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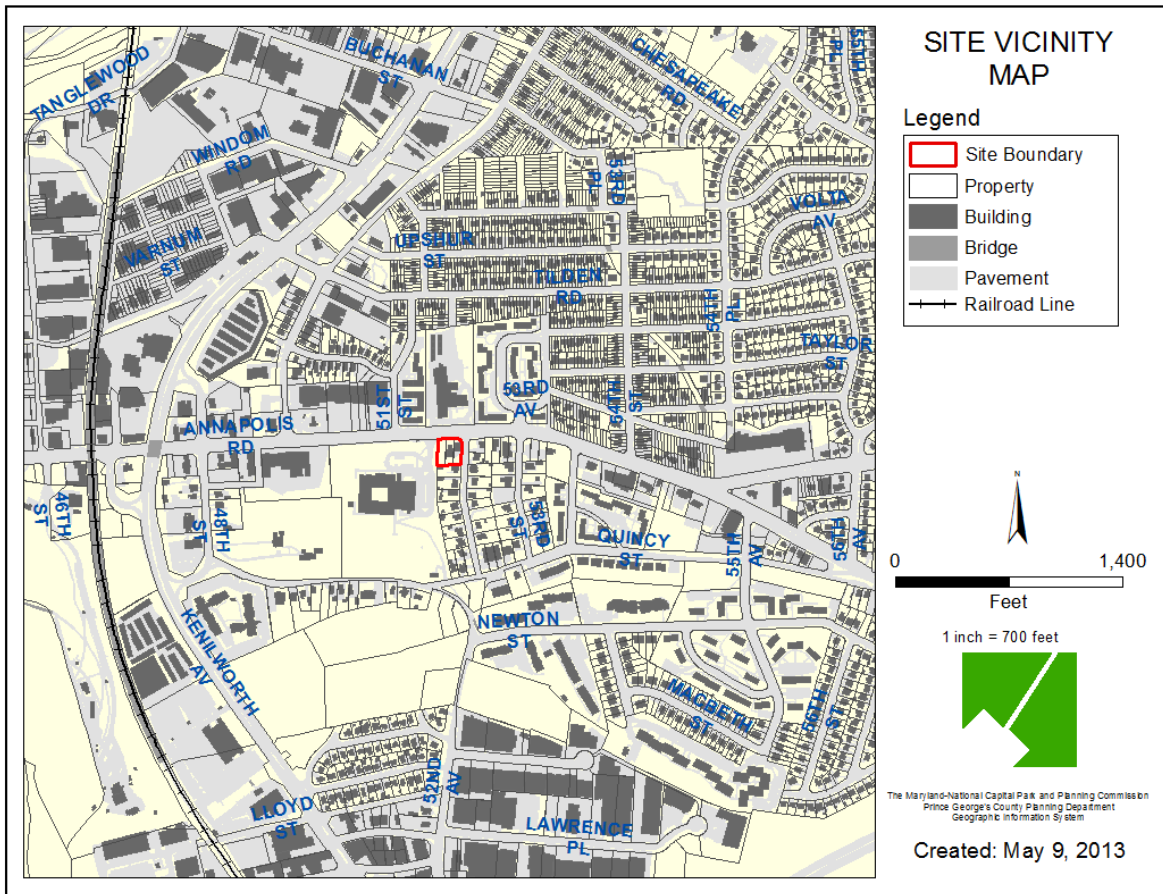
Special Exception

SE-4723

Application	General Data	
Project Name: Model Prayer Ministries International Location: South of Annapolis Road (MD 450) and west of 52 nd Avenue and the intersection of Annapolis Road and 52 nd Avenue. Applicant/Address: Model Prayer Ministries International 5103 Annapolis Road Bladensburg, MD 20710 Property Owner: Model Prayer Ministries International 5103 Annapolis Road Bladensburg, MD 20710	Planning Board Hearing Date:	10/03/13
	Staff Report Date:	09/16/13
	Date Accepted:	06/12/13
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.52 acres
	Zone:	R-55
	Gross Floor Area:	3020 sq. ft.
	Lots:	3
	Parcels:	N/A
	Planning Area:	69
	Tier:	Developed
	Council District:	05
	Election District	02
	Municipality:	Bladensburg
	200-Scale Base Map:	205NE04

Purpose of Application	Notice Dates	
SE-4723: Special Exception for a church in the R-55 Zone. Variance of 13 feet from the 25-foot setback requirement of Section 27-341.02(a)(1).	Informational Mailing	04/20/12
	Acceptance Mailing:	06/06/13
	Sign Posting Deadline:	N/A

Staff Recommendation		Staff Reviewer: Ivy R. Thompson Phone Number: 301-952-4326 E-mail: Ivy.Thompson@ppd.mncppc.org	
APPROVAL	APPROVAL WITH CONDITIONS	DISAPPROVAL	DISCUSSION
	X		



THE MARYLAND-NATIONAL CAPITAL
PARK AND PLANNING COMMISSION

PRINCE GEORGE'S COUNTY PLANNING BOARD

TECHNICAL STAFF REPORT

TO: The Prince George's County Planning Board
The Prince George's County District Council

VIA: Jimi Jones, Zoning Supervisor

FROM: Ivy R. Thompson, Senior Planner, Zoning Section, Development Review Division

SUBJECT: **Special Exception Application No. SE-4723**
Model Prayer Ministries International

REQUEST: **SE-4723:** A request for a Special Exception for a church in the R-55 Zone.
Variance to the 25-foot setback requirement of Section 27-341.02 of the
Zoning Ordinance.

RECOMMENDATION: **SE-4723: APPROVAL with conditions**

NOTE:

The Planning Board has scheduled this application to be reviewed on the agenda date of October 3, 2013. If the Planning Board decides to hear the application, it will be placed on a future agenda.

Any person may request the Planning Board to schedule a public hearing. The request may be made in writing prior to the agenda date or in person on the agenda date. All requests must specify the reasons for the public hearing. All parties will be notified of the Planning Board's decision.

You are encouraged to become a person of record in this application. The request must be made in writing and addressed to the Prince George's County Office of the Zoning Hearing Examiner, County Administration Building, Room 2184, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Questions about becoming a person of record should be directed to the Hearing Examiner at 301-952-3644. All other questions should be directed to the Development Review Division at 301-952-3530.

FINDINGS

- A. **Location and Field Inspection:** The subject property, 5103 Annapolis Road (MD 450), Bladensburg, Maryland, is located south of Annapolis Road and west of 52nd Avenue and the intersection of Annapolis Road and 52nd Avenue, in the Developed Tier. The subject property is zoned R-55, One Family Detached Residential, and is 0.52 acres in size and is improved with an existing 3,020-square-foot structure. The property is surrounded by a four-foot wrought iron fence along the perimeter abutting Annapolis Road and 52nd Avenue, and a five-foot chain-link fence along the property line with BOE property. There is a combination four-foot wrought iron and chain-link fence abutting the single-family residence to the south of the subject property. There is an existing area of asphalt paving on the western side of the site and an existing gravel path on the southern side of the building leading to a vehicular entrance from 52nd Street on the eastern side of the site. Direct pedestrian and vehicular access is provided via 52nd Avenue. The subject property is in Planning area 69, Council District 5.

- B. **Development Data Summary:**

	EXISTING	PROPOSED
Zone(s)	R-55	R-55
Use(s)	One Family Detached Residential	Church
Acreage	0.52	0.52
Parcels	3	3

- C. **History:** The property is known as Part of Lots 1 through 3, located on Tax Map 50 in Grid D-3, in the R-55, and is 0.52 acres. Lots 1 through 3 of the Decatur Heights Subdivision were recorded in Plat Book RNR 2-33 in 1914. The subject site is developed with a two-story, 3,020-square-foot rambling building in its northeastern corner. The original portion of the structure was built in 1913, and has been the subject of several additions since that time. The current configuration of the Lots 1 through 3 was the result of right-of-way dedication along Annapolis Road by State Highway Administration (SHA) Final Plat # 39552.
- D. **Master Plan and General Plan Recommendations:** The subject property is located in the Developing Tier. The vision for the Developing Tier is to maintain a network of sustainable transit supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods, distinct commercial Centers, and employments areas that are increasingly transit serviceable. This application is consistent with the 2002 Approved General Plan Development Pattern policies for the Developing Tier.

This application is in conformance with the mixed-use recommendations of the October 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. The sector plan's land use recommendation is for infill mixed-use development to create green, healthy, and pedestrian-friendly communities.

- E. **Request:** The applicant is requesting a special exception to operate a 56-seat church within the existing structure originally constructed as a single-family dwelling and variance for 13 feet from the 25-foot setback requirement of Section 27-341.02(a)(1). The application is not proposing any additional buildings or gross floor area (GFA).

- F. **Neighborhood and Surrounding Uses:** Single-family zoned properties exist east of the property. There is developed property with retail uses zoned M-X-T along the northern boundary of Annapolis Road (MD 450). Bladensburg Elementary School is on the west side of the subject property boundary. The neighborhood boundaries in this case are identified as follows:

North— Annapolis Road (MD 450)

East— 52nd Street

South— Quincy Street

West— 48th Street

The uses immediately surrounding the proposed special exception are as follows:

North— Single-family residences zoned R-55 and Multifamily properties zoned R-18 within a Development District Overlay zone (D-D-O-Z).

South— Single-family residences zoned R-55 and R-18

East— Single-family residences zoned R-55

West— Bladensburg Elementary School on property zoned R-55 and O-S

- G. **Specific Special Exception Requirements:**

Pursuant to Section 27-341.02 of the County Zoning Ordinance, Churches or similar places of worship, and may be permitted provided subject to the following requirements:

- (1) **The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;**

Comment: The minimum setback requirements are met on the front, rear and west sides of the property. The setback on the east side of the property is only 18 feet. The applicant has requested a variance for this setback requirement.

- (2) **When possible, ingress and egress should be located so as to direct traffic away from streets that are internal to a residential subdivision;**

Comment: Ingress and egress to the property is via 52nd Street which is appropriate. This location will also direct traffic from negatively impacting Annapolis Road (MD 450).

- (3) **The applicant shall satisfactorily demonstrate that parking and traffic will not adversely affect adjacent residential neighborhoods;**

Comment: All property is internal to the subject site and will not adversely affect adjacent residential neighborhoods.

- (4) **When possible, there should be no parking spaces or loading areas located in the front yard; and**

Comment: All parking is located at the side and rear of the subject property.

- (5) **The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased. (CB-23-1993; CB-23-2009)**

Comment: No new building or construction is proposed.

- H. **Variance to the 25-foot setback requirement of Section 27-341.02:** Section 27-27-341.02 of the Zoning Ordinance prescribes that Churches or similar places of worship may be permitted provided it is located at least 25 feet from each lot line. The site plan shows that this required setback is not being met along the eastern property line. A maximum reduction of seven feet to the east is sought. The subject property is product of three existing record Lots which were narrowed over time by the changes in right-of-way dedication along both Annapolis Road (MD 450) and 52nd Avenue.

Section 27-230(a)(1) provides the following findings for approval of a variance:

- (a) **A variance may only be granted when the District Council, Zoning Hearing Examiner, Board of Appeals, or the Planning Board as applicable, finds that:**

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

Comment: The subject property was previously used as a single-family dwelling, which at the time was in conformance to setbacks for a residential use. The existing site has exceptional narrowness in that the existing structure is seven feet short of meeting the requirement and the property is being narrowed further by the future right-of-way dedication.

- (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**

Comment: 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, which would result in the event that the variance was not approved, is that the church could not operate. This is an undue hardship as all of the conditions are present and outside the control of the church as the property owner.

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

Comment: The variance will not substantially impair the intent, purpose, or integrity of the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. The sector plan's land use recommendation is for infill mixed-use development to create green, healthy, and pedestrian-friendly communities. The subject site is located outside of the DDOZ boundary designated in the 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. However, it is within the Annapolis Road Gateway Character Area. The use is a use permitted by special exception in the R-55 Zone and is therefore presumed to be compatible with the surrounding area. This criterion is met.

Conclusion

The applicant has met the criteria for variance approval, as such; staff recommends the variance be approved.

- I. **Parking Regulations:** The site plan submitted by the applicant correctly demonstrates the required loading space and parking (14 spaces).
- J. **Prince George's County Landscape Manual Requirements:** As the subject application involves a change of use from a lower to a higher-intensity use, it is subject to the requirements of Sections 4.2, Requirements for Landscape Strips Along Streets, 4.3, Parking Lot Requirements, 4.7, Buffering Incompatible Uses and, thereby, Section 4.9, Sustainable Landscaping Requirements, of the 2010 *Prince George's Landscape Manual* (Landscape Manual). Additionally, the project is subject to Sections 4.4, Screening Requirements, and 4.5, Stormwater Management Facilities, as are all applications. The Alternative Compliance application AC-12014 was approved with eight conditions on July 19, 2012 to allow alternative compliance to Sections 4.3 and Sections 4.7 of the Landscape Manual, so as to provide positive visual impacts along both the southern and eastern property lines.

Tree Canopy Coverage Ordinance: The subject application is exempt from the requirements of the Tree Canopy Coverage Ordinance as it will not cause more than 1,500 square feet of disturbance to the site.

- K. **Zone Standards:** The subject application has been reviewed for compliance with the requirements of the R-55 Zone and the guidelines of the Zoning Ordinance.
- L. **Required Findings:** Section 27-317(a)(1) of the Zoning Ordinance states:
 - (a) **A Special Exception may be approved if:**

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

Comment: The subject property has been used for single-family residential purposes for many decades. This is an existing development and the proposed change in use as a church is in harmony with the purposes of this Subtitle. The proposed use and site plan are therefore in harmony with the purposes of this Subtitle.

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

Comment: With the recommended conditions of approval, the proposed use is in conformance with all of the applicable requirements and regulations of this Subtitle and the Landscape Manual. The applicant has requested a variance to seek relief from the 25-foot setback requirement.

- (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 Master Plan, the General Plan;**

Comment: This application is in conformance with the mixed-use recommendations of the October 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. The sector plan's land use recommendation is for infill mixed-use development to create green, healthy, and pedestrian-friendly communities. The application was also found to be consistent with the 2002 General Plan Development Pattern policies for the Developing Tier. Therefore, the proposed use will not substantially impair the integrity of any validly approved master plan.

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

Comment: The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area. Churches, when approved by Special Exception, generally have a positive effect on the health, safety or welfare of residents or workers in the area.

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

Comment: The proposed use as a church will not be detrimental to the use or development of adjacent properties or the general neighborhood. The church has access to multiple modes of transportation (car, bus, bike and pedestrian), which can only contribute to the fulfillment to create a green, healthy, and pedestrian-friendly community. The surrounding properties have existing single family residential development adjacent to its southern border and there is also existing residential and commercial development that abuts the community. The change in use will not impede development that is coming to the area within or proximate to the neighborhood.

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

Comment: The property is exempt from TCP2 plan requirements because it does not contain woodlands; therefore it is not subject to the Woodland and Wildlife Habitat Conservation Ordinance.

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130 (b)(5).

Comment: There is no new grading or construction proposed; therefore, the proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible, in accordance with the requirement of Subtitle 24-130 (b)(5) of the County Ordinance.

M. **Referrals:** The following comments were received for the special exception application:

1. **Subdivision Review**—Pursuant to Section 24-111(c)(2) of the Subdivision Regulations, the site is exempt from the requirement of filing a preliminary plan of subdivision because the final plat was approved prior to October 27, 1970 and the total gross floor area of development does not exceed 5,000 square feet. The site plan should note the date of original building was constructed on-site and then the cumulative total gross floor area of development after 1991. If the total gross floor area of development on-site is more than 5,000 square feet after 1991, then a preliminary plan of subdivision will be required at that time.
2. **Historic Preservation**—The proposed special exception for the alteration of a certified non-conforming use will have no effect on identified Historic Sites, Resources or Districts
3. **Urban Design**—No exterior building renovations are proposed with this special exception; therefore, no architecture was reviewed. Other Urban Design issues relating to landscaping are discussed in Finding J of this report.
4. **Community Planning**—The subject site is located outside of the DDOZ boundary designated in the October 2009 *Approved Port Towns Sector Plan and Sectional Map Amendment*. However, it is within the Annapolis Road Gateway Character Area and the following development guidelines are pertinent to the review of this development application:

General Building Standards for Siting (p.175): *Garage and Parking*—Curb cut or driveways shall be located at least 75 feet away from any block corner or another garage entry on the same block face. This guideline does not apply along alleys. However, the existing driveway is located approximately 50 feet from the intersection of Annapolis Road (MD 450) and 52nd Street. To meet the guideline, an existing 15-inch caliper oak tree has to be removed. Staff supports maintaining the existing driveway location to preserve the oak tree to enhance the site's landscaping.

Parking and loading standards: *Required Parking Spaces* (p.198)—The minimum surface parking spaces shall be 80 percent of the minimum required parking and loading as stated by Section 27-568(a) of Part 11 of the Zoning Ordinance. The maximum number of surface parking spaces shall be equal to the minimum required by required parking and loading as stated by Section 27-568(a) of Part 11 of the Zoning Ordinance. The applicant has provided the minimum number of spaces (14 spaces) required by the Zoning Ordinance. *Special parking Standards: Bicycle Parking* (p.199)—All new nonresidential development shall provide a minimum of four bicycle parking spaces (installed two high-quality inverted “U” racks). Bicycle parking spaces have not been provided on the plan. The applicant should revise the plan to include a bicycle rack providing at least the minimum four bicycle spaces recommended encouraging less reliance on vehicular trips.

Other recommendations: Considering that this is in a residential area and expected to have increased pedestrian activities associated with the church services, it would be beneficial to provide a sidewalk along 52nd Street to connect to the recently constructed sidewalk on Annapolis Road (MD 450).

5. **Transportation Planning**—The subject site is adjacent to a State of Maryland maintained road, Annapolis Road (MD 450) and a locally maintained road, 52nd Avenue. Annapolis Road (MD 450) contains improved sidewalks at the subject property. Recent sidewalk improvements were completed by the Maryland State Highway Administration (SHA) along MD 450. The improvements are part of a larger system preservation project by SHA described as “*Bladensburg Streetscape along MD 450 from Peace Cross to 56th Street.*” There is a sidewalk on the north side of 52nd Avenue across from the subject property. The sidewalks appear to be adequate for the proposed use, and there are no State, County, or local capital improvement projects that will affect the subject application. The special exception use application poses no issue regarding the required special exception finding.
6. **Environmental Planning**—No other environmental requirements are related to this application.
7. **Special Projects**—The request for special exception for the alteration of a certified non-conforming use will have the following impacts on existing public facilities:
 - a. **Police Facilities:**The proposed development is within the service area of Police District I, Hyattsville. There is 267,660 square feet of space in all of the facilities used by the Prince George’s County Police Department and the July 1, 2012 (U.S. Census Bureau) county population estimate is 881,138. Using the 141 square feet per 1,000 residents, it calculates to 124,240 square feet of space for police. The current amount of space 267,660 square feet is within the guideline.
 - b. **Fire and Rescue:** The proposed development is within the seven-minute required response time for the first due fire station using the *Seven-Minute Travel Times and Fire Station Locations Map* provided by the Prince George’s County Fire/EMS Department.

- c. **Schools:** In accordance with the Adequate Public Facilities Regulations for Schools (CR-23-2001 and CR-38-2002) the application is exempt from a review for schools because it is a nonresidential use.
- d. **Water and Sewerage:** The location of the property within the appropriate service area of the Ten-Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage for preliminary or final plat approval. The *Water and Sewer Plan* placed this property in Water and Sewer Category 3, Community System.

CONCLUSION

The applicant has met their burden of proof in this instance. Based on the preceding analysis and findings, staff recommends APPROVAL with the following conditions of Special Exception Application SE-4723 and approval of the variance.

1. Provide a sidewalk along 52nd Street to connect to the recently constructed sidewalk on Annapolis Road (MD 450).
2. The applicant shall revise the plan to include a bicycle rack providing at least the minimum four bicycle spaces.
3. Prior to the issuance of grading and building permits the site plan shall be revised to:
 - a. Add a note that provides the site tax map and grid, lot number, plat information and current deed information.
 - b. Add a note to state that “direct access to Annapolis Road (MD 450), an arterial roadway, should be restricted.”