

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

WHEREAS, the Prince George's County Planning Board has reviewed SE-4526/VSE-4526 requesting special exception for an eleemosynary or philanthropic institution in accordance with Subtitle 27 of the Prince George's County Code; and

WHEREAS, after consideration of the evidence presented at the public hearing on Thursday July 21, 2005, the Prince George's County Planning Board finds:

- A. Location and Field Inspection:** The subject property is located on the south side of Merrimack Drive between 15<sup>th</sup> Avenue and 16<sup>th</sup> Place, directly across the street from the Langley Park Community Center and Langley Park McCormick Elementary School. The property is currently developed with a one-story brick building containing a gymnasium and a ball field. A sign on the building indicates that the Langley Boys and Girls Club is headquartered at this location.

**B. Development Data Summary:**

	<b>EXISTING</b>	<b>PROPOSED</b>
Zone(s)	R-18 Zone	R-18 Zone
Use(s)	Gymnasium	Church, gym, youth center, clinic
Acreage	2.97± ac.	2.97± ac.
Lots	1	2
Parcels	1	1
Square Footage/GFA	16,000	42,440
Dwelling Units:	N/A	N/A

- C. History:** The 1990 sectional map amendment for Langley Park-College Park-Greenbelt (Planning Areas 65, 66 ad 67) retained the subject property in the R-18 Zone.
- D. Master Plan Recommendation:** The 1989 approved master plan for Langley Park-College Park-Greenbelt and vicinity indicates that roughly half the site is recommended for public or quasi-public land use, while the balance is recommended for medium-suburban residential land uses at up to 5.7 dwelling units per acre.
- E. Request:** The applicant requests approval of a special exception for an eleemosynary or philanthropic institution. The use would include a 16,387-square-foot youth center, a 15,750-square-foot "health and human services" building, and an 8,000-square-foot gymnasium. The proposed 24,000-square-foot Mother Teresa Chapel, which is permitted by right in the R-18 Zone, would seat 580 persons. A variance is requested to address deficiencies in setback for the required front and rear yards as well as for building height.

A total of 273 parking spaces and 1 loading space is required and the applicant is providing 72 parking and no loading spaces. A departure from parking and loading standards application has been filed to address this deficiency. A departure from sign design standards application has also been filed to permit two 70-square-foot freestanding signs. The maximum number of freestanding signs permitted is one and sign area must not exceed 48 square feet for this property.

**F. Neighborhood and Surrounding Uses:** The applicant defines the neighborhood as being bounded by East West Highway to the south, the Prince George's County line (New Hampshire Avenue) to the west, and Adelphi Road is to the east. The applicant has defined an extremely large neighborhood that crosses the Northwest Branch and Adelphi Road to the north and University Boulevard to the south and includes numerous subdivisions. In planning, neighborhoods are considered to be units of a larger community. Neighborhoods are defined by the nearest major roads, streams or natural features or railroad rights-of-way. The applicant in this case, by extending the neighborhood north to the Beltway, includes such major roads as Metzerott and Adelphi Roads, the Northwest Branch, and University Boulevard to the south. Staff recommends the following neighborhood based on the nearest major roads and streams:

North -	Northwest Branch
East -	Riggs Road
South -	University Boulevard
West -	New Hampshire Avenue

The property is surrounded by the following uses:

North -	Across Merrimack Drive is the Langley Park Community Center and Langley Park McCormick Elementary School in the O-S and R-55 Zones. Single-family detached homes are located to the northwest at 15 <sup>th</sup> Avenue and northeast at 16 <sup>th</sup> Place.
East -	Single-family detached homes in the R-55 Zone.
South -	The Willowbrook and Villages at Langley apartment complexes in the R-18 Zone
West -	The Victoria Station Apartments in the R-18 Zone.

The neighborhood contains of mixture of older apartment complexes and single-family detached homes on small lots, with commercial uses along the southern and western boundaries.

**G. Parking Regulations:**

The site plan indicates that 72 parking spaces are to be provided. The plan correctly notes 273 parking spaces are required. An application for departure from parking and loading standards has been filed (DPLS-303) to address this deficiency.

**H. Landscape Manual Requirements:** The applicant must subdivide the subject site. The new southern property line will require a 30-foot building setback and a 20-foot-wide landscaped buffer ("B" landscape buffer). The applicant has submitted an application for alternative compliance (AC-05018), which is under review by the Alternative Compliance Committee. The applicant is revising the landscape plan to address comments from the Committee.

**I. Zone Standards: VSE-4526**

The building has been horizontally positioned on the site to minimize the amount of variances necessary; however, due to the unusual shape of the property, the proposed building will require relief from the strict application of Section 27-442(e), Yards. The building has been positioned so that it is 10 feet from the front property line, thus requiring a variance from the front building restriction line of 20 feet. Due to the unique shape of the lot, the building is also placed seven feet from the rear property line, thus requiring a variance from the rear building restriction line of 23 feet.

The applicant also proposed a building height of 50 feet. Section 27-442(f) sets a 40-foot maximum height for buildings in the R-18 Zone. A variance of 10 feet is requested.

According to Section 27-230, variances may be granted when:

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

The subject property suffers from exceptional narrowness, shallowness, or shape. The proposed use will be situated on land that is between an existing publicly dedicated right-of-way (Merrimack Road) and the existing Willowbrook apartment complex on Parcel L. The residue of remaining land creates an extremely awkward, crescent-shaped property that has an abundance of street frontage but has a narrow depth. This depth then creates a conflict with the required yards that, while appropriate for a suburban setting, is less necessary for the urban environment in which the project is situated.

- 2) The strict application of this Subtitle will result in a peculiar and unusual practical difficulties to, or exceptional or undue hardship upon the owner of the property; and**

The strict application of this Subtitle will result in undue hardship upon the owner of the property. The use is intended to serve the local users of the proposed Mother Teresa Center, the vast majority of which reside within walking distance of the site. The applicant submits that the property for this project is being donated and no other options are available for the location of such a facility.

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

Finally, this application will not impair the intent or purpose of either the General Plan or the master plan. The master plan does not specifically address the proposed use in areas recommended for medium-suburban land use. The proposed eleemosynary or philanthropic institution is permitted via a special exception and is legislatively presumed to be compatible.

The proposed Mother Teresa Center is consistent with the guidelines that have been established for recreation in the plan. The master plan for Langley Park states:

- Within the county's fiscal capacity, the development of recreational facilities should be staged proportionately with population growth in the area.
- Sites for neighborhood and community parks should be easily accessible for the intended users.
- Recreational opportunities should be offered in each community to reflect the recreational preferences and needs of local users.
- Development of private or commercial recreation areas should be encouraged to help meet recreational needs.

The multi service facility does conform to these guidelines. One of the underlying reasons for the proposed Mother Teresa Center is to provide social services to both the growing Latino and general population in the area. The center is situated so that intended users can access it with ease.

Regarding the building height for the proposed Mother Teresa Center, a variance is requested for the chapel, which also has a spire with a cross. The spire structure or tower also contains an elevator. In total, this part of the building is approximately 65 feet. This is 25 feet higher than the height permitted by Code. The applicant contends however, that with regard to the height of the spire and/or elevator tower, Section 27-117 states that "the height limits set forth in this Subtitle shall not apply to belfries, chimneys, ...spires, bulkheads, elevators, or similar structures."

Accordingly, though the height of the spire extends beyond the 40-foot statutory height limit for buildings, it is exempted under Section 27-117. Further, the height of the spire with cross are necessary architectural elements of the chapel. Even though this portion of the building projects higher than the maximum allowed height for a structure in the R-18 Zone as identified in 27- 442 (f), it is a critical functional element because it identifies the structure as a church and further evokes a better understanding of the heritage of the congregation. Further, it is consistent with the Spanish Mission style architecture of the chapel that is reminiscent of the prevalent form of architecture from the Southwestern United States, Central, and South America. Based on the elevations submitted by the applicant, the church includes a "bell tower" with an elevator leading to the top, which is exempt from the height requirement. The proposed height for the church is 50 feet. The church exceeds the height limit by 10 feet. A 10-foot variance is necessary, given the style of the building. The architecture is a unique style, which is appropriate given the community that it will serve.

- J. Other Issues:** The Historic Preservation and Public Facilities Planning Section, in a memo dated April 21, 2005, notes the location of a historic structure on the adjacent Willowbrook apartment complex to the south and provides the following comments:

"The subject application for special exception for construction of a multipurpose center including a church, youth center, clinic and gymnasium (and the related applications for a variance, departure from sign design standards, and departure for parking and loading standards) includes the McCormick-Goodhart Mansion, also known as Langley Park, identified as Historic Site 65-007, 8151 15th Avenue, Langley Park.

“Built in 1924, Langley Park is a massive two and one-half story Georgian Revival brick and concrete estate mansion. The main (south) facade is dominated with a two-story pedimented portico with Ionic columns. The mansion was designed by prominent architect George Oakley Totten, Jr., for Frederick and Henrietta McCormick-Goodhart, who named the property Langley Park after the Goodhart estate in England. It is one of only three such architect-designed estate houses in Prince George’s County. The house was used as a daycare center in recent years, but is currently vacant.

“The subject property is already substantially developed. The McCormick-Goodhart Mansion/Langley Park is located roughly at the center of the developing parcel and is surrounded by a large garden apartment complex, Willowbrook Apartments, constructed c.1964. At the northern end of the developing parcel, the site of the subject application currently includes an existing gymnasium building to be demolished. Both the existing gymnasium and the proposed development associated with it will not be visible from the historic site.

“The subject application for special exception and the related applications for a variance and departure from sign design standards will have no effect on McCormick-Goodhart Mansion/Langley Historic Site.”

**K. Required Special Exception Findings:**

Section 27-317(a) of the Zoning Ordinance provides that a special exception may be approved if:

**(1) The proposed use and site plan are in harmony with the purposes of this Subtitle.**

With the recommended conditions, the proposed use and site plan are in harmony with the purposes of the Zoning Ordinance. The purposes of the Zoning Ordinance generally seek to protect and promote the health, safety, morals, comfort, convenience, and welfare of the present and future inhabitants of the county. The proposed Mother Teresa Center will allow local residents the convenience of obtaining a multitude of services in their community. This new center will provide much-needed social services to the more than 60,000 low-income people living in the Langley Park area. Through the variety of social services that will be offered, the center will target specific issues affecting the Langley Park community, such as high crime, gang activity, substance abuse and the high school drop-out rate. Specifically, the LAYC will provide after-school services with constructive youth activities, adult education, including computer courses and educational support, economic and employment development, health care, and family services. Additionally, the center will offer recreation, sports, tutoring, counseling, job assistance and family health services.

**(2) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle.**

Variances regarding setback and building height requirements, as well as a departure from the number of parking and loading spaces required, a departure from sign design requirements, and alternative compliance with the *Landscape Manual*’s requirements, are being considered with this application. Approval of these companion applications will

ensure that the use is in conformance with all the applicable requirements and regulations of the Zoning Ordinance.

**(3) The proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or in the absence of a Master Plan or Functional Map Plan, the General Plan.**

The proposed use will not substantially impair the integrity of the 1989 approved master plan for Langley Park-College Park-Greenbelt and vicinity. The plan indicates that roughly half the site is recommended for public or quasi-public land use, while the balance is recommended for Medium-Suburban residential land uses at up to 5.7 dwelling units per acre. The Planning Board recognizes that an eleemosynary or philanthropic institution is permitted by special exception and is therefore presumed to be both compatible with uses in the neighborhood and in harmony with the plan.

**(4) The proposed use will not adversely affect the health, safety or welfare of residents or workers in the area.**

With the recommended conditions, departures and variance, the proposed use will not adversely affect the health, safety or welfare of residents or workers in the area. The Planning Board believes the use will provide important social services to the neighborhood. The center will offer activities and programs for youth in the surrounding area. The site will feature classrooms, art spaces, a computer lab, counseling rooms, office space for staff, and a drop in-center for youth.

**(5) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood. The proposed center would actually redevelop the site. The Boys and Girls Club has used the existing gym for many years. The structure, however, has become run down and the property is not well maintained. The proposed center would revitalize the property and give the Boys and Girls Club a new home that would be shared with youth in the neighborhood.

**(6) The proposed site plan is in conformance with an approved Tree Conservation Plan.**

The Environmental Planning Section, in a memo dated April 12, 2005, notes that the property is not subject to the Woodland Conservation Ordinance because it contains less than 10,000 square feet of woodlands. A forest stand delineation is required for the entire site (including the existing apartment complex) before an exemption letter can be issued.

**CONCLUSION:**

With the recommended variances, departures and alternative compliance, the proposed use and site plan are generally in conformance with the Zoning Ordinance and in harmony with the master plan. The use will provide important social services to the neighborhood.

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 recommends to the District Council for Prince George's County, Maryland that SE-4526/VSE-4526 be APPROVED, subject to the following conditions:

1. The site plan shall be revised as follows:
  - a. Provide four loading spaces in accordance with the Parking Requirements.
  - b. Show an accessible route from the handicap parking spaces to the building as well as a depressed curb for access to the building.
  - c. Prior to signature approval of the special exception, the Forest Stand Delineation (FSD) plan and text shall be signed and dated by the qualified professional who prepared the plans. The FSD plan shall include the property with the apartment complex to the south included.
  - d. A Standard Letter of Exemption from the Woodland Conservation Ordinance shall be obtained from the Environmental Planning Section prior to the application for any building or grading permit.
  - e. Prior to certificate approval of the special exception, a copy of the Stormwater Management Concept Approval Letter or an approved waiver shall be submitted to the Environmental Planning Section.
  - f. Lot coverage calculations shall be shown on the plan.

The Board recommends Approval of AC-05018 subject to a condition that the landscape plan be revised in accordance with decision of the Alternative Compliance Committee.

\* \* \* \* \*

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 Chairman Hewlett, with Commissioner Squire absent, and with Commissioner Vaughns voting in opposition of the motion, at its regular meeting held on Thursday, July 21, 2005, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 8th day of September 2005.

Trudye Morgan Johnson  
Executive Director

By Frances J. Guertin  
Planning Board Administrator

TMJ:FJG:JJ:rmk

(Revised 8/9/01)