*, the Planning Board shall find, in addition to the requirements in paragraph (A) above, that there**

**is no feasible proposal for alternative compliance, as defined in the *Landscape Manual*, which would exhibit equal or better design characteristics.**

This application does not contain a request for relief from a standard in the *Landscape Manual*. Staff notes, however, that the parking area will be expanded to accommodate the additional accessory activities. Pursuant to Section 1.1F of the *Landscape Manual*, Sections 4.2 and 4.3C will apply to this new parking area. Staff believes that the site may have enough existing vegetation along Pineview Lane to provide the required commercial landscaped strip for Section 4.2. The appropriate schedules must be shown on the plan. The applicant will also be required to revise the site plan to demonstrate compliance with Section 4.3C.

**G. Design Requirements:**

1. **Parking and Loading Areas:** A larger parking area is proposed to accommodate the expansion. The site plan provides the required parking. However, the parking schedule indicates that two handicap parking spaces are provided, but the site plan drawing shows four regular and two van-accessible handicap parking spaces. The parking schedule must be corrected to be consistent with the numbers and types of spaces drawn on the site plan. The applicant also provides one loading space to serve the recreational facility. A loading space is not however, required.
2. **Number of Required Spaces:** The existing 208-seat church requires 52 parking spaces based on the standard of one space per four seats. The site plan provides an additional 48 parking spaces to serve the proposed expansion. The site plan notes that the proposed Sunday school will operate after church and one day a week. The recreational facility will operate during the week after regular school hours. Under this scenario, additional parking is not required since the uses do not all operate at the same time.

There is a minor discrepancy with respect to note no. 10 on the site plan. The note indicates that 52 existing parking spaces are provided plus an additional 48 spaces and two handicap van-accessible spaces along with four standard handicap spaces. The total parking spaces should be 106. The note shows 107 spaces because the proposed loading space is incorrectly counted as a parking space. The parking schedule must be corrected to show a total of 106 parking spaces and one loading space.

3. ***Landscape Manual:*** Alternative Compliance (AC-01045) was approved in February 2002 for the required 30-foot-wide bufferyard along the southern property line. This bufferyard was permitted to vary in width from 10 to 35 feet wide and also includes a two-foot-high berm with a six-foot-tall board-on-board fence.

- H. Other Issues:** The Subdivision Section, in a referral reply dated January 16, 2003, notes a discrepancy regarding the legal description of the property and recommends that the plan be revised to reflect the new legal description Parcel A, Plat 194-48.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Subtitle 27 of the Prince Georges

County Code, the Prince Georges County Planning Board of The Maryland-National Capital Park and Planning Commission adopted the findings contained herein and recommends APPROVAL the above-noted application subject to the following conditions:

1. Show the new legal description as Parcel A, Plat 194-48.
2. The width of the one-way driveway aisles must be increased by one foot to provide 11 feet per aisle or an additional departure is required.
3. The parking schedule must be corrected to show a total of 106 parking spaces and one loading space.
4. The site plan shall demonstrate compliance with Sections 4.2 and 4.3C of the *Landscape Manual* or alternative compliance will be required.

BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the District Council for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

\* \* \* \* \*

This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Lowe, seconded by Commissioner Eley, with Commissioners Lowe, Eley, Scott and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 20, 2003, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 13th day of March 2003.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:RG:rmk  
(Revised 8/9/01)