



# THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

PGCPB No. 16-04

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File No. SP-140003

## RESOLUTION

WHEREAS, the Prince George's County Planning Board has reviewed SP-140003 requesting a special permit to construct a 6,000-square-foot second-story addition to an existing building used as a private educational facility, 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 January 14, 2016, the Prince George's County Planning Board finds:

- A. **Location and Field Inspection:** The 7.04-acre L-shaped subject property is located on the east side of Silver Hill Road, approximately 410 feet south of the intersection of Silver Hill Road and Suitland Road in Suitland, Maryland. The site, 4725 Silver Hill Road, is improved with a 34,140-square-foot single-story building that is currently used as a private educational facility known as the Sheet Metal Workers Local Union #100 training and education facility. Access to the property is via two entrances on Silver Hill Road. The applicant is proposing a 6,000-square-foot second-story addition to the existing 34,140-square-foot building. There is limited parking at the front of the building and a 121-space parking lot located to the rear of the building. The site plan shows a proposed bioretention swale at the rear of the parking lot. There is currently a wooded area located at the northeast portion of the property.
- B. **History:** The Prince George's County District Council approved both the rezoning (A-946) of the property from One-Family Detached Residential (R-55) to Commercial Shopping Center (C-S-C) and Special Exception SE-3484 to permit a private educational institution (Zoning Ordinance 10-1984) on February 27, 1984. 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 Suitland M-U-TC Design Review Committee approved Permit Application #2 to install a four-foot and six-foot, black, wrought iron fence with a gate on October 10, 2012. On July 12, 2014, the Committee denied Permit Application #1401 because the proposal exceeded the 15 percent threshold of the M-U-TC design standard.
- C. **Master Plan Recommendation:** The property is in the Suitland M-U-TC Zone. The Suitland M-U-TC Development Plan establishes design standards and guidelines that govern development within the zone. The 2014, *Approved Southern Green Line Station Area Sector Plan and Sectional Map Amendment* (Southern Green Line Station Area Sector Plan and SMA) places the property in the Development District Overlay (D-D-O) Zone that regulates uses permitted within the M-U-TC boundary. This development application conforms to the flexible land use recommendation of the Southern Green Line Station Area Sector Plan and SMA. The *Plan Prince George's 2035 Approved General Plan* (Plan Prince George's 2035) designates the area in the Established Communities Growth Policy area. The vision for established communities is a context-sensitive infill and low- to medium-density development. This application is consistent with the General Plan development pattern policies.

The Suitland M-U-TC Development Plan classified the property in the M-U-TC Zone. 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 a private educational facility is a permitted use. However, because the proposal exceeds the 15 percent threshold that precipitates full compliance with the design standards of the Suitland M-U-TC 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 proposal exceeds the 15 percent development threshold contained in the development plan. The special permit process is the vehicle by which the applicant can receive departures from these standards. The Prince George's County Zoning Ordinance requires a special permit for the building addition in the M-U-TC Zone, and the applicant proposes a 17.5 percent increase in the building's existing square footage, which exceeds the 15 percent threshold requiring full compliance with the development plan. The applicant is requesting approval of the 6,000-square-foot second story addition and departures for building placement, sidewalks and storefront, circulation and parking area design and landscaping, and buffering and screening design requirements as outlined in the M-U-TC Development Plan.

E. **Surrounding Uses:** The site is surrounded by the following uses located within the D-D-O Zone:

**North—** Properties in the M-U-TC Zone developed with a variety of uses that include a shopping center, church, bank, retail store, and an office building.

- South—** An existing shopping center with a church use and multifamily residential apartments in the M-U-TC Zone and a single-family dwelling fronting Sycamore Lane zoned One-Family Semidetached, and Two-Family Detached, Residential (R-35).
- East—** Property in the M-U-TC Zone developed with a shopping center.
- West—** Silver Hill Road and other developed property 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 gross floor area (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.

On August 7, 2014, the Suitland M-U-TC Design Review Committee reviewed the subject application for the addition of approximately 6,000 square feet to the existing 34,140-square-foot union hall and training center. This expansion is proposed by converting the existing interior courtyard into a two-story structure with ground-level open area and second story classroom spaces. This proposed addition is within the existing building footprint; however, the building height increased to approximately 12 feet for the infill portion that may not be visible from the street. A review of the application for compliance with the development plan design standards revealed that the proposed building alteration exceeded the 15 percent threshold that requires conformance to the design standards. As a result, the committee recommended denial because the application did not meet the following requirements:

1. **Building Placement—**The building, as it exists, exceeds the maximum 22 feet allowed from the edge of the curb.

The existing building was constructed in the 1940s. There are no changes proposed to the exterior of the building or the outer perimeter footprint of the existing building. A departure is requested from this standard.

2. Stormwater Management—The plan does not address low-impact development (LID) design techniques and strategies.

The application is proposing a 950-square-foot bioretention with an 8,800-square-foot drainage area to address LID design techniques and strategies. The site has an approved Stormwater Management Concept Plan, 37900-2012-00, dated March 18, 2013, expiring March 18, 2016.

3. Sidewalks and Storefront—The proposal does not conform to the eight-foot wide sidewalk standard, as well as the requirement that the sidewalk be separated from the street by a landscape strip of at least six feet. This proposal retains the existing sidewalk that is adjacent to the curb.

There is no change to the exterior of the building proposed. A departure is required from this standard.

4. Circulation and Parking Area Design—This proposal retains the existing parking in front of the building contrary to the requirement to locate parking at the rear or on the side of the building.

The parking in the front is existing and is necessary to meet the parking requirement associated with the proposed addition. Landscape islands have been expanded/proposed to enhance the aesthetic along Silver Hill Road. A departure is requested from this standard.

5. Landscaping, Buffering and Screening—This proposal does not comply with the perimeter landscaping and other landscape requirements contained on page 43 of the development plan. While the applicant does show landscape islands at the front of the building more can be done to comply with the requirement for perimeter landscaping for parking lots.

A departure is requested from this standard. This is addressed as a condition of approval.

#### **Design Standards of the Suitland M-U-TC Zone 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 the discussion regarding the requested departures (all page numbers refer to the development plan):

1. **Building Placement, Standard 1 (pg. 25-26):** 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 is set back over 55 feet from the public right-of-way, and the proposed addition is located behind the existing building. This departure is supported, as there appears no alternative workable site design, given the existing conditions.



2. **Sidewalks and Storefronts, Standards 1 and 2 (pg. 30):** These standards require that sidewalks be designed to be separated from streets by a six-foot landscape strip and be a minimum of eight-feet-wide, constructed of concrete accented with brick. There is an existing sidewalk along the property's frontage, within the public right-of-way of Silver Hill Road, which does not meet these requirements. The existing conditions can be supported, as the sidewalk is governed by the Maryland State Highway Administration (SHA), and a landscape strip, planted with shade trees, be provided along the back of the sidewalk.
  3. **Circulation and Parking Area Design, Standard 18 (pg. 43):** The applicant requested 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 a small existing parking area is located between the building and the public right-of-way. This departure is supported, as there appears no alternative workable site design and the existing parking lot is small. However, the reconfiguration to provide a landscape strip behind the existing sidewalk within the SHA right-of-way should be provided.
  4. **Landscaping, Buffering and Screening (pg. 43-44):** 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. The applicant should revise the plans to conform to the development plan guidelines and standards of this section. This is addressed as a condition of approval.
- 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 the site along the boulevards making up the axis of the town center, whereas the applicant wishes to put an addition on an existing building.

This level of burden is not commensurate, legally or practically, with what the applicant proposes. The departures will not substantially impair the integrity of the development plan. They will allow the establishment of an attractive building on the site and improvements to the landscaping and streetscape. In addition, 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. The applicant is providing 121 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. The inclusion of vegetation islands is recommended. The departure from this standard is supported.
- I. **Tree Canopy Coverage:** The Prince George's County Tree Canopy Coverage Ordinance is applicable to the subject project because it proposes greater than 5,000 square feet of GFA or disturbance on-site. For a redevelopment property in the M-U-TC Zone, which does not qualify for a standard exemption, the requirement is ten percent of the area within the limit of disturbance shown on the site plan. The submitted site plan does not show a limit of disturbance nor a tree canopy coverage (TCC) schedule demonstrating conformance to the requirements of the ordinance. Conformance to TCC requirements needs to be demonstrated. This is addressed as a condition of approval.
- J. **Further Planning Board Findings and Comments from Other Entities:**
1. **Community Planning—**The Suitland M-U-TC 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 committee spoke highly of the Sheet Metal Workers' Local Union 100 as a good neighbor to the Suitland community, and commented on the applicability and shortcomings of the development plan and design standards and guidelines for existing development and the existing unique circumstances. The committee, therefore, encouraged the applicant to file for a special permit and seek a departure from design standards and guidelines, and recommends that the Planning Board grant the departure request. All other issues are addressed in the special permit finding above.

2. **Transportation Planning**—Silver Hill Road, along this segment, is recommended to be improved as multi-way boulevard with a 132-foot right-of-way. SHA will require access permits.
3. **Prince George's County Department of Permitting, Inspections and Enforcement (DPiE)**—Stormwater Management Concept Plan 37900-2012-00 was approved for this property.
4. **Environmental Planning**—The site is exempt from the Prince George's County Woodland and Wildlife Habitat Conservation Ordinance because the site has more than 10,000 square feet of woodland, is greater than 40,000 square feet in size, will not impact any on-site woodland areas, and has no previously approved tree conservation plans. The site has an approved Woodland Conservation Exemption Letter (E-033-12) and Natural Resources Inventory (NRI-23-13). An updated exemption letter will be required at the time of permit.
5. **Special Projects**—The request for a special permit for a private educational institution in the M-U-TC Zone will have no impact on public facilities.
6. **Historic Preservation**—There are no historic sites or resources adjacent to the site. The private educational institution use in the M-U-TC Zone will have no effect on identified historic sites, resources, or districts.
7. **Urban Design**—The Planning Board reviewed the additional information/revised plans provided in support of Special Permit SP-140003. Comments are addressed as part of the development plan standards.
8. **Permits**—The Planning Board reviewed the site plan provided in support of the special permit request. Calculate the parking for both general office and training facility/educational institution use. The parking for the operation of the training facility is calculated at a ratio of one parking space for every three students. The required parking for an office is one parking space for every 250 square feet of the first 2,000 square feet of GFA, plus one parking space for every 400 square feet above the first 2,000 square feet. If there are other uses occupying the building then these uses must be included in the parking schedule. The maximum number of parking spaces permitted for each land use type shall be equal to 80 percent of the minimum required off street parking spaces in accordance with Section 27-568(a) of the Zoning Ordinance. The M-U-TC design guidelines allow for a 50 percent reduction for nonresidential development. The site plan requires revisions to include adherence to parking and loading regulations, building use, height, and gross floor area, screening, and buffering. These general comments are addressed as conditions of approval.

## 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 a redevelopment of an existing building by enclosing the courtyard and adding a second story for additional classrooms to increase the education/institutional use. The proposed application generally meets the requirements.

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 certification, 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* (Suitland M-U-TC Development Plan):
  - a. Revise the parking schedule as outlined in the Permit Review Section referral comments.
  - b. All parking spaces are subject to the dimensions set forth in Section 27-558 of the Prince George's County Zoning Ordinance. Correctly dimension all of the parking spaces on the site plan. Label the van-accessible parking space.
  - c. All sidewalks shall be revised to conform to the requirements of the Suitland M-U-TC 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. Provide a tree canopy coverage (TCC) worksheet to demonstrate conformance to the Prince George's County Tree Canopy Coverage Ordinance.
  - f. Revise the site plan to conform to the Suitland M-U-TC Development Plan, Standard 3, regarding landscaping, buffering and screening (page 43).
  - g. In the general notes, clearly indicate the gross floor area of the existing building, the gross floor of the addition, and the total new gross floor area.
  - h. In the general notes, indicate the height of the existing building and the proposed addition.
  - i. The center line and ultimate right-of-way of Silver Hill Road must be provided on the site plan.



- j. Show the height of the existing fence along the northern property line.
  - k. Screen the dumpster in accordance with the Suitland M-U-TC Development Plan design guidelines (page 40).
  - l. Show the dimensions, including the height, of the canopy.
2. Prior to issuance of permits an updated Woodland Conservation Exemption Letter will be required.

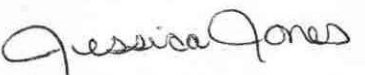
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within thirty (30) days of the final notice of the Planning Board's decision.

\* \* \* \* \*

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, January 14, 2016, in Upper Marlboro, Maryland.

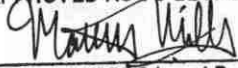
Adopted by the Prince George's County Planning Board this 4th day of February, 2016.

Patricia Colihan Barney  
Executive Director

  
By Jessica Jones  
Planning Board Administrator

PCB:JJ:IRT:rpg

APPROVED AS TO LEGAL SUFFICIENCY.

  
M-NCPPC Legal Department  
Date 1/21/16