

PGCPB No. 2025-018

File No. DSP-24009

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

WHEREAS, a new Zoning Ordinance, Subtitle 27, Prince George's County Code went into effect on April 1, 2022; and

WHEREAS, the applicant, Roland Kenner, Jr., submitted an application for approval of a detailed site plan; and

WHEREAS, pursuant to Section 27-1903(b) of the Zoning Ordinance, development applications of any type for properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the subject property; and

WHEREAS, therefore, the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission reviewed this application under the Zoning Ordinance in existence prior to April 1, 2022; and

WHEREAS, in consideration of evidence presented at a public hearing on February 27, 2025, regarding Detailed Site Plan DSP-24009 for International Church of Christ, the Planning Board finds:

1. **Request:** To allow a 200-seat church to occupy the existing building on the property. By way of background, the existing building was previously occupied by a fraternal organization as a lodge. Per Section 27-441, Footnote 52, of the prior Prince George's County Zoning Ordinance, a detailed site plan (DSP) is required for "a church or similar place of worship that is located on a lot between one (1) and two (2) acres in size," and this DSP has been filed to fulfill the requirement.
2. **Development Data Summary:**

	<b>EXISTING</b>	<b>EVALUATED</b>
Zone	RSF-A/MIO	R-T/M-I-O
Use	Lodge	Church
Gross acreage	1.23	1.23
Parcels/Lots	12 Lots	12 Lots
Gross floor area (GFA) of building	9,846 sq. ft.	9,846 sq. ft.

### Parking Data

Use	Minimum Required Spaces	Evaluated Spaces
<b>Church (200 seats)</b>	50	128 (existing)
1 space/4 seats in main auditorium and, 1space/4 seats in other rooms occupied at the same time as the main auditorium		
<b>Total</b>	<b>50</b>	<b>128</b>
Standard parking spaces (19 x 9.5 ft.)	50	123 (18 x 9 ft.)*
Handicap-accessible parking spaces (19 x 9.5 ft.)	1	5 (18 x 9 ft.)*
<b>Loading Spaces</b>	0	0

**\*Note:** Parking on-site is legally existing. Per Section 27-241(a) of the prior Zoning Ordinance, “[a]ny nonconforming building, structure, or use may be continued, repaired, or maintained. It may not be altered, enlarged, or extended, except in accordance with” Section 27-241. There are no changes to the existing parking on-site.

3. **Location:** The subject property is located on Tax Map 081 in Grid F4. It is further identified as Lots 1–12 of the Sansbury Park subdivision. The applicant is approved for a church use within the existing building on Lots 1–3, which will use the existing parking on the remainder of the site. The property is located south of the intersection of Orleans Avenue and Marlboro Pike.
4. **Surrounding Uses:** The subject property is bounded to the north by both Orleans Avenue and Marlboro Pike, with commercial buildings, a church, and a healthcare facility in the Commercial, General Office (CGO) Zone (formerly zoned Commercial Shopping Center (C-S-C)), and Residential, Single-Family–65 (RSF-65) Zone (formerly zoned One-Family Detached Residential (R-55)) beyond; to the east and south by commercial buildings and vacant land in the CGO Zone (formerly zoned C-S-C); and to the west by single-family detached homes in the RSF-65 Zone (formerly zoned R-55).
5. **Previous Approvals:** Records indicate that the existing building was constructed before 1965. The property is not the subject of a prior preliminary plan of subdivision (PPS). There are no notes on the record plats for Lots 1–12 related to the development of these lots.

A Stormwater Management (SWM) Concept Plan and approval letter (Application Number 36762-2024-INC/Approval Number P38322-2024-INC) were submitted with the application for this site. The Prince George’s County Department of Permitting, Inspections, and Enforcement (DPIE) issued the approval on February 26, 2024. The project is exempt from SWM requirements because the approved limits of disturbance are less than 5,000 square feet.

6. **Design Features:** The property is currently improved with a 9,846-square-foot building approved to be used as a church (see Figure 1). The building is located on the northwest side of the property, with an existing parking lot surrounding the building. Vehicular access is provided via three driveways from Orleans Avenue, at the northwest side of the property. No changes are approved to the exterior of the building nor the surrounding parking lot. The building is constructed with a brick façade and white vinyl siding. An awning wraps the perimeter of the building.

The applicant submitted two exhibits (Applicant's Exhibits 1 and 2) which demonstrate the locations and designs of two proposed signs. One is a freestanding illuminated sign that will face the Marlboro Pike right-of-way, located near the north corner of the site. The second sign will be a wall-mounted, backlit, metal letter sign that includes the church's logo, facing the Orleans Avenue right-of-way. As shown in Applicant's Exhibits 1 and 2, these signs are in conformance with Section 27-617 for institutional signs. Signage details will need to be provided, prior to certification of the DSP, as conditioned herein.

## CONFORMANCE WITH EVALUATION CRITERIA

7. **Prince George's County Zoning Ordinance:** The DSP application has been reviewed for compliance with the requirements of the Prince George's County Zoning Ordinance in the R-T and M-I-O Zones:
- a. With respect to Section 27-441(b), Table of Uses, of the Zoning Ordinance, a church or similar place of worship located on a lot between 1 and 2 acres in size is a permitted use in the R-T Zone, subject to footnote 52. Footnote 52 (Zoning Ordinance text in **bold**, and the Planning Board's analysis follows in plain text) includes the following requirements:
- 52. A church or similar place of worship that is located on a lot between one (1) and two (2) acres in size shall require a Detailed Site Plan in accordance with Part 3, Division 9, of this Subtitle. In addition to the requirements of Section 27-285(b), the following requirements shall be met:**
- (A) The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;**
- The existing building setback exceeds 25 feet from each lot line.
- (B) When possible, there should be no parking or loading spaces located in the front yard; and**
- The property fronts on both Orleans Avenue and Marlboro Pike. While most of the parking has been located to the south (rear) and east of the existing building, 18 legal existing parking spaces are located in the front yard. As discussed in Finding 2, the site has 128 legal existing parking spaces, with five handicap-accessible spaces. The minimum parking

requirement for this use is 50 spaces plus two handicap-accessible spaces, based on one space per four seats in the main auditorium. There are no approved changes to the existing parking layout. As noted in Finding 2, the nonconforming parking may be continued, repaired, or maintained. The application does not approve any site improvements other than interior fit out of the existing building, and any other permitted use in this zone would be allowed continued use of the existing parking. The Planning Board, however, finds that the applicant should be required to remove all parking lot striping from the paved surfaces in the front yard and install “No Parking” signs along the site’s Marlboro Pike frontage pursuant to Section 27-441(b), footnote 52. A condition has been included herein to address this finding.

**(C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased.**

The subject property does not conform to the lot coverage requirements of the R-T Zone. However, per Section 27-241(a) of the prior Zoning Ordinance, “[a]ny nonconforming building, structure, or use may be continued, repaired, or maintained.” A nonconforming building or structure is one that was lawfully erected prior to the requirement to which it does not conform. The site’s existing building and pavement were constructed prior to 1980, according to aerial imagery from PGAtlas. This site was later the subject of a sectional map amendment (SMA) in 2009, which changed the zoning on the property from C-S-C and Community Commercial (C-C) to R-T. There are no lot coverage requirements in the C-S-C or C-C Zones, however, as discussed herein, the R-T Zone has lot coverage requirements for any permitted use. As such, the site became nonconforming, as it relates to lot coverage, with this 2009 SMA. Since the lot coverage existed prior to the property being subject to the R-T Zone, this nonconformity may be continued, repaired, or maintained. Further, a conforming use may obtain a use and occupancy permit for this nonconforming site upon provision of “satisfactory evidence as to the actual existence (date of construction) of a nonconforming building or structure shall be submitted with any application for a permit to use a nonconforming building or structure for a conforming use.” See prior Zoning Ordinance Section 27-243.03. The approved church is a conforming use.

The subject property is nonconforming with respect to the lot coverage provisions of the R-T Zone. Specifically, for a church use, a maximum of 50 percent lot coverage is permitted, and existing lot coverage is 87 percent. Lot coverage in this instance, however, is not being increased. The prohibition on increasing lot coverage over the maximum allowed was enacted via Prince George’s County Council Bill CB-76-1993. The legislative history of that bill indicates that it was not

intended to foreclose churches from occupying nonconforming sites, as other permitted uses are allowed to do, but rather to prevent the Prince George's County Board of Appeals from approving increases in lot coverage through variances. See the *Housing Planning and Transportation Committee Report*, dated June 16, 1993. Accordingly, this provision is inapplicable to the subject application.

- b. The DSP is in conformance with the applicable site design guidelines, as referenced in Section 27-283 and contained in Section 27-274 of the prior Zoning Ordinance. The DSP represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the development for the intended use of this application, which is for interior renovations to the existing building for a church use.
- c. This application is subject to the regulations contained in Section 27-433 for the R-T Zone, of the prior Zoning Ordinance as follows:

**Section 27-433. – R-T Zone (Townhouse)**

**(c) Regulations.**

- (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the R-T Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.**

Compliance with these regulations is addressed as follows:

- The DSP complies with Off-Street Parking and Loading (Part 11) as discussed in Finding 2 above;
- The DSP complies with Divisions 1 and 5 of Part 5 of the prior Zoning Ordinance, as applicable. In compliance with Section 27-421.01 of the prior Zoning Ordinance, the property has frontage on and direct vehicular access to public streets via Orleans Avenue. In compliance with Section 27-421, to the extent the property is considered a corner lot, this DSP does not show visual obstructions more than 3 feet in height within the triangle formed by the intersection of the street lines and points on the street lines 25 feet from the intersection.
- The DSP is in compliance with the regulation tables contained in Section 27-442(b) of the prior Zoning Ordinance, for development in the R-T Zone, except as noted above in Finding 7a.

- As discussed below, this DSP is exempt from the requirements of the 2010 *Prince George's County Landscape Manual* (Landscape Manual).
- d. This application is subject to the regulations of Section 27-248.54, for the M-I-O Zone of the Prior Zoning Ordinance as follows:

**Section 27-548.54 – Requirements for Height**

- (e) **The Planning Board shall verify certification of height using the formulae proscribed in this Section as described below:**

- (2) **The figures calculated through the measurements in this Section should add the difference in elevation between the runways at Joint Base Andrews and the highest elevation on the subject property: properties lower than 274 feet in elevation should add this difference in elevation; properties higher than 274 feet in elevation should subtract this difference in elevation to determine the maximum height:**

- (B) **Surface B (Approach-Departure Clearance Surface): Structures shall not exceed a height (in feet) equivalent to the distance between Surface A and nearest boundary of the subject property, divided by 50.**

The subject property is 7,938 feet from the nearest boundary of Surface A. The maximum building height on this property shall not exceed 158 feet. The existing building on this property is 20 feet in height and complies with the requirement.

8. **2010 Prince George's County Landscape Manual:** The application is exempt from the Landscape Manual because it meets the requirements of Section 1.1(d). The application does not show a change in use from a lower to a higher category, and the application does not increase the impervious surface or gross floor area (GFA).
9. **Prince George's County Woodland and Wildlife Habitat Conservation Ordinance:** This site is not subject to the provisions of the WCO that came into effect July 1, 2024, including CB-77-2024 which became effective on January 3, 2025, because this application does not show any grading. Therefore, a tree conservation plan (TCP) is not required. Any future grading may require a TCP.
10. **Prince George's County Tree Canopy Coverage Ordinance:** Section 25-128 of the Prince George's County Code requires a minimum percentage of tree canopy coverage (TCC) on projects that show more than 5,000 square feet of disturbance or increase in GFA. The subject application shows no disturbance and no increase in GFA. Therefore, the application is exempt

from TCC requirements. As a condition of approval, a general note addressing the TCC shall be added to the plan.

11. **Referral comments:** The subject application was referred to the concerned agencies and divisions. The referral comments are summarized, as follows:
  - a. **Community Planning**—In a referral email dated January 7, 2025 (Perry to Myerholtz), it was noted that there are no issues with conformance to the 2009 *Approved Marlboro Pike Sector Plan and Sectional Map Amendment* or *Plan Prince George's 2035 Approved General Plan*.
  - b. **Transportation**—In a memorandum dated January 21, 2025 (Smith to Myerholtz), it was noted that the vehicular, pedestrian, and bicycle access and circulation for this plan is acceptable, consistent with the site design guidelines pursuant to Subtitle 27, and meets the findings for pedestrian and bicycle transportation purposes.
  - c. **Subdivision**—In a referral email dated February 4, 2025 (Vatandoost to Myerholtz) it was noted that there were no outstanding issues with this case. The property is not the subject of a prior PPS.
  - d. **Permit Review**—In a memorandum dated January 28, 2025 (Shaffer to Myerholtz), minor revisions were noted, which are included in the conditions herein.
  - e. **Environmental Planning**—In a memorandum dated January 7, 2025 (Kirchhof to Myerholtz), the DSP's conformance with SWM, the WCO, and natural resources inventory were noted and have been included in the findings above.
  - f. **Prince George's County Fire/EMS Department**—The Fire Department did not offer comments on the subject DSP.
  - g. **Washington Suburban Sanitary Commission (WSSC)**—WSSC did not offer comments on the subject DSP.
  - h. **Prince George's County Department of Permitting, Inspections and Enforcement (DPIE)**—DPIE did not offer comments on the subject DSP.
  - i. **Prince George's County Health Department**—The Health Department did not offer comments on the subject DSP.
12. **Community feedback:** The Prince George's County Planning Department did not receive any written correspondence from the community for this subject application.
13. **Planning Board Hearing:** The Planning Board held a public hearing on this application on February 27, 2025. At the hearing, and in rendering its decision, the Board considered all written and oral testimony, along with all exhibits submitted according to the Board's procedures.

Prior to the hearing, the applicant submitted two exhibits (Applicant's Exhibits 1 and 2), which pertain to proposed signage. The proposed signage was found in conformance with the applicable zoning requirements, and an associated condition was read into the record by technical staff.

14. As required by Section 27-285(b)(1) of the prior Zoning Ordinance, the DSP represents a reasonable alternative for satisfying the site design guidelines of Subtitle 27, Part 3, Division 9, of the County Code without requiring unreasonable costs and without detracting substantially from the utility of the development for its intended use.
15. As required by Section 27-285(b)(4) of the prior Zoning Ordinance, for approval of a DSP, the regulated environmental features (REF) on-site have been preserved and/or restored in a natural state, to the fullest extent possible, in accordance with the requirements of Subtitle 24-130(b)(5) of the Subdivision Regulations, as this DSP does not change the established limits of disturbance and does not result in any impacts to REF.

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 Detailed Site Plan DSP-24009 for the above-described land, subject to the following condition:

1. Prior to certification of this detailed site plan, the following revisions shall be made, or information shall be provided:
  - a. Revise the plans to show there will be no parking spaces in the front yard, and that "No Parking" signs will be posted along the site's Marlboro Pike frontage pursuant to Section 27-441(b), footnote 52.
  - b. Show and label the centerlines and rights-of-way of Orleans Avenue and Marlboro Pike on the site plan.
  - c. Identify the height of the existing chain-link fence on the site plan.
  - d. Add a note to the plan stating that the site is exempt from the Prince George's County Tree Canopy Coverage Ordinance.
  - e. Provide an approval, existing condition sheet, and indicate if the existing shed will be removed.
  - f. Provide details and locations for the proposed mounted and freestanding signs, in accordance with Applicant's Exhibits 1 and 2.

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

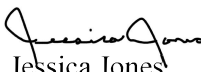
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This is to certify that the foregoing is a true and correct copy of the action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Washinton, Geraldo, and Shapiro voting in favor of the motion, and with Commissioner Bailey absent at its regular meeting held on Thursday, February 27, 2025, in Largo, Maryland.

Adopted by the Prince George's County Planning Board this 20th day of March 2025.

Peter A. Shapiro  
Chairman

By   
Jessica Jones  
Planning Board Administrator

PAS:JJ:DM:tr

APPROVED AS TO LEGAL SUFFICIENCY



David S. Warner  
M-NCPPC Legal Department  
Date: March 12, 2025