



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 15-11

File No. SP-120002

RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed SP-120002, Rehoboth Church of God in Christ Jesus Apostolic, requesting a special permit for a church in the M-U-TC Zone and a 576-square-foot addition to an existing building 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 February 5, 2015, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The 0.51-acre rectangular shaped subject property is located east of the intersection of Suitland Road (MD 218) and Silver Hill Road (MD 458) in Suitland, Maryland. The site, 5001 Suitland Road, is improved with a single-story building with 1,980 square feet of gross floor area (GFA) that is currently vacant. The applicant is proposing an addition of 576 square feet of GFA to the existing building. An 18-space parking lot is located to the front and side of the building. The remainder of the site is paved. Access to the property is from Suitland Road.
- B. **History:** The 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan* (Suitland M-U-TC Development Plan) classified the property in the Mixed Use Town Center (M-U-TC) Zone. The building on the site is vacant.
- C. **Master Plan Recommendation:** The *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) identified this area as a center. The vision for centers is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. This application is consistent with the Plan Prince George's 2035 Development Pattern policies for centers.

The Suitland M-U-TC Development Plan classified the property in the M-U-TC Zone Commercial District. The M-U-TC Zone:

- provides for a mix of commercial and limited residential uses which establish a safe, vibrant, 24-hour environment; designed to promote appropriate redevelopment of, and the preservation and adaptive reuse of selected buildings in older commercial areas;
- establishes a flexible regulatory framework, based on community input, to encourage compatible development and redevelopment;
- mandates approval of a development plan at the time of zoning approval, that includes minimum and maximum development standards and guidelines, in both written and graphic form, to guide and promote local revitalization efforts; and

- **provides for legally existing buildings to be expanded or altered, and existing uses for which valid permits have been issued to be considered permitted uses, and eliminating nonconforming building and use regulations for the same.**

This application generally conforms to the mixed-use town center land use recommendations of the Development Plan because the church is a permitted use. However, because the proposal does not comply with the design standards of the Development Plan, the applicant must gain approval from the Prince George's County Planning Board.

- D. **Request:** The special permit application is required in this instance because the applicant cannot meet most of the design standards contained in the Suitland M-U-TC Development Plan. The special permit process is the vehicle by which the applicant can receive departures from these standards. The applicant is seeking a special permit for a church in the M-U-TC Zone and approval of the addition of 576 square feet of GFA to the existing building. The Prince George's County Zoning Ordinance requires a special permit for a church use in the M-U-TC Zone, and the applicant proposes a 30 percent increase in the building's existing square footage, which exceeds the 15 percent threshold requiring full compliance with the Development Plan.
- E. **Surrounding Uses:** The site is surrounded by the following uses:
- North— Across Suitland Road (MD 218) is commercial property in the M-U-TC Zone.
- South and East — Property with church uses in the M-U-TC Zone.
- West— An existing shopping center in the M-U-TC Zone.
- F. **Special Permit Findings:** Section 27-239.02(a)(6)(B) of the Zoning Ordinance states:

The Planning Board may grant a special permit in the M-U-TC Zone if it finds that the site plan is in conformance with the approved Town Center Development Plan and its guidelines and any specific criteria for the particular use. In the event a special permit is approved by the Planning Board, the approval is conditional upon the issuance of a building or use and occupancy permit by the Department of Environmental Resources (DER), Permits and Review Division.

The Suitland M-U-TC Development Plan sets forth guidelines for all development in the town center. The design standards replace the requirements that are set forth in the Zoning Ordinance and the 2010 *Prince George's County Landscape Manual* (Landscape Manual). These standards set requirements for site, building, and public space design, including build-to lines, fencing, buffers, landscaping, parking, streetscape, building height, massing and openings, signage, lighting, stormwater management, parks, and plazas. Development that increases the existing GFA by 15 percent (or 7,500 square feet), whichever is smaller, shall subject the site to full review for

compliance with the design standards. Lesser changes to the site and additions to single-family residential dwellings shall not subject the entire site to review for compliance, only the portion impacted by the improvement. The applicant is proposing new GFA in this instance: the addition of a 140-square-foot vestibule, a 39.6-square-foot addition to the kitchen, and approximately 399 square feet to the west side of the building. All of these additions are necessary if the property is to be used as a church.

Design Standards of the Suitland M-U-TC Development Plan: The applicant has requested departures from many of the standards contained in the plan, which have been evaluated for conformance to the required findings. Following is a discussion regarding the requested departures (all page numbers refer to the Development Plan):

1. **Building Placement, Standard 1 (pages 25 and 26):** This standard requires a minimum building setback of 14 feet and a maximum setback of 22 feet from the edge of curb. The existing building, however, is set back more than 130 feet from the edge of the curb along Suitland Road (MD 218). The building's main entrance, however, is oriented to the street as required by the second standard in this section. Staff supports this departure, as the applicant is not proposing to rebuild the structure on the property.
2. **Building Design — Form and Massing, Standard 2 (page 27):** This standard requires that buildings along Suitland Road (MD 218), east of Silver Hill Road (MD 458), be a minimum of two stories in height. The existing building is only one story high, but is more than 22 feet high, comparable to many two-story buildings. Therefore, staff supports this departure.
3. **Building Design — Façade Design, Standard 10 (page 29):** This standard requires that façade materials be high quality, durable, and attractive and that imitation or synthetic exterior building materials be avoided. The vestibule addition on the front of the building is proposed to be mainly faced with Dryvit, which is an imitation/synthetic building material, which is relatively low quality and not particularly durable or attractive. Therefore, staff recommends not supporting this departure and requesting that the applicant replace the Dryvit with a decorative concrete block or brick veneer.
4. **Building Lighting and Security, Standard 1 (page 29):** This multi-part standard provides requirements for site lighting. Conformance with these requirements is impossible to evaluate, as the site plan and architectural elevations do not include lighting information. Staff recommends that all lighting should be shown on the site plan and architectural elevations and a photometric plan provided so that conformance to this standard may be evaluated.
5. **Sidewalks and Storefronts, Standards 1 and 2 (pg. 30):** These standards require that eight-foot or wider sidewalks be separated from streets by a six-foot or wider landscaped strip, and that sidewalks be constructed of concrete and accented with brick. Though there are existing sidewalks along and within the right-of-way of Suitland Road (MD 218), staff

recommends that the applicant revise the plans to demonstrate conformance to these standards by supplementing the existing sidewalks with permeable brick/concrete pavers with landscaping interspersed between the sidewalk and the property line. This is subject to agreement of the appropriate approving authority.

6. **Site and Streetscape Lighting (pages 31 and 32):** This group of standards requires provision of the location and details of both freestanding and building-mounted light fixtures. No building-mounted light fixtures are shown on the submitted architectural elevations, nor does the site plan indicate any freestanding light fixtures along the streets and sidewalks, in conformance with this requirement. Staff recommends that the applicant use building-mounted lighting as security for the parking areas. These standards also include requirements for street furniture and bike racks, neither of which has been provided on the plans for the project. Staff recommends that the applicant revise the plans to conform to the Development Plan standards of this section.
 7. **Street Trees (pages 38 and 39):** The submitted site plan does not provide the regularly spaced street trees as required. Staff recommends that the applicant revise the plans to conform to the Development Plan design standards and guidelines of this section.
 8. **Parking Requirements, Standard 1 (page 41):** The applicant did not request a departure from this standard, which requires the maximum number of parking spaces permitted to be equal to 80 percent of the minimum number required by Section 27-568(a) of the Zoning Ordinance. Section 27-568(a) requires 18 parking spaces for the 70-seat church and the submitted site plan provides 18 spaces, which is in excess of the required 80 percent or 15 spaces. Staff recommends that the applicant revise the plans to conform to this Development Plan standard and remove parallel Parking Spaces 4-7 from the site plan.
 9. **Circulation and Parking Area Design, Standard 18 (pg. 43):** The applicant requests a departure from this standard, which requires parking to be located at the rear of the site or on the side of the building. The submitted site plan does not meet this standard, as all of the parking is located between the building and the public right-of-way in front of the building. This appears to be necessary due to the existing building and paving locations. Staff supports this departure, as the applicant is not proposing to rebuild the structure on the property.
 10. **Landscaping, Buffering and Screening (pages 43 and 44):** These standards require various landscape improvements, including landscaping adjacent to public rights-of-way, perimeter landscaping for parking lots, and interior planting areas in parking lots. The submitted site plan does not meet several of these requirements. Staff recommends that the applicant revise the plans to conform to the Development Plan guidelines and standards of this section.
- G. **Required Findings:** Section 27-548.00.01(a) of the Zoning Ordinance states:

- (1) A Special Permit may be permitted by the Planning Board, in accordance with the provisions of Section 27-239.02.
- (2) The Planning Board is authorized to allow departures from the strict application of any standard or guideline approved in a Town Center Development Plan in accordance with the procedures set forth in Section 27-239.01 and subject to the following findings:
 - (A) A specific parcel of land has exceptional narrowness, shallowness, or shape; exceptional topographic conditions; or other extraordinary situations or conditions;
 - (B) The strict application of the Development Plan will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and
 - (C) The departure will not substantially impair the intent, purpose, or integrity of the General Plan, Master Plan, or the Town Center Development Plan.

The subject property has a unique situation relative to the standards contained in the Suitland M-U-TC Development Plan. The Development Plan envisions redevelopment of sites along the boulevards making up the axis of the town center, whereas the applicant wishes to reactivate an existing vacant building to serve the community and parishioners. This level of burden is not commensurate with what the applicant proposes. The departures will not substantially impair the integrity of the Development Plan. They will allow the reestablishment of a vacant building and improvements to the landscaping and streetscape. In addition, the recommended conditions will further bring the proposal into harmony with the standards of the Development Plan. The possibility for redevelopment will remain.

- H. **Parking Requirements:** The Suitland M-U-TC Development Plan contains parking standards which differ from those contained in the Zoning Ordinance, having both a maximum (80 percent) and minimum (50 percent) number of parking spaces based on what is required by Section 11 of the Zoning Ordinance. The applicant is providing 18 parking spaces; however, the Development Plan requires that all on-site parking be located at the side or rear of the subject property. This is not possible due to the existing conditions of the subject site. As noted in Design Standard 8 for parking, staff recommends elimination of the four parallel parking spaces from the site plan for conformance to the standard.
- I. **Tree Canopy Coverage:** The Tree Canopy Coverage Ordinance is applicable to all projects that propose 5,000 square feet or greater of GFA or disturbance on-site. The subject application is not subject to the requirements of the Ordinance because it does not involve more than 5,000 square feet of site disturbance. If plan revisions result in a proposed site disturbance greater than 5,000 square feet, conformance to tree canopy coverage requirements would need to be demonstrated.

J. Further Planning Board Findings and Comments from Other Entities:

1. **Community Planning**—The Suitland Mixed-Use Town Center Design Review Committee, the local entity charged with assessing compliance with the plan, reviewed the proposal and found that the proposal did not comply with numerous requirements. The proposed additions exceeded what the committee is permitted to approve. The Planning Board concurs with the Committee findings and recommendations. The Committee recommends that, if approved, all parking be provided on-site, that the property be maintained, and that the community receive notification of the Planning Board hearing. All other issues are addressed in the Special Permit finding above.
2. **Transportation Planning**—The site is subject to the general requirements of a special permit review, which include attention to parking, loading, on-site circulation, etc. No traffic-related findings are required. Suitland Road (MD 218) is listed in the 2010 *Approved Subregion 4 Master Plan and Adopted Sectional Map Amendment* as an arterial roadway with a 120-foot-wide right-of-way. No further dedication is required. The Transportation Planning Section determined that the special permit plan is acceptable.
3. **Prince George's County Department of Permitting, Inspections and Enforcement**—This portion of Suitland Road (MD 218) is a county-maintained roadway; therefore, all improvements within the public rights-of-way as dedicated for public use to the county are to be in accordance with the County Road Ordinance, the Prince George's County Department of Public Works and Transportation (DPW&T) standards and specifications, and the Americans with Disabilities Act (ADA). Appropriate county permits will be required for all proposed on-site and right-of-way improvements. Stormwater Management Concept Plan 30748-2012-00 was approved for this property.
4. **Environmental Planning**—There are no issues or comments for the proposed improvements.
5. **Special Projects**—The request for a special permit for a church in the M-U-TC Zone will have no impact on public facilities.
6. **Historic Preservation**—The proposed church use in the M-U-TC Zone will have no effect on identified historic sites, resources, or districts.
7. **Urban Design**—Comments are addressed as part of the Suitland M-U-TC Development Plan standards.

CONCLUSION

The Planning Board may grant departures from the standards contained in the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan* through the special permit process. The submitted site plan, justification statement, and other submitted materials are not in full conformance with the Development Plan standards. However, this is the redevelopment of an existing building from a commercial/automotive use to a church use. The Planning Board supports many of the requested departures; however, in those instances where relatively simple changes can be made, conditions of approval are included.

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 above-noted application, subject to the following conditions:

1. Prior to issuance of permits, the site plan shall be revised to show the following, in conformance with the standards of the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan* (Development Plan):
 - a. Revise the architectural elevations to indicate that decorative concrete block or brick veneer will be utilized as the exterior sheathing material for the building, rather than Dryvit.
 - b. Building-mounted lighting shall be shown on the architectural elevations, freestanding lighting shown on the site plan, and a photometric plan provided demonstrating conformance to the building lighting and security and site and streetscape lighting requirements included on pages 29, 31, and 32 of the Development Plan.
 - c. All sidewalks shall be revised to conform to the requirements of the Development Plan regarding streetscape and sidewalk design, unless modified by the appropriate agency where improvements are in a public right-of-way.
 - d. Revise the site plan to provide bike racks and street furniture to conform to the Development Plan standards.
 - e. Street trees shall be provided in conformance with the Development Plan standards.
 - f. Revise the site plan to reduce the provided number of parking spaces to at least 15, preferably through the removal of four parallel parking spaces (Spaces 4-7 on the site plan).
 - g. Revise the site plan to conform to the Development Plan standards regarding landscaping, buffering, and screening.

- h. Enlarge the proposed landscape island adjacent to the right-of-way and minimize all drive aisles to the minimum required widths.
- i. Revise the site plan and General Note 6 to reflect the existing (1,980 square feet) and proposed (2,556 square feet) gross floor area and include the totals for each of the three additions.

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

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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 Washington, seconded by Commissioner Geraldo, with Commissioners Washington, Geraldo, Bailey and Hewlett voting in favor of the motion, and with Commissioner Shoaff absent at its regular meeting held on Thursday, February 5, 2015, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 19th day of March 2015.

Patricia Colihan Barney
Executive Director



By Jessica Jones
Planning Board Administrator

PCB:JJ:IT:arj



APPROVED AS TO LEGAL SUFFICIENCY


M-NCP&C Legal Department

Date 3/9/15