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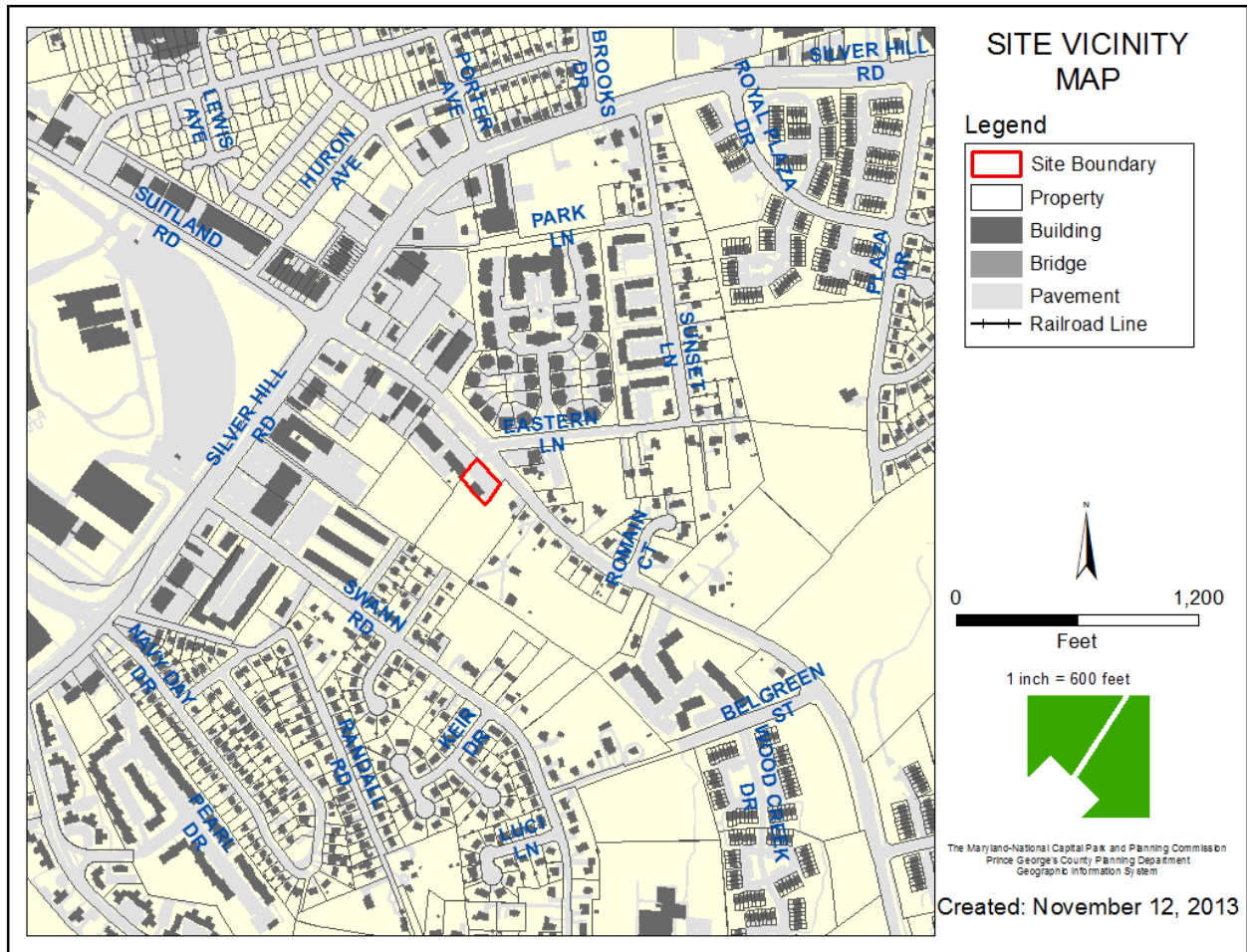
Special Permit

SP-120002

Application	General Data	
Project Name: Rehoboth Church of God in Christ Jesus Apostolic Location: Approximately 908 feet east of the intersection of Suitland Road and Silver Hill Road. Applicant/Address: Rehoboth Church of God in Christ Jesus Apostolic P O Box 543 Suitland, MD 20752 Property Owner: Same as applicant	Planning Board Hearing Date:	12/05/13
	Staff Report Date:	11/21/13
	Date Accepted:	07/03/13
	Planning Board Action Limit:	N/A
	Plan Acreage:	0.51
	Zone:	M-U-TC
	Gross Floor Area:	1,980 sq. ft.
	Lots:	N/A
	Parcels:	1
	Planning Area:	75A
	Tier:	Developed
	Council District:	07
	Election District	06
	Municipality:	N/A
	200-Scale Base Map:	204SE05

Purpose of Application	Notice Dates	
Special permit for a church in the M-U-TC Zone and a 598-square-foot addition to an existing building.	Informational Mailing	11/02/12
	Acceptance Mailing:	07/02/13
	Sign Posting Deadline:	11/05/13

Staff Recommendation		Staff Reviewer: Ivy 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, Development Review Division

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

SUBJECT: **Special Permit Application No. SP-120002**
Rehoboth Church of God in Christ Jesus Apostolic

REQUEST: **Church in the M-U-TC Zone and a 598-square-foot addition to an existing building.**

RECOMMENDATION: **DISAPPROVAL**

NOTE:

The Planning Board has scheduled this application for a public hearing on the agenda date of December 5, 2013. The Planning Board also encourages all interested persons to request to become a person of record for this application.

Requests to become a person of record should be made in writing and addressed to The Maryland-National Capital Park and Planning Commission, Development Review Division, 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772. Please call 301-952-3530 for additional information.

FINDINGS

- A. **Location and Field Inspection:** The 0.51-acre rectangular shaped subject property is located east of the intersection of Suitland Road and Silver Hill Road in Suitland, Maryland. The site is improved with a 1,980-square-foot building that is currently vacant. The applicant is proposing an addition of 184 square feet to the existing building. An 18-space parking lot is located to the front and side of the building. 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 2002 *Prince George's County Approved General Plan* (General Plan) places the site within the Developed Tier. The vision for the Developed Tier is a network of sustainable, transit-supporting, mixed-use, pedestrian-oriented, medium- to high-density neighborhoods. The vision for centers is mixed residential and nonresidential uses at moderate to high densities and intensities, with a strong emphasis on transit-oriented development. This application is consistent with the General Plan Development Pattern policies for the Developed Tier.

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 conforms to the mixed-use town center land use recommendations of the development plan because a church is an allowable use with a special permit. The proposed addition does not comply with the design standards of the development plan.

- D. **Request:** The special permit application is required in this instance because the application involves the addition of approximately 598 square feet to an existing building and to use the building as a place of worship with 70 seats. The application 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. The Prince George's County Zoning Ordinance requires a special permit for a church in the M-U-TC Zone.

E. **Neighborhood and Surrounding Uses:** The site is surrounded by the following uses:

North— Across Suitland Road 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 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.

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 the following requirements:

1. The Commercial District section maximum building setback of 22 feet from the edge of curb, the use of low-impact development techniques and strategies, placement of utility lines underground or relocation to the rear of the property, the separation of sidewalks from the curb by a six-foot-wide landscape strip, a minimum of eight-foot-wide sidewalk, and continuation of sidewalk materials across curb cuts.
2. The Parking and Loading section requirement for parking to be located at the rear or the side of the building and maximum parking spaces permitted for the use type, which shall be equal to 80 percent of the minimum required in accordance with Section 27-568(a) of the Zoning Ordinance.
3. The Landscaping, Buffering and Screening section addressing perimeter landscaping and other landscape requirements contained on page 43 of the development plan.

These issues are not addressed on the site plan.

G. **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 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.

H. **Referral Summary:**

1. **Community Planning Division**—Staff concurs with the Suitland Mixed-Use Town Center Design Review Committee (M-UTC Committee) findings and recommendations. The M-UTC 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. **Urban Design Section**—The project is subject to the regulations and guidelines of the 2006 Suitland M-U-TC Development Plan. The project is also subject to Section 27-548.00.01, Special Permits, of the Zoning Ordinance. The development plan states that the design standards replace the requirements of the Landscape Manual; therefore, the schedules and references to the Landscape Manual should be removed from the plan as they are not applicable.
 - a. There are multiple design standards in the development plan, which are applicable to the proposed development. However, the submitted plans and materials provide no detailed analysis of compliance with the applicable standards, but rather, ask for a blanket departure from all standards per the findings in Section 27-548.00.01. This is not acceptable as some of the standards, such as maximum parking spaces permitted, can easily be met by the development with only minor adjustments. A detailed analysis of conformance to each applicable standard should be provided for further review, and conformance to the standards should be shown wherever possible.
 - b. The site appears to have an excessive amount of existing pavement to remain. The proposed parking layout includes the creation of a new planting island in the middle of the site, adjacent to the right-of-way. This island could be expanded in all directions, removing additional excess paving, without causing a loss of parking spaces. The Urban Design Section would suggest that this be done to reduce impervious area and create additional room for interior landscaping.

Tree Canopy Coverage

The Tree Canopy Coverage Ordinance is applicable to all sites requiring a building or grading permit for 1,500 square feet or greater GFA or disturbance. The plan does not provide any reference to the requirements of this ordinance and, therefore, should either be revised to provide a schedule showing the requirements being met, show that they are not applicable, or apply for and obtain approval of a waiver of these requirements.

3. **Transportation Planning Section**—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. The applicant requests approval of a special permit to operate a church in the M-U-TC Zone; a church is allowed to operate in the M-U-TC Zone with a special permit. Section 27-239.02 of the Zoning Ordinance includes certain required findings before a special permit is granted.

The applicant responded to the specific purposes of the M-U-TC Zone and the 2006 Suitland M-U-TC Development Plan. These, in general, do not include any traffic-related conditions or findings. The applicant states that the proposed church will not adversely affect the health, safety, or welfare of residents or workers in the area.

The 1,980-square-foot building on the site is currently vacant. The applicant's proposed church includes 18 parking spaces, which are shown on the site with two commercial driveways from Suitland Road. The two-way driveways are 30 feet in width. Most of the parking spaces are adjacent to a grassy area near Suitland Road. There is an existing five-foot-wide sidewalk along Suitland Road. The driveway widths are adequate and new pavement and striping is proposed. Parking and traffic circulation to/from Suitland Road are adequate.

Suitland Road 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 determines that the special permit plan is acceptable.

4. **Department of Permitting, Inspections and Environment**—This portion of Suitland Road 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 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. The proposed Stormwater Management Concept Plan No. 30748-2012-00 has not been approved for this property.
5. **Environmental Planning Section**—There are no issues or comments for the proposed improvements.
6. **Special Projects Section**—The Countywide Planning Division has reviewed the proposed special permit application for public facility adequacy. The request for a special permit for a church in the M-U-TC Zone will have no impact on public facilities.
7. **Historic Preservation Section**—The Historic Preservation Section reviewed SP-120002, Rehoboth Church of God in Christ Jesus Apostolic, and found that the proposed church use in the M-U-TC Zone will have no effect on identified historic sites, resources, or districts.

CONCLUSION

The Planning Board may grant a special permit in the M-U-TC Zone if it finds that the site plan is not in conformance with the approved town center development plan and its guidelines and specific criteria for the specific use. The submitted site plan, justification statement, and other submitted materials are not in conformance with the 2006 *Approved Suitland Mixed-Use Town Center Zone Development Plan* guidelines. There are numerous revisions to the plans and submitted materials that must be made for staff to review in order to complete the application. Therefore, based on the preceding analysis and findings of the site plans and materials submitted for review, staff recommends DISAPPROVAL of Special Permit No. SP-120002.