

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 April 19, 2001, regarding Detailed Site Plan - 01010 for Holy People For Christ Church, the Planning Board finds:

Based upon the analysis of the subject application, the Urban Design staff recommends the following findings:

1. Location: The Holy People for Christ Church is an existing church located in the southeast quadrant of the intersection of Brightseat Road and Glenarden Parkway. The subject property consists of a series of contiguous lots with frontage on Brightseat Road, Glenarden Parkway, and First Street. The site supports the existing church, associated parking, and open space. The northwest corner of the block on which the site is located, adjacent to the subject property, is occupied by single-family residential properties, zoned R-55; north, east, and west of, and adjacent to, the site are the Glenarden Parkway, First Street, and Brightseat Road rights-of-way.
2. The Proposed Development: No additional construction is proposed for the subject property. The subject application is for approval of the required Detailed Site Plan per Section 27-441(b)(2)(C), Footnote 52, of the Zoning Ordinance. The site configuration is generally rectangular. The church property is accessed by means of three entrance drives, two from Brightseat Road and one from First Street. Parking for the church is located in two separate parking compounds, one adjacent to the church building and the other located at the southern end of the property. The application consists of site and landscape plans.
3. Background: The approved *Master Plan for Landover and Vicinity* (1993) proposed Public/Quasi Public as the recommended land use for the subject property. The Sectional Map Amendment (1993) was approved with the property recognized as zoned R-55. No master plan issues are related to the subject application.
4. Development data for the subject property are as follows:

Zone	R-55
Tract Area	1.88 acres
100-year floodplain	None
Use	Church

Parking Spaces Required	
Church (@ 1 spc. per 4 seats : 300 seats)	75 spaces
Parking Spaces Provided	75 spaces

5. Conformance to the Requirements of the Zoning Ordinance and Landscape Manual: The Detailed Site Plan is in general conformance with the requirements of Section 27-430 of the Zoning Ordinance for development in the R-55 Zone.

The subject property is exempt from the requirements of the *Landscape Manual*, because no new construction is proposed and the proposed use of the property is not intensified above the prior use on the site and will not provide additional gross floor area.

6. Conformance with Woodland Conservation Ordinance: This site is exempt from the provisions of the Woodland Conservation Ordinances. Although it is more than 40,000 square feet in size, there is no existing woodland on the subject property.

No environmental issues are raised by the proposed development.

7. Urban Design: The subject application was reviewed by the Urban Design staff and the following comments are provided with respect to the development proposal:

- a. The subject application was referred to the Transportation Planning Section and the following comments were provided:

■It appears that two existing handicapped parking spaces extend within the planned right-of-way of 40 feet from the centerline along Brightseat Road.●

The proposed plans delineate a 60-foot-wide right-of-way (30 feet from the centerline) along Brightseat Road. As noted, the ultimate right-of-way is 40 feet from the centerline. When the 40-foot distance is measured from the centerline, it bisects the two westernmost handicapped parking spaces on the subject property. Development is not permitted within the right-of-way, and therefore the said parking spaces must be removed and relocated. The appropriate and lawful location of handicapped parking spaces is as near to the building to be used as possible. The plan provides for two parking compounds, one adjacent to the church building and the other at the south end of the property, approximately 145 linear feet from the building. All required handicapped parking spaces should be located in the parking compound nearest the church building. Therefore, it is recommended that the right-of-way at Brightseat Road be shown as 80

feet and the two existing westernmost handicapped parking spaces be removed from the plan. Furthermore, the plan should be revised to show the parking compound adjacent to the church building reconfigured to accommodate all required handicapped parking spaces, and relocate the parking spaces removed from the

parking compound adjacent to the building in the parking compound at the south end of the site.

Per a memorandum (Gallagher-Tucker to Jordan) dated February 27, 2001, from the Permit Review Section, it was noted that ■when possible, there should be no parking or loading spaces located in the front yard.● The recommended reorganization of the existing parking compounds, specifically the removal of the two existing handicapped parking spaces at the western end of the parking compound adjacent to the church, will result in a plan that is not in conflict with the said requirement.

- b. The above-mentioned permits memorandum also provided that ■The site plan submitted does not demonstrate conformance with the previously approved permit 51534-81-GU that required landscaping. When the parking lot was constructed the church did not own Lots 5 and 6 or Lots 20 through 23; landscaped yards were required between the parking lot and the residential zoned land. The plan submitted does not demonstrate compliance to the approved plan and at this time the church is including those lots as part of this request. Therefore, the entire site will be subject to the current *Landscape Manual*. A ■C● bufferyard will be required between the parking lot and Lot 24.●

The prior permit, noted above, provided that the church building and adjacent parking compound were physically separated from the parking compound at the south end of the site by the intervening lots 5, 6, and 20-23, which were owned by other parties. The intent of the required landscaping for the previous permit was to buffer/screen the proposed parking lot from the abutting residential lots. The Urban Design staff has found that since the church has purchased the said lots, the previously approved screening is no longer necessary. Furthermore, it is found that since the applicant has purchased the said residential lots and included them as part of its property, the subject property is exempt from the requirements of the *Landscape Manual*, because it is existing and no additional development is proposed on any part of the site. Therefore, additional landscaping between the parking lot and Lot 24 will not be required.

8. 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. See conditions 1.a.-h. in the Recommendation Section of this staff report for the Permit Review concerns. The Department of Public Works & Transportation provided comments for designated roadway improvements within the right-of-way. The plans should address these comments at the time of the review of permits.
9. The applicant is requesting a variance from Section 27-441(b)(2)(C), Footnote 52, which states that minimum setbacks for all buildings shall be twenty-five (25)

feet from each lot line. The existing church structure is located ten linear feet from the east property line of the church property. No change to the existing structure or construction activity is proposed in this area. Thus the applicant requests a variance of 15 feet in order to validate the existing structure located within the 25-foot setback limits.

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

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

The extraordinary situation or condition of the subject property is that the existing church structure was constructed prior to the adoption of the legislation, CB-76-1993, which provides the said setback requirement. Furthermore, although the subject structure is approximately ten feet from the nearest property line, the nearest residential structure on an adjoining lot is approximately 53 feet away. The structure is in violation of the requirements of the Zoning Ordinance because the structure was in existence prior to the said setback requirement, which should not be held against the property owner as reasons for denial of this application. Given the said extraordinary circumstances, and the supporting chronological documentation with respect to development of the property and the subsequent legislative/Zoning Ordinance requirements, staff believes that the subject application is the appropriate vehicle to use for the purposes of validating the structure and providing relief for an existing unique situation.

- (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**

The existing church structure is in good condition and is an integral part of the surrounding residential community. It would thus pose a peculiar and unusual practical difficulty and undue hardship upon the owner of the property to move or raze the church for the purposes of strict compliance with regulations that require a minimum of a 25-foot setback for all buildings from each lot line.

- (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 area covered by the *Landover and Vicinity Master Plan*, which was adopted and approved in 1993. The approved Sectional Map Amendment retained the R-55 Zone. The master plan recommended Public/Quasi Public land use for the subject property, and recognized the residential zoning for the subject and abutting/surrounding properties. Given the master plan acknowledgment of the residential zoning on the subject property granting approval of this variance will not impair the integrity of the master plan as this use is allowed and encouraged in the R-55 Zone.

10. The Detailed Site Plan will, when proposed conditions are fulfilled, represent 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, SP-01010, and Variance, No. VD 01010A, for Holy People for Christ Church subject to the following conditions:

1. Prior to certification, the Detailed Site Plan shall be revised as follows:

1. Show an 80-foot right-of-way width at Brightseat Road.
2. Remove the two (2) handicapped parking spaces along the west edge of the parking compound adjacent to the church within the ultimate right-of-way.
3. Provide all required handicapped parking spaces in the parking compound adjacent to the church.
4. Provide any parking spaces lost in the reconfiguration of the parking compound adjacent to the church in the south parking lot.
5. Provide a 16 foot by 19 foot van space for the physically handicapped.
- f. Provide dimensions for all drive aisles on the site plan.
- g. Provide dimensions for the existing structure on the site plan.
- h. Provide lot coverage calculations on the site plan.
- i. Delineate an accessible route to the street.
- j. Provide the method of marking all compact parking spaces on the site plan.
- k. Provide specifications and details of the existing parking lot lighting standards to demonstrate that the lighting is arranged so as not to reflect or glare on land used for residential purposes.

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 Brown, with Commissioners Eley, Brown, Lowe and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, April 19, 2001 in Upper Marlboro, Maryland.

PGCPB No. 01-86  
File No. SP-01010A  
Page 7

Adopted by the Prince George's County Planning Board this 10th day of May, 2001

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JJ:bj