

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 February 28, 2002, regarding Detailed Site Plan DSP-01056 for First Baptist Church of North Brentwood, the Planning Board finds:

1. The subject site consists of two parcels within the Town of North Brentwood. Parcel A is located northwest of the intersection of Church Street and Wallace Road with frontage on 40th Street to the west and Church Street to the east. Parcel B is located across Wallace Road, which is the current location of the existing church, known as the First Baptist Church of North Brentwood.
2. The subject application is a request to construct a 24,044-square-foot church facility on Parcel A and a parking compound on Parcel B. The existing church, located on Parcel B, is proposed to be razed. The application consists of site plans, landscape plans, and architecture.
3. The history of the First Baptist Church of North Brentwood goes back to the very early years of the North Brentwood community. The Baptist congregation was formed under the leadership of Reverend James Jasper in October 1905, and services were held in the home of James and Virginia Holmes (Lots 1 and 2 in Block C, at the corner of Banner Street and Wallace Road) and also outdoors on the land chosen for the eventual construction of the church (a block to the west on the south side of Wallace Street). The first church was built in 1907 on this lot, the very location that the First Baptist Church now occupies (4009 Wallace Road). Three years later, the 1907 church building was destroyed by fire; it was rebuilt on the same site, and reopened in 1912. All of the early development of the church took place under the leadership of its first minister, James Jasper, who served until 1935.

The 1912 church served until 1966, at which time plans for a new building were undertaken; the present church was completed and dedicated in 1970, under the leadership of Reverend Perry Smith, who continues today as the minister of the First Baptist Church.

4. North Brentwood is a small residential community of fewer than 200 buildings, located on Rhode Island Avenue between Hyattsville and Brentwood. First surveyed and platted in 1891, the community was settled by former slaves of local planters as well as soldiers who had served in regiments of the U.S. Colored Troops. By 1904, a schoolhouse and 23 dwellings had been constructed for these black families, and two church congregations were meeting in members' homes. The town, the first African-American municipality in Prince George's County, was incorporated in 1924. It has a uniquely rich history. Two individual buildings have been identified as historic resources in the *Historic Sites and*

Districts Plan (1992), and in 1988, a substantial part of the town was determined eligible for listing in the National Register of Historic Places.

In 2001, the mayor of North Brentwood submitted a request to the Planning Department through the Planning Assistance to Municipalities and Communities (PAMC) program, asking that staff of the Planning & Preservation Section prepare a nomination of the town for listing in the National Register. The Planning Board approved the request in the fall of 2001, and work has begun on preparation of the nomination. If, as a result of this nomination, the town or any part of it is listed in the National Register, this would lend recognition, prestige, and possible tax benefits to the town, but would not preclude development activity unless that activity was supported by federal funding.

5. The county records of the existing church indicate that a building permit was approved on June 9, 1969, for the main structure of the existing church. The plan on file indicates that the plan was approved with a parking waiver (granted per District Council Resolution No. 285-1969 for 19 spaces). In 1986, the church was granted a Departure from Parking and Loading Standards (DPLS 15) for 40 spaces (PGCPB Resolution No. 86-124). Also in 1986, a variance (Board of Zoning Appeals) for lot coverage and minimum green area was approved. A permit was subsequently issued for an addition placed to the rear of the building. That addition increased the seating in the church to 530.
6. The property was the subject of Preliminary Plan 4-99067, Prince George=s County Planning Board Resolution No. 00-70, approved on May 11, 2000. That resolution contains the following four conditions:
 1. **Prior to signature approval of the Preliminary Plat, the stormwater concept plan shall be approved. If approved, the approval shall be noted on the plan and the development shall be in conformance with the approved concept plan.**

Comment: The Stormwater Management Concept Approval letter (#8001780-2000-00) was submitted with the application for the Detailed Site Plan. The plan was approved with conditions which will be enforced by the Department of Environmental Resources at the time of technical review and prior to the issuance of a building permit.

- Aa.) This site is located within the Chesapeake Bay area. Prior to building, the applicant must have an approved conservation plan and recorded conservation agreement.
- Ab) In lieu of on-site stormwater quantity controls, the applicant will construct the following off-site drainage improvement;
 - Ai) Construct a new inlet at southeast corner of Winsor Street and Allison Street.
 - Aii) Construct a parallel storm drain culvert from the intersection of Allison Street and Banner Street to outfall and to convey 100-year flows.

- Aiii) Regrade and expand sump area at ex. manhole next to basketball court, add throat openings to inlet.
- Aiv) At the time of technical review, provide additional measures as necessary to ensure no flooding to the 2 existing off-site homes shown on the concept plan. @

A copy of the Detailed Site Plan application was sent to the Department of Environmental Resources for review for conformance to the approved concept plan. The following comment was contained in referral dated January 7, 2002, from R. De Guzman to Susan Lareuse:

AThe site plan for the First Baptist Church of North Brentwood, DSP-01056, does not show the storm drain pipes. Also, this site is in the Chesapeake Bay Critical Area Overlay Zone as mentioned in approved stormwater concept #008001780@

The staff recommends that the Detailed Site Plan be revised prior to signature approval to show the proposed on-site storm drain pipes.

2. **Total development on Parcels AA@ and AB@ shall be limited to 23,475 square feet of church facilities, or equivalent development which generates no more than 17 AM and 15 PM peak hour vehicle trips. Development of up to 5,000 additional square feet of church facilities shall not constitute a significant change in peak hour trip generation. Any development with transportation impacts beyond that identified herein above shall require an additional Preliminary Plat of Subdivision with a new determination of the adequacy of transportation facilities.**

Comment: When the preliminary plan was reviewed, the church was presumed to contain 850 seats. As the proposed church is about ten percent smaller in seating capacity, even though it is slightly larger in square footage, it would not generate additional vehicle travel during peak hours or on Sundays. Therefore, staff finds conformance to this condition.

3. **Prior to signature approval of the Preliminary Plat the CBCA overlay zoning line and the CBCA plan number shall be noted on the plan.**

Comment: This condition has been addressed and a revision to the CBCA plan is being processed concurrently with this application.

4. **The applicant shall submit a traffic management plan at the time of Detailed Site Plan that will address the scheduling of services, access into parking areas and egress from parking areas associated with the church, and strategies for ensuring adequate access from the church to US 1 and 38th Street. Strategies such as prohibition of parking and changing street operation from one-way to two-way (or vice versa) will require thh**

concurrence of the Town of North Brentwood in order to be acceptable to transportation staff.

Comment: This condition is addressed in the transportation review of this plan in Finding No. 14.

7. Development data for the subject property are as follows:

First Baptist Church of North Brentwood
DSP-01056

Zone	R-55 and I-D-O
Tract Area	2.04 acres
100-year flood plain	None
Use	Church
<u>Parking Spaces Required</u>	
Church (@ 1 space per 4 seats: 780 seats)	195 spaces
Parking Waiver (DC Resolution No. 285-1969)*	(19) spaces
DPLS 15 (PGCPB Resolution No. 86-124)**	<u>(40) spaces</u>
Total Required spaces	
136 spaces	
<u>Parking Spaces Provided</u>	
Parcel A	64 spaces
Parcel B***	46 spaces
M-NCPPC Parking Lot****	<u>28 spaces</u>
Total	139 spaces
Loading Space Required	1 space
Loading Space Provided	1 space

*On June 6, 1969, the District Council approved a parking waiver for the First Baptist Church of North Brentwood.

**On April 10, 1986, the Planning Board approved a Departure From Parking and Loading Standards for the First Baptist Church of North Brentwood.

***See Departure from Design Standards DDS-530.

****The Maryland National Capital Park and Planning Commission has agreed to enter into an agreement to share the parking facility with the church as permitted in Section 27-586; see Finding No 11.

8. Conformance to the Requirements of the Zoning Ordinance:

The Detailed Site Plan is in general conformance with the requirements of the Zoning

Ordinance for development in the R-55 Zone and the I-D-O Zone for the proposed church, except as discussed in the finding below and except as noted in Departure From Design Standards 530, companion to this case (see PGCPB Resolution No. 02-43).

9. Variance C The applicant is requesting two variances: one from Section 27-442(c), Table II for Lot Coverage and Green Area, and another from Section 27-442(e), Table IV for Yard requirements, which states that minimum setbacks for all buildings shall be 25 feet from the front street line. In addition, the same lot coverage and setback requirements are contained within Section 27-441(b), Table of Uses, footnote 52, and this section has been added in order to complete the variance request. These variances have been analyzed on a parcel-by-parcel basis.

Section 27-230 (a) contains the criteria for approval of a variance. This request meets the criteria contained in Section 27-230 (a) as follows:

- (1) **A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;**

Parcel B is the location of the existing church, which will be razed and a parking lot is proposed in its place. Section 27-442(c), Table II for Lot Coverage and Green Area, and Section 27-441(b), Table of Uses, footnote 52, requires 60 percent lot coverage for the proposed parking compound in the R-55 Zone. On June 9, 1969, a permit was approved referencing the waiver and stating conformance to the Zoning Ordinance. Review of the reissued October 1968 edition of the Zoning Ordinance indicates that permit was in accordance with the lot coverage requirements as stated below:

Not more than thirty (30) percent of the net area of the lot may be covered by the buildings, including accessory buildings.

The issuance of the permit and the applicable language above indicates that the site was originally developed in accordance with the lot coverage requirements of the Zoning Ordinance in effect at the time.

In 1986 the church proposed an expansion. On October 10, 1986, the subject site was granted a variance of 27 percent by the Board of Zoning Appeals for the expansion of the church. In 1986 the Zoning Ordinance allowed for a maximum of 60 percent lot coverage, so the granting of the variance allowed the church to develop at 87 percent maximum lot coverage. This historical account of the development of this property constitutes the extraordinary condition of Parcel B. The new plan of development, which proposes to demolish the church and construct a parking compound, proposes 77 percent lot coverage. So the subject application actually reduces the amount of lot coverage from the existing situation. The subject variance application for lot coverage will bring the property into greater conformance with the current regulations.

Parcel B is unique in its location and relationship to the surrounding uses. Two of the three immediate surrounding land uses are institutional in nature. To the southwest is the

North Brentwood Community Center operated by The Maryland-National Capital Park and Planning Commission. That facility also includes a substantial building and parking facility, and appears from review of the aerial photograph to exceed the lot coverage required in the R-55 Zone. The property to the southeast is land owned by the Board of Education and includes a tennis court and playground. The North Brentwood Town Hall is located nearby on Church Street.

Based on the facts that the original church was developed in accordance with the lot coverage in effect in 1969, that the Board of Zoning Appeals granted a variance from the lot coverage requirements for an addition to the church in 1986 (at which time the Board of Zoning Appeals found that the existing conditions on the site warranted the granting of a greater departure than is requested today) and the uniqueness of Parcel B being

Parcel A is the location of the proposed church. On October 10, 1986, a portion of Parcel A was granted a variance of 13 percent by the Board of Zoning Appeals for the construction of a parking compound. At that time, the Zoning Ordinance allowed for a maximum of 60 percent lot coverage, so the parking compound was allowed to develop at 73 percent maximum lot coverage. In 1993, the District Council enacted CB-76-1993 which reduced the allowable lot coverage from 60 percent to 50 percent for churches located on a lot between 1 and 2 acres of land. This reduced lot coverage requirement applies to Parcel A, as recognized by the applicant in his justification statement. The new plan of development which proposes to retain a portion of the existing parking lot and to construct the new church proposes 63 percent overall lot coverage. The subject application actually reduces the amount of lot coverage from the currently existing situation on the portion of the property where the previous variance was granted and the amount of the variance request is in keeping with the previously granted amount (13%).

Parcel A is also the subject of a variance for setbacks along the streets. Parcel A is surrounded by three streets: Wallace Road, 40th Street and Church Street. Section 27-442(e), Table IV for Yard Requirements, and Section 27-441(b), Table of Uses, footnote 52, states that minimum setbacks for all buildings shall be 25 feet from the front street line. Footnote 20 increases the setback with the following language:

... When the building height exceeds thirty-six (36) feet, the minimum front yard shall be increased by one (1) foot for each additional foot of building height.

The building height varies along the three streets that contain the site. The building has two parts, the sanctuary and the administrative wing. The sanctuary has a gable roof that rises above the administrative wing. The administrative wing has a flat roof with a parapet. The setback for each street is determined by the height of the building in relationship to the street grade at the middle of the front of the building. Further, according to the Zoning Ordinance, the calculation of the height of a building is clearly defined based on the roof type. Section 27-107.01 (a) (113), states that the height of the sanctuary is measured by determining **Athe average height between the eaves and the ridge of a gable, @** whereas the height of the administrative wing is measured by determining the **Athe highest roof surface of a flat roof, @**. For example, the height of the sanctuary from the street grade at the middle of the building along 40th Street to the top

of the gable is 42 feet. The height between the eaves and the ridge of the gable is 16 feet; therefore, the average is 8 feet. Subtracting 8 feet from 42 feet results in 34 feet. The setback is not increased by footnote 20 because the height of the sanctuary is less than 35 feet. The flat roof of the administrative wing is 20 feet. Therefore, the required setback along all the streets is 25 feet. The proposed setback for each of the streets is listed below:

Wallace Road: a variance of 5 feet for a 24-foot-wide area of the sanctuary; the remaining building location is set back more than 25 feet.

40th Street: a variance of 14 feet for the length of the sanctuary. Offsets in the building vary, but this is the maximum setback required for the plan of development.

Church Street: a variance of ten feet for the entire length of the administrative wing. Six-foot offsets occur on the face of this building at the two entrances to the building.

All setbacks and variance requests are based on the proposed property line which was established in the approval of the Preliminary Plan. That Preliminary Plan indicates dedication of 10 feet along a portion of Church Street, 10 feet along the entire length of Wallace Road, and approximately 12 feet along the entire length of 40th Avenue for possible future road widening. No road widening is proposed under the subject application. The setback of the building is a minimum of 25 feet from the existing property line, resulting in the same visual appearance of setback and green area along the street line.

Parcel A is also unique in that the location of the property is immediately surrounded by institutional uses: The North Brentwood Community Center to the southeast, the Board of Education property to the southwest, and the North Brentwood Town Hall directly east of the subject property. This property is unique in that it is situated in an area where land use consists of an unusually high percentage of institutional uses.

Based on the facts that the Board of Zoning Appeals granted a variance from the lot coverage requirements for the existing parking lot in 1986 (at which time the Board of Zoning Appeals found that the existing conditions on the site warranted the granting of the same amount of variance as is requested in this application) and that Parcel A is unique because it is in an area where there is a predominance of other institutional uses, the requested variance to lot coverage is justified. Further, the setbacks are appropriately granted from the standpoint of historically correct land use patterns. The placement of institutional buildings close to the street line is a typical land use pattern seen in many historic areas.

(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; and

Parcel A has frontage on three streets, which is an unusual land use condition. The parcel is relatively small, less than two acres, and because it has frontage on three streets, the impact of the required setbacks produces a hardship to the development of the property unlike an interior lot or even a corner lot. Since there is no side yard, which has the least

amount of setback required (as little as eight feet in width) the resulting developable area is substantially less.

The existing church has 530 seats and very little space to provide for the current church school program and other programs. The proposed church building provides a necessary service to the Town of North Brentwood and the surrounding area, and has been established for the past 100 years as an integral part of the historic and social fabric of the community. The church would like to continue serving the immediate community and the congregation with adequate space and facilities. It would thus pose a peculiar and unusual practical difficulty and undue hardship upon the church to reduce the size of the building for the purposes of strict compliance with regulations.

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

The property is located in the Developed Tier of the 2000 interim General Plan and is covered by the 1994 *Approved Master Plan for Planning Area 68*. The master plan retained the medium-suburban density land use recommendation for this property. The 2000 interim General Plan encourages higher intensity development within the Developed Tier and recognizes the need for relief from the strict conformance to the Zoning Ordinance. At the same time, the proposed reduction in lot coverage from the existing situation is in keeping with the master plan. The proposed setback of 25 feet from the existing property lines and the street for the proposed church is common throughout the community for residential uses and will not impair the integrity of the master plan as these uses are allowed and encouraged in the R-55 Zone.

10. Section 27-230 (b) contains the added criteria for approval of a variance when the property is located within the Chesapeake Bay Critical Area Overlay Zone. This request meets the criteria contained in Section 27-230 (b) as follows:

(1) Special conditions or circumstances exist that are peculiar to the subject land or structure and that a literal interpretation of provisions within the Chesapeake Bay Critical Area would result in unwarranted hardship;

Response: This site met previous provisions of the Zoning Ordinance regarding the requirements for which variances were sought in 1986 and continue to meet the special conditions as an infill site, excessive street frontage and surrounding institutional uses.

(2) A literal interpretation of this Subtitle would deprive the applicant of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Area;

Response: As with the existing church, other properties nearby were similarly developed prior to the enactment of the Chesapeake Bay Critical Area Program and the proposed development meets the requirements of the I-D-O (Intensive Development Overlay) Zone.

- (3) **The granting of a variance would not confer upon an applicant any special privilege that would be denied by this Subtitle to other lands or structures within the Chesapeake Bay Critical Area;**

Response: The granting of this variance neither creates a need for another variance nor establishes a special treatment.

- (4) **The variance request is not based upon conditions or circumstances which are the result of actions by the applicant, nor does the request arise from any condition relating to land or building use, either permitted or non-conforming, on any neighboring property;**

Response: This request is a proposal by the applicant and not a result of anything outside the current or previous approval process, and is not related to conditions of other properties.

- (5) **The granting of a variance would not adversely affect water quality or adversely impact fish, plant, or wildlife habitat within the Chesapeake Bay Critical Area, and that granting of the variance would be in harmony with the general spirit and intent of the applicable laws within the Chesapeake Bay Critical Area;**

Response: The revised Chesapeake Bay Critical Area Plan currently under review incorporates stormwater management controls to minimize adverse impacts on water quality.

- (6) **The development plan would minimize adverse impacts on water quality resulting from pollutants discharged from structures, conveyances, or runoff from surrounding lands;**

Response: The revised Chesapeake Bay Critical Area Plan currently under review incorporates stormwater management controls to minimize adverse impacts on water quality.

- (7) **All fish, wildlife, and plant habitat in the designated Critical Areas would be protected by the development and implementation of either on-site or off-site programs;**

Response: The revised Chesapeake Bay Critical Area Plan currently under review incorporates stormwater management controls to minimize adverse impacts on water quality.

- (8) **The number of persons, their movements and activities, specified in the development plan, are in conformity to established land use policies and would not create any adverse environmental impact; and**

Response: The use of a church is in complete conformance with the R-55 and I-D-O Zones and would not create environmental impacts different from those anticipated in the I-D-O Zone.

(9) The growth allocations for Overlay Zones within the County would not be exceeded by the granting of the variance.

Response: No use of growth allocation is needed to proceed with the proposed development

11. The Park Planning and Development Division of the Department of Parks and Recreation reviewed the Detailed Site Plan and provided the following information:

A. . . In 1987, The Maryland-National Capital Park and Planning Commission entered into an agreement with the Church allowing the use of the North Brentwood Community Center parking lot for Sunday Church parking. In 1988, the agreement expired.

AlIt is the intent of the Department of Parks and Recreation to enter into a new agreement with the church to extend the current parking situation for a period of ten years.@

Comment: This information is critical to the church in that Section 27-586 allows a church to use off-site parking to satisfy the requirements of the Parking and Loading section of the Zoning Ordinance.

12. Conformance to the Requirements of the *Landscape Manual*:

The site is subject to Sections 4.2, 4.3, 4.4, and 4.7 of the *Landscape Manual*. The subject plan does not meet the requirements of Section 4.7 of the *Landscape Manual*, Buffering Incompatible Uses. Alternative Compliance was requested from the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual* because the proposed improvements on the existing site increase the bufferyard requirement more than it is feasible to provide.

The following is the recommendation of the Alternative Compliance Committee to the Planning Director:

AThe site consists of 2.04 acres (Parcels A and B) in the R-55/ I-D-O Zone. The property is located south of Allison Street, fronting 40th Avenue to the west and Church Street and Windom Street to the east. Wallace Road divides Parcels A and B. The property is situated inside of the boundary of the Town of North Brentwood. The applicant is proposing to demolish the existing church building on Parcel B and construct a new church on Parcel A.

ASection 4.7 (Buffering Incompatible Uses)@

Bufferyard 1 (Northeastern property line of the existing parking lot on Parcel A)
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REQUIRED:	
Length of bufferyard	384 linear feet
Width of bufferyard	30 feet
Building Setback	40 feet
Fence or wall or berm	Yes (six-foot-high sight-tight fence with brick columns)
Plant Units (120 PUs/100LF)	230 units
PROVIDED:	
Width of bufferyard	5 feet (varies, with an average of)
Building Setback	64 feet
Fence or wall or berm	Yes (six-foot-high sight-tight fence with brick columns)
Plant Units	80 units
Bufferyard 2 (Southwestern property line of proposed parking plaza on Parcel B)	
REQUIRED:	
Length of bufferyard	135 linear feet
Width of bufferyard	30 feet
Building Setback	40 feet
Fence or wall or berm	Yes (six-foot-high sight-tight fence)
Plant Units (120 PUs/100LF)	81 units
PROVIDED:	
Width of bufferyard	20 feet
Building Setback	No building proposed on this parcel
Fence or wall or berm	Yes (six-foot-high sight-tight fence)
Plant Units	115 units

AThe proposed use of the property as a church is a medium impact use. Existing single-family dwellings are located to the northeast of the subject property, adjacent to Parcel A. An existing single-family house is located to the southwest of the subject

property, adjacent to Parcel B. According to Section 4.7 of the *Landscape Manual*, a Type AC@ bufferyard is required on both Parcels A and B adjacent to the existing single-family lots. A Type AC@ bufferyard requires a minimum 40-foot building setback and a 30-foot-wide landscaped yard with 120 plant units per 100 linear feet of property line. AOn Parcel A, the proposed new church building complies with the 40-foot building setback. But, an existing parking lot is located within the 30-foot-wide bufferyard and leaves an average five-foot-wide space between the subject property and the adjacent single-family lots. The existing parking compound has been in the current location since 1986, before the enactment of the *Landscape Manual* in 1990. The space between the parking lot and residential property lines limits the number of plant units that can be practically provided to fulfill the Type AC@ bufferyard requirement. The applicant proposes to install a six-foot-high, sight-tight wooden fence with split-face brick columns that match the exterior wall of the new church building. Eighty plant units will also be provided in order to mitigate the negative impact of the parking lot on the adjacent residential properties. The committee is of the opinion that the high quality fence with brick columns will contribute positively to the image of the neighborhood, and therefore the proposal is equal to or better than normal compliance to the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*.

AOn Parcel B where the old church building is located, the applicant proposes to build a parking compound. There is no building setback issue on this parcel, but the proposed parking lot encroaches 10 feet into the required 30-foot-wide bufferyard because of space limitations. The applicant proposes to provide a 6-foot-high, sight-tight fence and 42 percent more plant units than are normally required by a Type AC@ bufferyard. The committee is of the opinion that the Alternative Compliance proposal is equal to or better than normal compliance to the requirements of Section 4.7, Buffering Incompatible Uses, of the *Landscape Manual*. Therefore, the Alternative Compliance Committee recommends that Alternative Compliance from the requirements of Section 4.7, Buffering Incompatible Uses, be approved.@

The Alternative Compliance Committee recommended approval with conditions of the proposed plans, and the Planning Director recommends approval to the Planning Board.

13. The Environmental Planning Section has reviewed the Detailed Site Plan. The subject property has an approved Chesapeake Bay Critical Area (CBCA) Conservation Plan (CP-99017) dated May 11, 2000, and an approved Stormwater Concept Plan (000-008-001-780) dated March 19, 2001. Parcel A is relatively flat, sloping toward the north, and drains into the Anacostia River within the Anacostia River Watershed. There are no streams, wetlands or 100-year floodplains identified on the subject property. The predominant soil types on the site are Codorus and Elsinboro. These soil series generally exhibit moderate to severe limitations to development due to flood hazard, high water table, and impeded drainage. Based on the proposed use of the site for the construction of a church, it is unlikely that major limitations will occur. If the proposal included the construction of a building with a basement, there is a potential for drainage problems, however, no basement is proposed. There are no Marlboro clays or scenic or historic roads located on or adjacent to the subject property. According to the Sewer Service and Water Service maps produced by the Department of Environmental Resources (DER), the

property is in categories S-3 and W-3. There are no known rare, threatened, or endangered species in the general region listed by the State of Maryland. No noise concerns have been identified related to this site.

Parcel A is exempt from the requirements of the Woodland Conservation Ordinance because proposed Parcel A is located in the Chesapeake Bay Critical Area. Proposed Parcel B is exempt from the requirements of the Woodland Conservation Ordinance since there are no woodlands located on site. A Standard Exemption Letter dated February 5, 2002, has been issued and is valid until February 4, 2004.

An approved Conservation Plan (CP-99017) dated May 11, 2000, shows no proposed development. A revision to the Conservation Plan is currently being processed to show proposed development shown on the Detailed Site Plan. A condition is recommended that the Conservation Plan be approved prior to the issuance of any permits.

Projects in the I-D-O (Intense Development Overlay) Zone are not subject to a limit on the amount of impervious surfaces per the CBCA Program Conservation Manual.

14. The Transportation Planning Section has reviewed the site plan and departure applications referenced above. With two existing departures on file, agreements to utilize an adjacent parking lot, and slight modifications to the initial site plan, transportation staff understands that the departure from parking and loading standards has been withdrawn; therefore, that aspect of the case will not be reviewed.

Condition 4 of Preliminary Plan of Subdivision 4-99067 requires a traffic management plan be submitted and reviewed with the Detailed Site Plan, and this condition has been met. The main elements within this traffic management plan include:

- a. A single service time, concluding before noon so that church members can use all parking at the North Brentwood Community Center.
- b. Approximately 58 percent of attendees would enter and leave the area along US 1, accessing the church via Wallace Road or Webster Street.
- c. Approximately 42 percent of attendees would enter and leave the area along 38th Street, accessing the church via Allison Street or Webster Street.
- d. The church has requested that the town restrict parking along Wallace Road between 7 a.m. and 2 p.m. along Wallace Road. Regardless of whether such restrictions are imposed, the church will discourage members parking along Wallace Road.

Staff has reviewed this traffic management plan and has determined that it is acceptable. Staff recognizes that the streets within North Brentwood are narrower than standard streets within Prince George's County, and that residents frequently park along the streets. This circumstance greatly complicates locating a land use which generates a large amount of vehicle travel within a brief period of time. While approval of the subdivision does not

approve a specific use, it was approved by the Planning Board with full knowledge of the applicant=s intent. Therefore, staff=s objective in reviewing this plan and the associated traffic management plan is to make the use function acceptably from the standpoint of transportation. In consideration of this objective, staff offers the following comments:

- a. Allison Street has a pavement width of approximately 30 feet. Parking is banned at all times on the south side of the street within the adjacent Town of Brentwood, but not within North Brentwood. Staff would recommend that the Town of North Brentwood ban parking along the south side of Allison Street, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays. This action would facilitate access for church patrons and citizens in general into and out of the town.
- b. 40th Street has a variable pavement width ranging from 32 feet between Windom Road and Webster Street to 28 feet between Allison Street and Windom Road, to 26 feet between Webster Street and Volta Street. Within Brentwood, 40th Street has a ban on parking on the east side and operates one-way southbound south of Volta Street. Staff would recommend that the Town of North Brentwood ban parking along the east side of 40th Street between Allison Street and Windom Road and between Webster Street and the municipal boundary, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays. This action would facilitate access for church patrons and citizens in general into and out of the town.
- c. With regard to the sections of 40th Street adjacent to the subject property, staff finds that the street can safely accommodate two-way traffic and parking on both sides with pavement width shown on the site plan.
- d. With a pavement width of approximately 25 feet and parking permitted on both sides over most of its length, Webster Street is not currently appropriate for handling significant access to or from the church. There is another church at the corner of Webster Street and 41st Street. Staff would recommend that the Town of North Brentwood ban parking along the north side of Webster Street between US 1 and 40th Street, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays. This action would facilitate access for church patrons and citizens in general into and out of the town.
- e. Church Street has a pavement width of approximately 20 feet. It operates one-way southbound, and parking is banned on the east side in front of the municipal building. Staff recommends that the Town of North Brentwood ban parking along the east side of the entire length of Church Street at all times. This action would facilitate access for church patrons, but is much more important to facilitate access by citizens who use the street.
- f. Wallace Road has a pavement width of approximately 21 feet between 40th Street and 41st Street, which increases to 25 feet between 41st Street and US 1. It operates two-way, and parking is banned on the north side over the entire length.

Parking is banned on both sides in front of the existing church on the subject property. Given the narrow pavement width, Webster Street cannot currently safely operate as a means of access for the church. Because the subject property must rely at least partially on Wallace Road for access, staff recommends that the Town of North Brentwood ban parking along the south side of Wallace Road, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays. This action would facilitate access for church patrons, but is much more important to facilitate access by citizens who use the street.

These recommendations suggest that there will need to be some expenditures for signage and possibly pavement markings. Staff is aware that the applicant cannot unilaterally ban parking along certain streets within North Brentwood. Such actions would require the consent of the town. The transportation staff will impose the above operational changes as conditions, with the applicant to be responsible for initiating a request with the town and for funding needed signage and pavement markings. The condition will be deemed to be met in the following circumstances:

- a. The town rejects the applicant's petition for any of the operational changes in writing.
- b. The applicant provides written evidence of funding all or part of the above recommendations in agreement with the town.
- c. The town fails to either accept or reject the applicant's petition within six months of receipt.

This condition will be checked by staff at the time of the initial building permit for the new church facility. Later permits for minor expansions or alterations will not be subject to this condition.

While staff understands that on-street parking is a significant problem, particularly on Sundays, this site has been granted two past parking departures and the on-site parking is, by regulation, sufficient to meet the needs of a church facility of this size. Staff did view the area during a Sunday worship service within the applicant's existing church, and did note considerable on-street parking in the vicinity of the church. The applicant has a responsibility to ensure that its members ride together to the extent possible in order to minimize the church's impact on the streets of the town.

The town also has a responsibility to protect its citizens. Any parking restrictions imposed within the town should be enforced, particularly at the times when traffic conflicts are most prevalent. There may not be a need for the town to have a full-time policeman, and the town may be able to hire a part-time parking officer if its citizens determine that this is a priority.

In accordance with the above findings, the transportation planning staff has determined that the submitted site plan is consistent with the preliminary plan, and is an acceptable plan for developing the subject site. This findings is subject to the following condition:

- a. Prior to the issuance of a building permit, the applicant shall petition the Town of North Brentwood for the following operational changes in the area of the subject property, with any signage and/or pavement markings required by these conditions to be funded by the applicant.
 - (1) Ban on-street parking along the south side of Allison Street, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - (2) Ban on-street parking along the east side of 40th Street between Allison Street and Windom Road and between Webster Street and the municipal boundary, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - (3) Ban on-street parking along the north side of Webster Street between US 1 and 40th Street, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - (4) Ban on-street parking along the east side of the entire length of Church Street at all times.
 - (5) Ban on-street parking along the south side of Wallace Road, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - b. Prior to issuance of a certificate of occupancy by the Department of Environmental Resources for the new church facility, the applicant shall demonstrate conformance with the condition above. The condition will be deemed by staff to have been met by means of the following:
 - (1) Submittal of written evidence that the town has rejected the applicant=s petition for the proposed operational changes.
 - (2) Submittal of written evidence of funding all or part of the above recommendations in agreement with the Town.
 - (3) Submittal of written evidence that the town has failed to either accept or reject the applicant=s petition within six months of its receipt. Later permits for minor expansions or alterations will not be subject to this condition.
15. The Historic Preservation Section has reviewed the application and provided a memorandum dated February 8, 2002, Howard Berger and Ilona Blanchard to Susan Lareuse. The following findings, conclusions and recommendations are included in this report for the record; however, the Development Review Division has provided comments where appropriate:
AFindings:

- A1. The properties on which the proposed church is to be built are located within the area determined eligible for listing in the National Register of Historic Places in 1988.
- A2. Individual residential buildings in North Brentwood are small and modest in scale. Lots (originally platted in 1891) in the surrounding community are approximately 25 feet by 100 feet. In many cases, houses averaging 20 feet by 50 feet have been built on single lots; in other cases, houses as wide as 30 feet have been built on groups of two adjoining lots.
- A3. Six buildings (five of which were constructed between 1901 and 1939) have recently been demolished to make space for the proposed church and the existing parking lot to the north.@

Comment: None of the demolished buildings was designated as historic resources, nor did they have any other historic designation. The action to demolish the buildings was within the rights of the property owner, and work was done with the proper permits from the Department of Environmental Resources.

- A4. The properties on which the proposed church is to be built do not directly adjoin any of the individually identified historic resources in North Brentwood, i.e., buildings listed in the Inventory of Historic Resources in the *1992 Historic Sites and Districts Plan*. However, the east elevation of the proposed building faces the North Brentwood Town Hall.@

Comment: The North Brentwood Town Hall holds no historic designation.

- A5. The Preliminary Plan of Subdivision of this property (4-99067) was approved, with conditions, by the Planning Board on May 24, 2000, by Resolution No. 00-70. This resolution indicates that >evaluation of compatibility and impact on the surrounding community will be evaluated [*sic*] at the time of public hearings for the DSP, required for a church use on this property, and any departures required for development.=
- A6. The applicant is now moving forward with plans for the proposed church construction; with the submittal of this Detailed Site Plan, an >evaluation of compatibility and impact on the surrounding community= must be undertaken.
- A7. The proposed building is a multi-volume structure composed of a monumentally scaled church connected to a two-story educational/administrative wing. The footprint of the proposed building is to be approximately 165 feet by 165 feet, and the height of church roof ridge is to be 45 feet. An aluminum cross, resting on a freestanding pier at the main entry, rises approximately 33 feet above the ridge of the church roof. The building is proposed to be constructed of three masonry materials: split-faced brick; split-faced concrete block; and stone. The pitched roof of the church is proposed to be constructed of standing-seam metal, while the

adjacent two-story wing will have a flat roof concealed by a parapet. A light grey color scheme for the building has been proposed.@

Comment: It should be clarified that the sanctuary and the administrative wings, although physically connected at the north end of the building, are visually two separate building masses. The sanctuary is located along 40th Street, and the lower administrative wing with a roof height of 20 feet is located along Church Street. The aluminum cross is proposed as a thin and delicate structure, and will not be an overly intrusive element in the skyline.

- A8. In the set of drawings reviewed, there are inconsistencies between the details of the footprint/site plan drawing and the elevation drawings; moreover, the details of the elevations are not identified.@

Comment: Since the writing of the referral, the plans have been changed to eliminate inconsistencies and the details of the architectural elevations have been provided.

AConclusions:

- A1. The proposed church building would be out of scale with the existing building stock of the Town of North Brentwood, and the size and location of the building would have an adverse effect on the historic character of the community. In particular, the Town Hall will be over-shadowed by the new church across the street.@

Comment: The Development Review Division does not share the opinion of the Community Planning Division in that the building will have an adverse effect on the historic character of the community.@ Since the review of the Preliminary Plan of Subdivision, the applicant has undertaken a number of revisions to the plans in order to address compatibility issues raised in the Planning Board hearing, particularly concerning the issue of scale and the building's relationship to the Town Hall. First, the orientation of the building was reversed from the original layout so that the taller sanctuary would be oriented toward 40th Street rather than Church Street, across from the Town Hall. According to the applicant, this reversal of the footprint of the building was done at the request of the Town of North Brentwood. Second, the applicant eliminated the balcony from the original proposal, reducing the number of seats within the church from 850 to 780 seats and reducing the height of the sanctuary by 10 feet from the original design. Third, it should be noted that the height of both the Town Hall and the church administrative wing are similar, between 20 and 24 feet high.

- A2. In order to fully evaluate the architectural character of the proposed building, a consistent set of drawings should be made available for review. Nevertheless, a number of general observations can be made about the apparent character of the building's architecture as proposed:
- Aa. The building is freestanding with four fully visible elevations. The north elevation, although visible from public streets and adjacent properties, is treated as a rear or secondary elevation.@

Comment: Three of the four elevations are adjacent to public streets; the fourth elevation is the rear of the property, adjacent to the parking lot and backing to residential dwellings. The fourth elevation will be somewhat obscured from view.

- Ab. The two primary uses of the building (worship and ancillary functions) are articulated with different architectural vocabularies and materials. This conceit is not continued in the detailing and fenestration of the building=s north elevation where the two primary uses and two architectural vocabularies meet. The detailing and fenestration of the north elevation have not been adequately addressed. The use of stone at the main entrance of the church, and in no other location, overemphasizes the obviously primary entrance to the building.
- Ac. The building=s entrances do not seem to adequately prioritize their use; the church=s main entrance, which should match the monumental and public character of the church, is partially obstructed from view by the asymmetrically placed pier surmounted by the large aluminum cross. Given the freestanding siting of the building, the entrance on the north elevation that serves the parking lot, and in particular its handicap-accessible spaces, should be more prominent.
- Ad. While the building=s south facade is punctuated by a substantial setback that helps define the building=s two primary volumes and adds visual interest, the scale and detailing of the east elevation=s bays emphasize that even this smaller portion of the building is considerably larger than the Town Hall across the street.@

Comment: It should be noted that the size of the Town Hall is considerably smaller than the surrounding two-story single-family homes. The Town Hall is a single-story building with a stepped parapet roof on the front. The Town Hall is smaller in stature than the existing single-family homes and should not be used to judge the scale of the church when comparing to the existing neighborhood.

- Ae. The use of color will have a significant impact on the way in which the building will be perceived. The sensitive use of color, texture, light and shadow can be used to mitigate massing, scale, siting and other issues.

ARecommendations

AThe applicant should seek to address the issues created by the proposed monumental building in the traditionally scaled, largely residential community by exploring alternative massing, materials, detailing and fenestration. Specific attention should be paid to:

- A1. The overall window/wall relationship
- A2. The number of materials and their use throughout the building; fewer materials, used consistently, will allow the building to be perceived as a less intrusive

addition to the townscape.

- A3. The organization and detailing of the north elevation.
- A4. The visibility of the main entrance on the south elevation and the priority given to the entrance of the north elevation.
- A5. The scale, rhythm and detailing of the east elevation in the context of the nearby Town Hall.@

Comment: Since the writing of the referral above, the Development Review Division and the applicant have been working together to address some of the comments of the Historic Preservation Section. Although there has been some concern expressed regarding the proposed application=s sensitivity to the historic aspects of the community, this concern should not be allowed to have a disproportionate impact on analysis of the subject application. The proposed church is appropriately considered an infill development and a form of revitalization of the North Brentwood Community. Parcel A is in a predevelopment state; the previous buildings have been removed and the site has been graded flat. It is likely that the development of the parcel is imminent, whether the parcel is developed as a church or as single-family detached residences. If the parcel is developed as a permitted use without Detailed Site Plan approval, such as in a residential use, the design of the structures is not subject to review and no input regarding historically correct design is likely to occur. The church will undoubtedly have a significant visual impact on the town. It is designed to become a landmark within North Brentwood. However, the creation of architectural landmarks contributes to creating a sense of place. The church has been in the community for almost 100 years; what better place for the expansion of their facilities than the community that has been its home for nearly the last century?

The request for the variances to the setbacks is appropriate from an Urban Design standpoint; historically, the placement of institutional buildings is often up to the street line. This is evidenced in many of the older areas of Prince George=s County and across the state. For example, the historic church located on Webster Street (Brentwood AMEZ Church) is placed near the street line. The older buildings on Main Street within Upper Marlboro, Maryland, are located directly adjacent to the street and the historic area of Annapolis, Maryland, has the same relationship of the buildings adjacent to the street. This concept is a typical historic land use pattern.

The evolution of the plans during the time they have been under review has been fruitful. The Urban Design Section=s review of the architecture notes that even though the building is connected at the north end of the structure, there is a 25-foot-wide opening that will in effect cause the building to appear as two separate buildings from Wallace Road. The front facade of the building was designed to mimic the stone appearance of the current church in a larger scale, so that a recognizable visual element is repeated on the new church. This repetition of material provides a visual reference point, and also a statement by the architect and the church of a spiritual point identifying the church as the foundation of a way of life, represented in the stone used at the entrance of the church. The treatment

of the west facade of the sanctuary, adjacent to 40th Street, features windows with contrasting trim and pilasters. The addition of landscaping in this area was closely analyzed to complement the architectural design of the building and to provide for seasonal interest and color. The administrative wing located along Church Street provides sufficient architectural detail and treatment to communicate the institutional character of the building. Again, the landscaping on this edge of the building was closely analyzed to create an attractive appearance. Specifically, shade trees will line the street to provide shade along this southern exposure. In addition, the changes to the architectural elevations to incorporate additional detailing, including off-set banding around the administrative wing of the building, add to the interest and harmony of the entire building. The applicant has addressed the treatment of the north elevation by adding symmetry into the detailing of the brick work of the facade. Overall, in the judgment of the Urban Design Section, the site planning and architectural design proposed in this application will contribute to the immediate neighborhood in a positive way.

16. The Town of North Brentwood, represented by Mayor Beverly, submitted a resolution (No. 1-2002) in opposition to the variance for the parking facility. In addition, the Mayor read from letter dated February 28, 2002, Mayor Beverly to Chairman Hewlett. The letter expressed the Mayor=s concerns regarding the Detailed Site Plan.

Leland Edgecomb, Landscape Architect, testified on behalf of the Town of North Brentwood. Mr. Edgecomb testified that the landscape plan had been revised to respond to some of the issues raised in his letter dated February 13, 2002, to Mayor Beverly. However, Mr. Edgecomb requested to work with the applicant and the Urban Design Section, on behalf of the Town, to address landscaping, specifically species selection and location, and lighting issues. The applicant agreed to make a good faith commitment to work with Mr. Edgecomb in the future to address his concerns.

17. The Detailed Site Plan was referred to all applicable agencies and divisions; no significant issues were identified. The Permit Review Section raised several issues regarding revisions and the provision of additional information on the plans. The applicant has revised the plans to address the comments of the Permit Review Section.
18. The Detailed Site Plan represents a reasonable and workable alternative for satisfying the site design guidelines, without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use.

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-01056, Alternative Compliance No. AC-01056 and further approved Variance Application No. VD-01056 with the following conditions:

1. Prior to certification, the Detailed Site Plan shall be revised to show the proposed on-site storm drain pipes.
2. Prior to the issuance of building permit, the applicant shall petition the Town of North Brentwood for the following operational changes in the area of the subject property, with any signage and/or pavement markings required by these conditions to be funded by the applicant:
 - a. Ban on-street parking along the south side of Allison Street, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - b. Ban on-street parking along the east side of 40th Street between Allison Street and Windom Road and between Webster Street and the municipal boundary, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - c. Ban on-street parking along the north side of Webster Street between US 1 and 40th Street, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
 - d. Ban on-street parking along the east side of the entire length of Church Street at all times.
 - e. Ban on-street parking along the south side of Wallace Road, preferably at all times, but at a minimum between the hours of 7 a.m. and 12 noon on Sundays.
3. Prior to issuance of a certificate of occupancy by the Department of Environmental Resources for the new church, the applicant shall demonstrate conformance with Condition No. 2 above. This condition will be deemed to have been met by means of any of the following:
 - a. Submittal of written evidence that the town has rejected the applicant=s petition for the proposed operational changes.
 - b. Submittal of written evidence of funding for all or part of the above recommendations in agreement with the Town.
 - c. Submittal of written evidence that the town has failed to either accept or reject the applicant=s petition within six months of its receipt.

Subsequent permits for minor expansions or alterations will not be subject to Conditions 2

and 3.

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.

* * * * *

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 Eley, seconded by Commissioner Scott, with Commissioners Eley, Scott, Brown and Hewlett voting in favor of the motion, and with Commissioner Lowe voting in opposition to the motion at its regular meeting held on Thursday, February 28, 2002, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of March 2002.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:SL:rmk