

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 September 23, 2004, regarding Detailed Site Plan DSP-04038 for Ebenezer Church, the Planning Board finds:

1. **Request:** The subject application requests approval to construct a church on the subject property.
2. **Development Data Summary**

	EXISTING	PROPOSED
Zone	R-T	R-T
Use(s)	Vacant	Church
Acreage	1.75	1.75
Lots	1	1
Building Square Footage/GFA	0	8,400

OTHER DEVELOPMENT DATA

	REQUIRED	PROPOSED
Total parking spaces	44	71
Of which handicapped spaces	2	3
Loading spaces	0	0

3. **Location:** The site is in Planning Area 69, Council District 3. More specifically, it is located in the northeastern quadrant of the intersection of Buchanan and Chesapeake Streets.
4. **Surroundings and Use:** The subject property is bounded to the west by a shopping center and to the south by a U.S. Post Office. Land use across Buchanan Street is both institutional (a church) and office. Land use across Chesapeake Road is primarily office.
5. **Previous Approvals:** A preliminary plan of subdivision, 4-87879, was approved on 2/04/88 for the subject property. Stormwater concept approval was granted on April 1, 2004, by the Department of Environmental Resources for the subject site. A final plat, NLP 145@78, was approved and recorded in the land records in 1989.
6. **Design Features:** A proposed 8,400-square-foot church is designed to sit at the northeasterly corner of the intersection of Buchanan Street and Chesapeake Road. Access to the parking lot for the church will be provided from both streets. Parking occupies the remainder of the site except for the proposed stormwater pond and some landscaping, mainly around the proposed church and

the pond. Elevations for the proposed building show usage of an “ocean blue” standing seam metal roof with a steeple on the front facade and light brown EIFS panels for the body of the church, with a three- to four-foot tall course of brick around the base of the building.

COMPLIANCE WITH EVALUATION CRITERIA

7. **Zoning Ordinance:** The subject application has been reviewed for compliance with the requirements in the R-T Zone and the site plan design guidelines of the Zoning Ordinance.
 - a. The subject application is in conformance with the requirements of Section 27-441, which governs permitted uses in residential zones. The proposed church is a permitted use in the RT Zone.
 - b. The proposal is also in conformance with the requirements of Section 27-442, Regulations, regarding additional regulations for development in residential zones.
8. **Preliminary Plan of Subdivision, 4-87279 and Final Plat Approval NLP 145@78:** Preliminary Plan 4-87279 was approved by the Planning Board on 2/04/88. Resolution PGCPB 88-49 was adopted formalizing the action. Subsequently, in 1989, a final plat, NLP 145@78, was recorded in land records. A review of Resolution 88-49 and Final Plat NLP 145@78 revealed a single issue relating to the subject detailed site plan, an encroachment by the structure of the church into a recorded easement. The site plan has been revised to remove that encroachment.
9. **Landscape Manual:** The proposed development is subject to the requirements of Sections 4.2, Commercial and Industrial Landscaped Strip Requirements, and Section 4.3, Parking Lot Requirements, of the *Landscape Manual*.

The Urban Design staff reviewed the proposed landscape plan and found that the submittals are in general compliance with the applicable sections of the *Landscape Manual*.
10. **Woodland Conservation Ordinance:** A letter of exemption granting a standard exemption for the site from the Prince George’s County Woodland Conservation Ordinance was issued on April 1, 2004, by the Environmental Planning Section. The letter states that because the subject property is more than 40,000 square feet in area, contains less than 10,000 square feet of woodland, and there are no previously approved tree conservation plans for the site, a standard exemption for the site could be granted.
11. **Referral Comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized as follows:

Historic Preservation—In comments dated July 19, 2004, the Historic Preservation Planning Section has stated that the proposed project will have no effect on any historic resources. They separately stated that there is no reason to expect the likelihood of burials or archeological resources in this area.

Community Planning—In comments offered July 8, 2004, the Community Planning Division stated that the proposed project is not inconsistent with the 2002 General Plan development pattern policies for the Developed Tier and that it conforms to the land use recommendations of the 1994 Bladensburg, New Carrollton and Vicinity Master Plan for Planning Area 69.

Transportation—In comments dated July 19, 2004, the Transportation Planning Section stated that the site plan is acceptable and that they had no further comment on the proposed project.

Subdivision—In comments dated July 6, 2004, the Subdivision Section stated that the involved lot, Lot 2, is the subject of NLP 145@78, recorded in land records in 1989. The Subdivision Section further stated that development as proposed is exempt from a new preliminary plan of subdivision. However, they said that the detailed site plan should show an existing 22-foot access easement unless it is to be removed. In that case, a new record plat would be required together with a demonstration that the easement is not necessary to serve other development and that the benefited party agrees to the removal. Otherwise, the proposed church encroaches on the easement and should be relocated. Please note that the site plan has been revised to eliminate the encroachment of the church on the easement.

Trails—The trails planner of the Transportation Planning Section, in a memorandum dated July 15, 2004, stating that the adopted and approved Bladensburg-New Carrollton and Vicinity Master Plan designates Chesapeake Road and Buchanan Street as part of their master plan bikeway system, suggested that the applicant provide “Share the Road” signage along both frontages. Additional improvements such as designated bike lanes or wide curb lanes can be considered by DPW&T at the time of road resurfacing or restriping. The trails planner also suggested that sidewalk connections be provided from the existing sidewalks along the surrounding roads to the proposed sidewalks around the proposed church. The site plan has been revised to indicate these sidewalk connections.

Permits—In comments dated June 23, 2004, the Permit Review Section offered numerous comments that have either been addressed by revisions to the plans or in the recommended conditions below.

Public Facilities—Although not required information for the subject application, the Public Facilities Planning Section indicated that the proposed church will be within the adequate coverage area of the nearest existing fire/rescue facilities for fire engine, ambulance paramedic services, and ladder truck. In addition, they indicated the local police facility, Police District I—Hyattsville, would adequately serve the population generated by the proposed church.

Environmental Planning—The Environmental Planning Section, in comments dated July 12, 2004, stated that the site is exempt from the requirements of the Woodland Conservation Ordinance. Please see additional discussion in this regard under Woodland Conservation Ordinance *supra*. Additionally, they noted that a stormwater management concept approval letter was not submitted with the subject application, nor any evidence of compliance. The plan, however, shows a pond on site and the Department of Environmental Resources referral indicates

that there is an approved concept plan for the site and, further, that the proposed detailed site plan is in conformance with it. Lastly, they stated that noise is not an issue in the review because Chesapeake Road and Buchanan Streets are both collectors and generally are not regulated for noise.

Department of Environmental Resources (DER)—DER, in comments dated July 6, 2004, stated that the site plan for the proposed project is consistent with approved stormwater concept #8236-2004.

Prince George's County Fire Department—The Prince George's County Fire Department, in a memorandum dated July 8, 2004, offered comments regarding accessibility to fire apparatuses, road design, demarcation of fire lanes, and the location and performance of fire hydrants.

Department of Public Works and Transportation (DPW&T)—In a memorandum dated July 23, 2004, DPW&T stated that the applicant would have to complete all required frontage improvements in accordance with their specifications and standards and with the Americans with Disabilities Act. Required frontage improvements would include conformance with street tree and street lighting standards, sidewalk, curb, gutter, replacement of the existing residential driveway with a commercial entrance on Buchanan Street, and replacement of portions of the sidewalk, curb and gutter and the existing residential driveway with a commercial entrance on Chesapeake Road. In addition, they stated that the existing pavement on Buchanan Street and Chesapeake Road along the frontages of the property would require edge milling and full-width resurfacing. Finally, they stated that storm drainage systems and facilities would have to be designed in accordance with DPW&T's and DER's requirements and that a utility permit and coordination with existing utility companies would be required. Please note that compliance with DPW&T's requirements will be ensured through their separate permitting process.

Washington Suburban Sanitary Commission (WSSC)—In comments dated July 12, 2004, WSSC stated that the applicant should submit an on-site plan review package. Such requirement will be addressed separately through the WSSC Permit Process.

Landover Hills— A representative from Landover Hills has verbally indicated that lack of a formal written response to the project indicates that the municipality has no objections to the proposed project.

12. As required by Section 27-285(b) of the Zoning Ordinance, the detailed site plan represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9 of the Prince George's County Code without requiring unreasonable cost and without detracting substantially from the utility of the proposed development for its intended use.

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-04038, subject to the following condition:

1. Prior to the issuance of the first building permit for the proposed project, the applicant, and the applicant's heirs, successors, and/or assignees shall provide a financial contribution of \$420 to the Department of Public Works and Transportation for the placement of two "share the road" signs, one on the Chesapeake Road frontage of the subject site and one on the Buchanan Street frontage of the subject site.

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 Harley, seconded by Commissioner Eley, with Commissioners Harley, Eley, Squire, Vaughns and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, September, 23, 2004, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 21st day of October 2004.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

TMJ:FJG:RG:rmk