

Prince George's County Departure from Sign Design Standards or Departure from Design Standards
Applicant: Mid-Atlantic Real Estate Investment, Inc.
Location: Located on the southwest side of Suitland Road approximately 1000' south of the intersection with Silver Hill Road, known as 4923-27 Suitland Road.
Request: Waiver of 33 parking spaces from the required 110 parking spaces.

A M E N D E D R E S O L U T I O N

WHEREAS, the applicant is requesting departure of 33 parking spaces from the required 110 parking spaces to allow a 5,100 square foot church within the existing shopping plaza; and

WHEREAS, the advertisement of the public hearing was posted on the property in accordance with the adopted Rules of Procedure of the Prince George's County Planning Board; and

WHEREAS, the Technical Staff Report released September 13, 2000, recommends Approval with Conditions; and

WHEREAS, after consideration of the Technical Staff Report and testimony at its regular meeting on September 21, 2000, the Prince George's County Planning Board agreed with the staff recommendation; and

*WHEREAS, on January 26, 2000 the applicant requested for a Waiver of Rules of Procedure, Reconsideration of Approved Departure and amendment of Condition No. 2 of the approved Departure; and

*WHEREAS, the Technical Staff Memorandum released February 7, 2001 recommended that the departure be increased from 33 to 34 parking spaces in the alternative to amending Condition No. 2; and

*WHEREAS, after consideration of the Technical Staff Memorandum and testimony at its regular meeting on February 15, 2001, the Prince George's County Planning Board agreed with the staff recommendation; and

WHEREAS, the Prince George's County Planning Board decision is based on the findings and conclusions found in the Technical Staff Report and the following DETERMINATIONS:

- A. Location and Field Inspection: The property is located on the south side of Suitland Road, across from its intersection with Eastern Lane and approximately 1,000 feet east of Silver Hill Road (MD 458). The site comprises 1.51 acres of land and is improved with a one-story (with a lower level), 24,420-square-foot shopping center with four stores and associated parking area with 40.

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The current uses on the property consist of a dry cleaners establishment, beauty service, pizza delivery and a vacant space which is proposed to house a church.

- B. History: The 1986 Sectional Map Amendment for Suitland, District Heights and Vicinity retained the existing C-S-C Zone for the subject property. on May 14, 1998, the Prince George=s County Planning Board approved a revision of Detailed Site Plan (SP-95091/1) for a day care for 60 children located on the subject property.
- C. Master Plan Recommendation: The 1985 Approved Master Plan for Suitland, District Heights and Vicinity recommends the property for retail-commercial land use.
- D. Request: The applicant is requesting a departure of [33]*34 parking spaces from the required 110 parking spaces to allow a 5,100-square-foot church within the existing shopping plaza. The shopping plaza has 82 existing parking spaces.
- E. Surrounding Uses: The immediate area surrounding the site is generally characterized by commercial uses in the C-S-C Zone. The subject property abuts an abandoned gas station to the east, an electronic parts and repair shop to the west and unimproved property to the south, all in the C-S-C Zone. A vacant apartment complex (Manchester Square) is located across Suitland Road, north of the site in the R-10 Zone.
- F. Design Requirements:
 - 1. Number of Required Parking and Loading Spaces: **Section 27-568 of the Zoning Ordinance requires one parking space for every four seats in the main auditorium of a church, plus one space for every four seats in other rooms occupied at the same time as the main auditorium.**

According to the applicant=s parking schedule, the proposed church has 144 seats, and therefore 36 parking spaces are required for the use. Moreover, five of the existing parking spaces adjacent to the proposed church will be eliminated and a handicap parking space will be relocated to provide a five-foot-wide sidewalk and a ramp in accordance with ADA requirements. A total of 110 parking spaces are required for the various uses in the shopping center, including the proposed church use. With the subject proposal, the total number of parking spaces will be [77] *76, including 4 parking spaces for the physically handicapped. The applicant is requesting a waiver of [33] *34 parking spaces.

The site plan shows all four handicap parking spaces as standard handicap spaces. At least one van-accessible space is required. The Board recommends that the relocated handicap space adjacent to the proposed church shall be van-accessible.

Section 27-582 of the Zoning Ordinance requires one loading space (per store) for

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retail sales and services comprising over 2,000 square feet of gross floor area (GFA). Section 27-582 also requires one loading space for every 10,000 to 100,000 square feet of gross floor area (G.F.A) for churches.

The site consists of two existing loading spaces. Currently, only one loading space is required to satisfy the existing uses on the site. With regard to the proposed church use, no loading space is required since the use occupies a gross floor area of less than 10,000 square feet.

2. Landscape Manual: The site is exempt from the *Landscape Manual* since no new building or outdoor parking areas are to be constructed.
- G. Sign Regulations: No sign is proposed for the subject use. Any sign that will be placed on the property must meet all area, height and setback requirements.
- H. Other Issues: Because of the proposed changes to the parking area and adjustments to the parking schedule, a revised detailed site plan needs to be submitted for administrative revision before the issuance of permits.
- I. Required Findings - Departure from Parking and Loading Standards
- (A) **Section 27-588(b)(8) of the Zoning Ordinance provides that in order for the Planning Board to grant the departure, it shall make the following findings:**
1. **The purposes of Section 27-550 will be served by the applicant=s request.**
- The purposes of the Parking Regulations are as follows:
- a. **The off-street and on-street parking areas are sufficient to serve the parking and loading needs of all persons associated with the building and use.**
 - b. **To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points.**
 - c. **To protect the residential character of residential areas.**
 - d. **To provide parking and loading areas which are convenient and increase the amenities in the Regional District.**

The applicant=s statement of justification indicates that the main church services are held on Sunday mornings. Among the uses located in the

shopping center are a barber shop, hairstylist and a day care center for children, uses that are generally closed on Sundays. There are at least 25 parking spaces allocated to these uses. Moreover, the shopping center usually has one or two vacant retail spaces for which up to eight parking spaces are allocated per store.

Upon reviewing the proposal the Transportation Planning Section has indicated that there are no significant transportation issues associated with the departure request. The nature of the shopping center and existing conditions on the property provide for ample and convenient parking and loading accommodations to satisfy the church=s needs. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use; thus, nearby residential properties are not likely to be affected by the proposed departure. Therefore, the purposes of this Subsection will be served by the requested departure.

2. The departure is the minimum necessary, given the specific circumstances of the request.

A number of uses in the shopping center are closed on Sundays, when the church is having services. As a result, sufficient parking spaces will be available to accommodate all of the church=s parking needs. As such, the departure is the minimum necessary given the specific circumstances of the request.

3. The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or to alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949.

The proposed use will not intensify or exasperate existing traffic and parking conditions in the area. The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location. As indicated, the church is located in a small shopping center. The number of parking spaces allocated to each use varies depending on the type and/or size of uses occupying space in the center. The nature of other uses located in the center is generally such that it does not generate a large number of customers at any given time. Moreover, a number of these uses are closed on Sundays when the church is having services, and they are allocated between 30 to 40 on-site parking spaces.

4. All methods for calculating the number of spaces required have either been

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used or found to be impractical.

All methods for calculation have been used and found impractical to further reduce the parking requirement. There is not enough space left on the site to accommodate the parking requirement of the church. There is no other possible way to further reduce the parking requirement.

5. Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted

The only adjacent residential area is a property across Suitland Road (north) on which a vacant apartment building stands.

(B) In making its findings, the Planning Board shall give consideration to the following:

1. The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within 500 feet of the subject property.

Other business establishments located in the area generate minimal traffic. Most have their own parking accommodations on site. The proposal provides for two loading spaces as required by the Zoning Ordinance.

2. The recommendations of an area master plan, or County or local revitalization plan, regarding the subject property and its general vicinity.

The 1985 Approved Master Plan for Suitland, District Heights and Vicinity recommends the property for retail-commercial land use.

A church is permitted by right in the C-S-C Zone. The subject use is consistent with the Plan=s recommendations and will not impair the integrity of the Master Plan.

3. The recommendations of a municipality (within which the property lies) regarding the departure.

This subject property is not within a municipality.

4. Public parking facilities which are proposed in the County=s Capital Improvement Program within the general vicinity of the property.

There are no public parking facilities proposed for this area.

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(C) In making its findings, the Planning Board may give consideration to the following:

1. Public transportation available in the area.
2. Any alternative design solutions to off-street facilities which might yield additional spaces.
3. The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within 500 feet of the subject property.

Although the property is within walking distance of bus stops that are located along Suitland Road, the applicant does not anticipate any significant use of public transportation by its members. The applicant has explored alternative design to the parking area and found that the proposed layout of the parking area to be the most efficient use of the parking lot. The Board concurs.

The peak hours for the church use are Sundays, when services start at 10:00 a.m. The subject property is located in a commercial area and, as indicated, parking demand that will be generated by the proposed church will be adequately satisfied with the existing parking spaces for the shopping center. There will be no disruption to traffic flow or parking conditions on the surrounding streets resulting from the proposed use. The proposal will not affect the nature and hours of operation of other uses within 500 feet of the subject property.

NOW, THEREFORE, BE IT RESOLVED, that Departure from DPLS-264 is hereby Approved subject to the following conditions:

1. The applicant shall obtain approval of a revised detailed site plan for SP-95091/1 prior to the issuance of permits.
2. The relocated handicap space adjacent to the proposed church shall be van-accessible.

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 Lowe, seconded by Commissioner Brown, with Commissioners Lowe, Brown, Eley and Hewlett voting in favor of the motion, at its regular meeting held on Thursday, February 15, 2001, in Upper Marlboro, Maryland.

Adopted by the Prince George's County Planning Board this 22nd of March 2001.

Trudye Morgan Johnson
Executive Director

By Frances J. Guertin
Planning Board Administrator

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